

The Union Presidential and Parliamentary Elections in Tanzania

29 October 1995

The Report of the
Commonwealth Observer Group



Commonwealth Secretariat

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1996

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**REPORT OF THE COMMONWEALTH OBSERVER GROUP TO
THE UNION PRESIDENTIAL AND PARLIAMENTARY ELECTIONS IN TANZANIA**

29 OCTOBER 1995

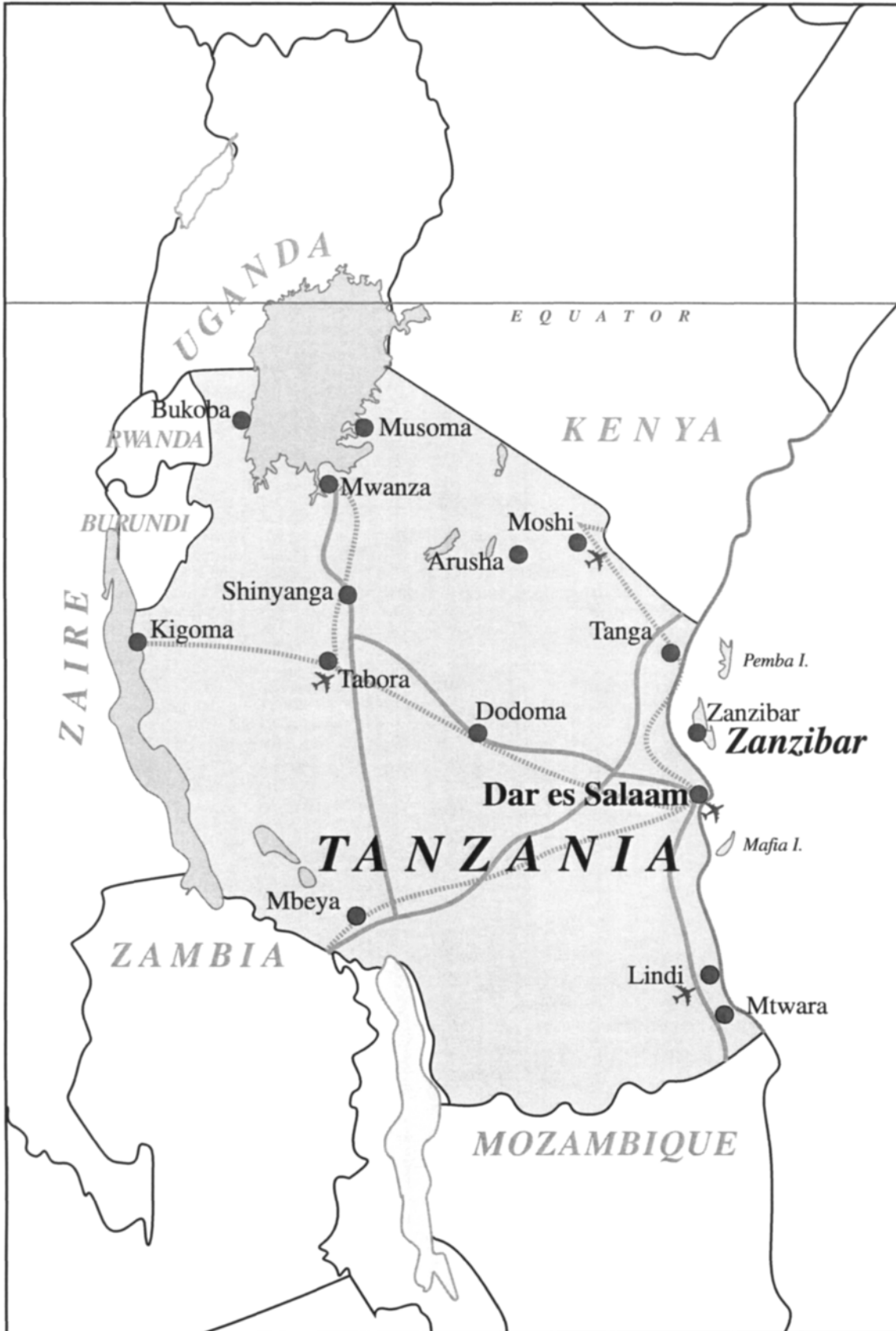
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Map of Tanzania



LETTER OF TRANSMITTAL



Tanzania Presidential and Parliamentary Elections, 1995

Commonwealth Observer GroupTel: (255) 51 21281-9
Fax: (255) 51 46762Hotel Kilimanjaro
P O Box 9574
Dar es Salaam

2 November 1995


Dear Secretary General,

Following the request to you from the Government of the United Republic of Tanzania, which was supported by political parties, our Group was appointed by you to observe the Presidential and Parliamentary Elections of 29 October 1995. As you had also accepted an invitation from the Government of Zanzibar to observe the elections for the Zanzibar Presidency and House of Representatives on 22 October 1995, some of our Group arrived in Dar es Salaam early and proceeded to Zanzibar. Before we left Tanzania, we issued a statement on the conduct of the elections, a copy of which was sent to you. We now have pleasure in submitting our full Report.

We have been honoured to have been associated with these historic elections in Tanzania and with Commonwealth efforts in furtherance of its belief in democracy and its fundamental political values. We wish to record our deepest appreciation to the National Electoral Commission, Zanzibar Electoral Commission, international observers, local monitors and the Government and people of Tanzania for their co-operation and assistance in carrying out our work.

Rashleigh Jackson
Chairman


His Excellency Chief Emeka Anyaoku
Commonwealth Secretary-General
Marlborough House
London SW1



Mr Gerard Ah Shung



Hon Edna Madzongwe MP



Mr Brian Alleyne MP



Rt Rev Bishop Philip Mokuku



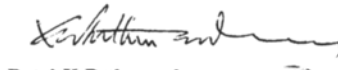
Mr Angelos Angelides




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Lord Redesdale



Mr Rauff Hakeem MP



Mr Trevor Rogers



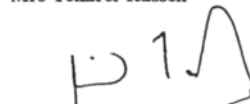
Ambassador N Krishnan



Mrs Tekarei Russell



Dr Moti Lall MP



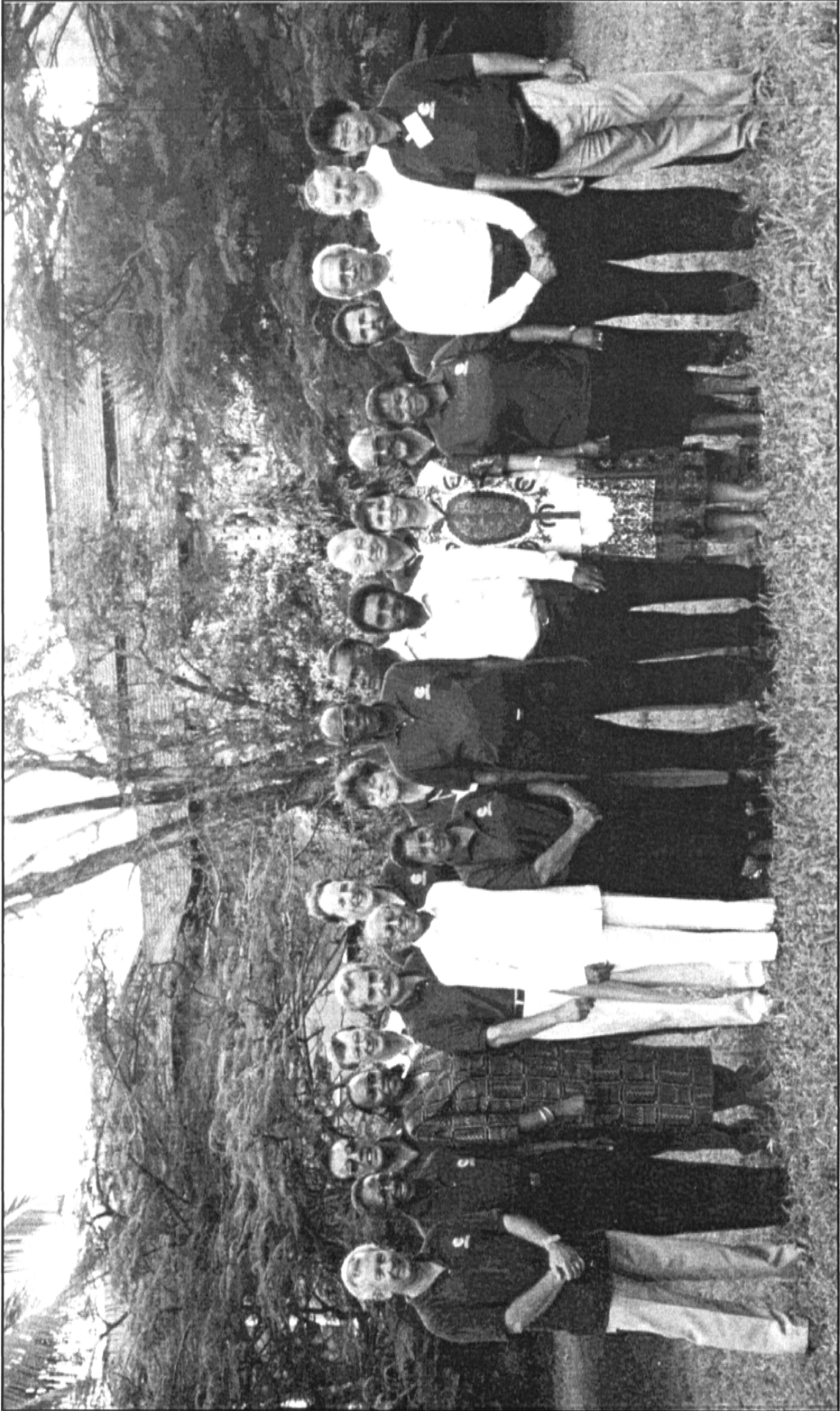
Mr David Taylor



Mr Joseph McGuire MP



Ms Dianne Yates MP



The Commonwealth Observer Group ... (from left) Robin Bell, Rev Phillip Mokuuku, Dr Mori Lall, Tuelonyama Oipliamit, Joseph McGuire, Angelos Angelides, N Krishnan, Lord Redesdale, Tekarei Russell, Dianne Yates, Rashleigh Jackson (chair), Dato' K Pathmanaban, Emiliano Bouletare, David Taylor, Anna Bayer, Brian Alleyne, Edna Mandzongwe, Raniff Hakeem, Mohammad Haneef Rannay, Trevor Rogers, Gerard Alt-Shung

Introduction

The October 1995 Presidential and Parliamentary Elections in Tanzania were the first multi-party elections held in the country since 1961. The Commonwealth's involvement in Tanzania's return to multi-party democracy followed an invitation issued on 11 April 1995 by the Government of the United Republic of Tanzania to the Commonwealth Secretary-General to send an observer mission to the general election scheduled for 29 October 1995. The Secretary-General also received a request from the Zanzibar Government for the Commonwealth to observe the elections for the Zanzibar Presidency and House of Representatives scheduled for 22 October 1995.

In accordance with established practice, the Secretary-General sent a three-member Planning Mission to Tanzania between 31 July and 9 August 1995 to meet with the National Electoral Commission (NEC), representatives of political parties and other interested groups and associations. The Planning Mission reported to the Secretary-General that there was broad support for a Commonwealth presence throughout the electoral process and recommended assisting preparations for the elections, especially in establishing a level playing field for all the political parties.

On the strength of the Planning Mission's report, the Deputy Secretary-General (Political) led a second planning visit to Tanzania between 27 August and 2 September 1995. This mission conveyed to the President of Tanzania the Secretary-General's formal acceptance of the Government's invitation to constitute an observer mission for the elections and discussed with the NEC ways in which the Commonwealth Secretariat could offer practical assistance to the electoral process. This offer of technical assistance was not taken up in full.

Composition of the Group and its Terms of Reference

Our Observer Group to Tanzania was the sixteenth such mission to be constituted since the 1989 Commonwealth Heads of Government meeting in Kuala Lumpur, Malaysia, declared that one of the Commonwealth's contributions to strengthening democracy might be to support member countries in their electoral and constitutional processes by mounting observer missions comprising Commonwealth citizens with relevant experience, at the request of member governments. This view was reaffirmed by Heads of Government in the Harare Commonwealth Declaration of 1991.

It was against this background that the Secretary-General invited our Group of 21 Observers from 18 Commonwealth countries, supported by 10 officers from the Commonwealth Secretariat, to observe the elections in Tanzania. Among our Group were 10 elected Members of Parliament, including four women, and three Electoral Commissioners. The full composition of the Group is set out at *Annex I*.

The Terms of Reference for our Group were incorporated in the Secretary-General's letter inviting each of us to participate in the mission and were as follows:

The Group is established by the Commonwealth Secretary-General at the request of the Government of the United Republic of Tanzania and supported by the political parties. It is to observe relevant aspects of the organisation and conduct of the elections in accordance with the law of Tanzania. It is to consider the various factors impinging on the credibility of the electoral process as a whole and to determine in its own judgment whether the conditions exist for a free expression of will by the electors and if the results of the elections reflect the wishes of the people.

The Group is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgment accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of the elections.

The Group will submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Tanzania, to the leadership of the political parties taking part in the elections and thereafter to Commonwealth governments.

The Secretary-General's announcement of our mission on 19 October 1995 is at *Annex II*.

Method of Work

The Observers assigned to the Presidency and House of Representatives elections in Zanzibar were briefed by the Secretary-General in London on Monday 16 October 1995 and were deployed to Zanzibar on Wednesday 18 October 1995 after a brief stay in Dar es Salaam. A copy of their report is at *Annex III*. (These colleagues rejoined the main Group in Dar es Salaam on Monday 23 October 1995.)

The remainder of our Group assembled in London for a briefing by the Secretary-General on 20 October 1995. On arrival at Dar es Salaam on 21 October 1995, the Chairperson of our Group, Mr Rashleigh Jackson, issued an Arrival Statement (*Annex IV*) at a Press Conference. We established our base headquarters at the Hotel Kilimanjaro and immediately began a series of meetings.

Our first meeting was with the Vice-Chairman of the NEC, Justice Brigadier-General Augustino Ramadhani and a number of his colleagues. Thereafter, and until our deployment to the various regions on 25 October 1995, we met with representatives of the main political parties contesting the elections, non-governmental organisations, local election monitoring bodies, and media organisations.

The Chairperson and four other members of our Group later met with the Chairman and Commissioners of the NEC to convey a number of concerns arising from our early meetings, including the state of the Commission's logistical preparedness. During this consultation, we were informed that preparations for the elections were in order and on schedule. A full timetable of our engagements is at *Annex V*.

On Wednesday 25 October 1995, we broke into 13 teams of two persons each and deployed to 13 regions, including Zanzibar (*Annex VI*). Our Chairperson, accompanied by two Secretariat officers, visited the heavily-populated Mwanza region on Lake Victoria between 25 and 27 October to obtain a first-hand impression of the general state of preparedness for the elections. On their return to Dar es Salaam, they observed the last days of the campaign, studied preparations for polling, and monitored reports from the deployed teams around the country. During polling day, the Chairperson and Secretariat officers observed the voting in the city of Dar es Salaam.

In the four days before polling began on 29 October 1995, our observer teams travelled extensively throughout their designated regions. During this time, they met with local political representatives, election officers, and other observer groups, and assessed the state of preparedness for the poll. We were also able to witness the last days of the campaign and familiarise ourselves with local conditions. Each team reported regularly to the headquarters in Dar es Salaam and we were guided throughout our deployment by Observation Notes and Check Lists which had been provided by the Secretariat (see *Annex VII*).

We worked in close co-operation with local election monitoring groups such as the Tanzania Election Monitoring Committee (TEMCO) and the Zanzibar Elections Monitor and Observer Group (ZEMOG), and with international observer groups operating under the umbrella of the United Nations, which had been designated by the authorities in Tanzania as co-ordinator of international observers. Prior to deployment, we were briefed by a team of UN co-ordinators, and on deployment most of our teams made contact with the UN regional co-ordinators to establish the basis for effective co-operation.

The delays in the count, the subsequent recount, and the late declaration of election results for the Zanzibar Presidency and House of Representatives, led to suspicions of fraud, and heightened interest in the conduct of the Union elections. The spill-over effect of the Zanzibar elections was evident in the political atmosphere during the last week of campaigning for the Union elections: voters became more aware of the competitive nature of the contest and the need for transparency during the poll and the count. The Secretary-General of the Civic United

Front Party (CUF) (who was also the losing Presidential candidate in the Zanzibar elections) threatened a boycott of the Union elections on 29 October 1995 as a protest against alleged manipulation of the poll. However, CUF did finally participate in the Union poll.

The conduct of the polls across the country on 29 October was varied, but in most constituencies they proceeded satisfactorily. Delays in the opening of polling stations and shortages of ballot papers resulted in a certain amount of confusion in different areas of Tanzania. The NEC extended the polling period by four hours to allow time for election officers to rectify some of these problems. Nevertheless, polling day ended with many thousands of voters across the country unable to vote. This was most notable in Dar es Salaam's seven constituencies, where subsequently the NEC nullified the polling and announced a re-poll.

Chapter 1

The Political Background

As in other parts of Africa, the end of the Second World War witnessed the emergence of nationalist parties in the constituent parts of what was to become the United Republic of Tanzania – Tanganyika and Zanzibar.

In 1954, the Tanganyika African National Union (TANU) was formed. It was not so much a new party but a renovation of the Tanganyika African Association, a civic organisation catering predominantly for African interests which had been in existence since the end of the First World War. However, under the leadership of Julius Nyerere, TANU quickly emerged as the premier organisation of African nationalism, eventually leading Tanganyika to independence in December 1961.

In 1956, the United Tanganyika Party (UTP) was formed by some Unofficial Members of the then Legislative Council. It drew its support from Europeans, Asians and Africans. It stood for multiracialism, equal representation in the Legislative Council for all racial groups and a qualified franchise based on property and education. In 1958, the African National Congress (ANC), a breakaway from TANU, was formed and the All Muslim National Union of Tanganyika (AMNUT) was the fourth party to be established in Tanganyika. TANU and AMNUT both wanted independence, although the latter preferred a slower pace of constitutional change. Therefore, at independence in December 1961 there were four political parties in Tanganyika. Between 1962 and 1963, three more were formed. These were the People's Convention Party (PCP), the African Independence Movement (AIM), and the People's Democratic Party (PDP).

In Zanzibar, the first major post-war political organisation was the Zanzibar Nationalist Party (ZNP), formed in 1955 from a merger of the Nationalist Party of the Subjects of the Sultan of Zanzibar and the Arab Association. The ZNP's principal objectives included the abolition of representation by race or colour in the Legislative Council, adult franchise and early independence for Zanzibar. Two years later, in 1957, the Afro-Shirazi Party (ASP) was formed by a union of the African Association (AA) and the Shirazi Association (SA). In 1959, the Zanzibar and Pemba People's Party (ZPPP) was born, bringing the number of political parties on the islands at independence in December 1963 to three. A fourth party, the Umma Party, was formed by a breakaway group from the ZNP after independence.

Accordingly, both independent Tanganyika and independent Zanzibar were born in multi-partyism, although in both instances multi-partyism was to be shortlived. In the event, TANU's dominance over government and society in Tanganyika began to be established soon after independence and in January 1964 the ASP, which had overthrown the Sultan's Government in December 1963, first proscribed the ZNP and the ZPPP, and later the Umma Party, leaving itself the only party on the island. In 1965, TANU was proclaimed the sole party in Tanganyika by its own government; it is claimed that unlike TANU the other parties were small and weak, and would in any case have withered on the vine. Whatever the means and whatever the justification, both Tanganyika and Zanzibar had, within short periods of independence, turned into one-party states.

The stage was thus set for the next turning point in the history of the two countries. On 26 April 1964, the United Republic of Tanganyika and Zanzibar – Tanzania – was proclaimed. The Constitution of Tanganyika was suitably amended to serve as the Interim Constitution of the United Republic, pending the appointment of a Constitutional Commission to draft the Union Constitution. These interim arrangements left the ASP and TANU as the sole legal political parties in Zanzibar and the mainland respectively, and in February 1977 the ASP and TANU were merged to form *Chama Cha Mapinduzi* (CCM) which became the only legal party in the new United Republic of Tanzania. In March 1977, the new Constitution of the United Republic was adopted. It declared Tanzania to be a one-party state and proceeded to enshrine the supremacy of the CCM party in government and society.

The ruling objectives of the CCM – which involved building socialism under conditions of self-reliance – became the ruling objectives of the state. Membership of the National Assembly in mainland Tanzania and the House of Representatives in Zanzibar was dependent upon membership of the party; parliament (as the National Assembly in the mainland and as the House of Representatives in Zanzibar) sat as a Committee of the Party; trade unions, workers' co-operatives, youth, peasant and women's organisations, and the Tanzania Defence Forces, all became integral wings of the party. The party was organised in very small units at the work place, into the *Nyumba Kumi Kumi* (Ten-House Cell/'ten-cell') system, and grew from these units to structures at the village, district, regional and national levels. The presence of the party was all pervasive and the distinction between state and party became, for all practical purposes, non-existent.

The Transition to Multi-Party Democracy

With the advent of the 1980s, the Tanzanian economy entered a phase of acute crisis. At the heart of that crisis was the sharp fall in the prices of Tanzania's commodity exports such as sisal and cloves, and the rise in the prices of its manufactured imports. The fall in commodity prices was, of course, a general problem for the entire developing world but it affected certain developing countries, Tanzania among them, with a particular severity. According to the Nyalali Commission established to examine the pros and cons of a one-party or a multi-party system for Tanzania, some Tanzanians associated economic hardship with the single-party political system and began to contemplate changing it. The Government agreed to accept the World Bank and International Monetary Fund conditionalities for economic liberalisation and "to begin to deliberate about easing on political monopolisation".

In 1983, a debate on constitutional change revealed the shortcomings of the one-party system on such issues as human rights and democracy. This debate received a considerable boost when Julius Nyerere launched a campaign in 1986 to revitalise CCM. That the campaign was necessary at all showed the CCM as a party which had become largely ineffective and lacking in vitality and internal democracy. In terms of preparing Tanzanians for the transition to a multi-party democracy, Julius Nyerere's campaign was important. For until then, all criticism of the one-party system had been largely muted out of fear and Nyerere's intervention dispelled that fear.

The advocates of change were further strengthened by external developments, most notably the dramatic fall of communism in the former Soviet Union and its satellite states in Eastern Europe. These historic events, and further interventions by Julius Nyerere in the debate, especially between February and May 1990, now placed the need for change in the political system firmly on the national agenda.

In response, President Ali Hassan Mwinyi appointed a Commission under the Chairmanship of Chief Justice Francis Nyalali in February 1991. Among other things, the Commission was to:

collate people's views in the debate on whether Tanzania continues with a One-Party Political System or adopts Multi-Partyism; and advise and recommend on the need, wisdom and consequences of continuing with One-Party Political System or changing to Multi-Partyism without undermining our country's constitutional provisions concerning the Fundamental Objectives and Directive Principles of State Policy and the Basic Rights and Obligations in Society.

The Commission was asked to report within a year.

A total of 36,299 people in the entire country expressed their views on the issue to the Commission through public meetings, private audiences, questionnaires and written submissions. Of this number, 28,018 or 77.2 per cent favoured a continuation of the one-party system while 7,817 or 21.5 per cent preferred the introduction of political pluralism. Within this overall majority in favour of the one-party system, there were variations between the mainland and Zanzibar. Of the 32,279 expressing views on the mainland, 25,723 or 79.7 per cent preferred the existing one-party system. Of the 3,679 who made submissions in Zanzibar, 1,582 or 43 per cent favoured the adoption of a multi-party system. In terms of age groups, it is also significant

to note that a majority of those advocating the change to multi-party democracy were in the 18-35 age bracket.

Nevertheless, in spite of a clear majority for the one-party system, the Commission recommended the adoption of a multi-party system and the removal from the Union Constitution and the Constitution of Zanzibar, those provisions making Tanzania a single-party state.

A number of considerations had impelled the Commission to make this recommendation. Although the advocates of multi-party democracy were a minority, they were a substantial minority and the Commission felt it "wise to give these Tanzanians a chance to participate in the running of their country". In any case many of those supporting the one-party system did so on condition that the ruling party cleansed itself and reformed the governance of the country. In the Nyalali Commission's view, many of the recommendations for the reform of government could only be effected under a multi-party political system.

Having firmly recommended a change to political pluralism, the Commission sought to strike "a balance between a speedy return to a multi-party political system that could unleash chaos and a snail's speed that could frustrate the proponents of a multi-party system". The Commission stressed the need for a viable and credible Opposition and called on the ruling CCM to "dislodge itself from the state and become a political party". It then suggested the following timetable for the transition:

- (i) May 1992: the establishment of a special organ to supervise the Programme for Change;
- (ii) June 1992: the appointment of an Electoral Commission;
- (iii) July 1992: the appointment of a Constitutional Commission to draft the new multi-party constitutions for the Union and for Zanzibar;
- (iv) June 1993: the convening of a Constituent Assembly to adopt the new constitutions;
- (v) October 1993: Local Government Elections under a multi-party system; and
- (vi) October 1995: General elections.

The Nyalali Commission's proposed timetable provided the framework for the transition to multi-party democracy, however the majority of the Report's recommendations were not implemented.

The Political Parties

Alongside the demand for greater democracy and accountable governance through the institution of competitive party politics, was the no less important concern that the introduction of multi-party politics should not be allowed to endanger the peace and stability of the country. This fear that multi-party politics could endanger national unity and social peace was particularly pronounced among the opponents of multi-party democracy and they advanced a number of arguments in support of their position including that competitive party politics could give rise to parties formed on the basis of race, religion or other divisive criteria which would imperil the unity of the country. Zanzibar was perceived as particularly vulnerable to such threats.

Unlike the mainland where even before the institution of the one-party system TANU had emerged as the *de facto* single ruling party, in Zanzibar the ZNP/ZPPP alliance was at par with the ASP and had only been suppressed *manu militare*. With the introduction of multi-party politics, the supporters of these suppressed parties could revive them in their old forms, or under new labels. Either way, this could rekindle old rivalries and bitterness, in the process endangering the Union. More generally, it was argued that rival political parties would exploit existing differences in the society to undermine national cohesion.

These were real fears which had to be addressed. Accordingly, certain legal and procedural conditions had to be met before a party could be registered. By law, parties founded on religion, ethnicity, race, colour or gender were denied registration. It was stipulated that parties seeking registration should enlist the support of a minimum of 200 trustees, in at least 10 of the 22 regions of the Union, including two in Zanzibar.

By the time of the elections in October 1995, there were 13 registered political parties. In order of dates of registration, they were:

- Chama Cha Mapinduzi (CCM)
- Civic United Front (CUF)
- Chama Cha Demokrasia na Maendeleo (CHADEMA)
- The Union for Multi-party Democracy (UMD) of Tanzania
- National Convention for Construction and Reform (NCCR – Mageuzi)
- National League for Democracy (NLD)
- Tanzania People's Party (TPP)
- United People's Democratic Party (UPDP)
- National Reconstruction Alliance (NRA)
- Popular National Party (PONA)
- Tanzania Democratic Alliance Party (TADEA)
- Tanzania Labour Party (TLP)
- The United Democratic Party (UDP)

However, on the strength of the legal criteria laid down to defend national unity and security, a number of parties had been denied registration by the Registrar of Political Parties. This, along with the prohibition against independent candidates, has been criticised in some quarters as a derogation from democracy, needlessly narrowing the electorate's choice and constricting democracy.

The best known example of this aspect of the Registrar's remit is provided by the case of Reverend Christopher Mtikila's Democratic Party (DP). The Registrar of Political Parties refused to register the DP because of its avowed opposition to the union between Tanganyika and Zanzibar. The High Court upheld the Registrar's action but on 20 October 1995, barely one week to polling day, the Court of Appeal overturned the decision of the High Court and ordered the Registrar to deal with the registration of the DP in accordance with the principles of law and natural justice. Following the Appeal Court ruling, Rev Mtikila unsuccessfully sought a court injunction to stop the General Elections of 29 October 1995 in order to give his party "sufficient time to meet the people and participate in the polls".

For a number of the political parties, the National Electoral Commission (NEC) inspired little confidence. While the integrity of the individual members of the NEC was not impugned, the Opposition parties complained that they had not been consulted on the composition of the NEC as the spirit of the transition process to a multi-party dispensation demanded. Certainly the perception of a lack of neutrality and independence can only have been reinforced by the declaration of one of the original Commissioners of his intention to stand as a candidate for the CCM presidential nomination.

The NEC had, however, made some attempts to address the concerns of the new Opposition parties with regard to the electoral process. For example, the NEC created seven specific sub-committees of the Commission on which representatives of the political parties served. Further, the Commission lent its support to the demands that the place of count be changed to the polling stations which resulted in the enactment of the necessary constitutional amendment. Nevertheless, the initial lack of confidence in the NEC had not been entirely overcome by the time of the Union presidential and parliamentary elections in October 1995.

Chapter 2

The Legal and Administrative Framework

Relevant Constitutional Provisions

The transition from a one-party to a multi-party system usually requires amendments to the Constitution, in order to provide for the formation and registration of political parties, and for the relevant election laws. In the case of the United Republic of Tanzania, Section 3 of the Constitution was amended in 1992 to proclaim the Republic as a democratic and socialist State with a multi-party system.

The Constitution also sets the framework for the administration of elections by providing for the establishment, composition and functions of the National Electoral Commission (NEC) of Tanzania whose members are to be appointed by the President.

The members of the NEC shall be:

- a Judge of the High Court or Judge of the Court of Appeal, who shall be the Chairman;
- a Vice-Chairman; and
- other members specified by the legislation enacted by Parliament (that is, the Elections Act, 1985 as amended).

In accordance with the convention established over the years in many aspects of the public appointments regime in Tanzania at the national level, when the President appoints as Chairman, a person from one part of the Union, the Constitution requires that the Vice-Chairman must be from the other part of the Union. Normally, a Commissioner holds office for five years and may be removed by the President only for inability to discharge the functions of office, whether arising from infirmity of body or mind, or from any other cause, or misbehaviour, or disqualification.

The functions of the NEC are:

- to supervise and co-ordinate the registration of voters in the election of the President and Members of Parliament of the United Republic;
- to supervise and co-ordinate the holding of presidential and parliamentary elections;
- to survey the boundaries and divide the United Republic into various constituencies for the purposes of parliamentary elections;
- to supervise and co-ordinate the registration of voters and the holding of the election of local councillors; and
- to discharge any other duties and functions in accordance with the Elections Act.

The NEC has been set up as an independent department. Its chief executive officer is the Director of Elections, appointed by the President under the Elections Act. In carrying out its functions, the NEC must not be subject to the orders of any person, department of government or to the opinions of any political party, although in the demarcation of parliamentary constituencies, the NEC is required to seek the prior approval of the President.

Zanzibar has a separate electoral commission, the Zanzibar Electoral Commission (ZEC), and under the terms of the Constitution, the NEC is required to consult with the ZEC on various matters. The ZEC retains autonomy over the elections for the Zanzibar Presidency, House of Representatives and local councils. Whilst the NEC is responsible for the registration, supervision and conduct of the elections for the Union Presidency and Parliament on the mainland and in Zanzibar, it utilises the personnel of the ZEC, the constituency boundaries and the electoral registers devised by the Zanzibari Government in the administration of Union polls in Zanzibar.

The reconstituted National Assembly (the Union Parliament) has a total of 274 members. Of these, 232 are directly elected from 182 constituencies on the mainland and 50 constituencies in Zanzibar. A further five members of the Zanzibar House of Representatives, are elected by that House to sit in the National Assembly, making the total Zanzibar representation 55 out of 274. The Attorney-General of the Republic is an *ex officio* member of the National Assembly. The final 36 seats are reserved for women and are allocated to parties on the basis of the ratios of the directly elected members of each party present in the parliament.

Elections Act 1985 (Amended)

The basic scheme of the Elections Act follows a well-known Commonwealth format. As specified by the Constitution, Section 4 of the Elections Act sets out the criteria for the appointment of the remaining five members of the NEC as follows:

- a member appointed from among the members of the Tanganyika Law Society; and
- four other members who are persons possessing either adequate experience in the conduct or supervision of parliamentary elections or such other qualifications as the President considers necessary for, or prerequisite to, the effective discharge of the functions of the NEC.

The Director of Elections is a senior civil servant of the United Republic appointed by the President on the recommendation of the NEC. The Act confers on the NEC the power to appoint Returning Officers and Assistant Returning Officers for constituencies. The NEC may also appoint a Regional Co-ordinator to co-ordinate information material and resources in each region for the efficient conduct of elections in constituencies in these regions.

A Returning Officer may appoint, subject to the directions of the Director of Elections, any staff required to conduct an election in any constituency.

Chapter 3

Preparations for the Elections

Registration of Voters

The right to register as a voter is conferred on every citizen of Tanzania who has attained the age of eighteen years and who is not disqualified from doing so under any law. Each Returning Officer of a constituency is required to prepare and maintain a register of voters for each polling district. The register contains the number of the certificate of registration issued, the gender and address of each person.

We did not observe the registration exercise undertaken prior to the conduct of these, the first multi-party presidential and parliamentary elections since 1961, but were informed by the NEC that approximately 80 per cent of the estimated 11 million voters were registered. The Commission felt that the registration exercise was conducted satisfactorily and that the number of persons registered was a good achievement.

During our discussions with political parties, a number of complaints about the registration process were brought to our attention. One of the Opposition parties expressed dissatisfaction with the number of persons registered and suggested that the registration period, which commenced on 6 August 1995 and which was extended once for a period of 10 days on mainland Tanzania, should have continued until a few days before the elections. It was also suggested that the initial poor response to the registration exercise was due to the fact that candidates had not been identified or declared, and that the nomination of candidates which took place three weeks into the registration exercise stimulated interest in the elections and resulted in more people coming forward to register.

Related to this, we heard complaints from all the political parties that the voter education campaign conducted by the NEC had not been dynamic enough and had failed to make effective use of the only national broadcasting network, state-owned Radio Tanzania.

The late payment of registration assistants in some parts of the country reportedly slowed down the collation of the voters' register. A few areas also appeared to have experienced late delivery or an insufficiency of registration materials.

In a transition process such as this, the pervasiveness of CCM party members within the ranks of the electoral officials was only to be expected. However, it did cause some suspicion that the electoral process would not be impartially administered. It was alleged in a number of areas that CCM party activists attempted to purchase the registration cards of Opposition supporters. We heard allegations that relatives of ruling party officials who were both partisan and unqualified were recruited to be registration assistants. In a few regions, the ruling party's ten-cell leaders were reported to be telling prospective voters that the registration exercise was being conducted for CCM members and supporters only. We were not in a position to verify these allegations, and the CCM also voiced concerns regarding some aspects of the organisation and conduct of the registration process.

There were complaints from some parties (including the ruling party) of multiple registrations, which had resulted in the offenders being charged. Information received from some Returning Officers did suggest that incidents of multiple registration took place and that some minors had been registered.

Nomination of Candidates

Thirteen political parties contested the parliamentary elections fielding between them a total of 1,336 candidates, as follows:

- | | | |
|---|---------------------------|-----|
| • | Chama Cha Mapinduzi (CCM) | 232 |
| • | Civic United Front (CUF) | 177 |

• Chama Cha Demokrasia na Maendeleo (CHADEMA)	157
• The Union for Multi-party Democracy (UMD)	47
• National Convention for Construction and Reform (NCCR-Mageuzi)	196
• National League for Democracy (NLD)	44
• Tanzania People's Party (TPP)	39
• United People's Democratic Party (UPDP)	34
• National Reconstruction Alliance (NRA)	78
• Popular National Party (PONA)	34
• Tanzania Democratic Alliance Party (TADEA)	118
• Tanzania Labour Party (TLP)	55
• The United Democratic Party (UDP)	125

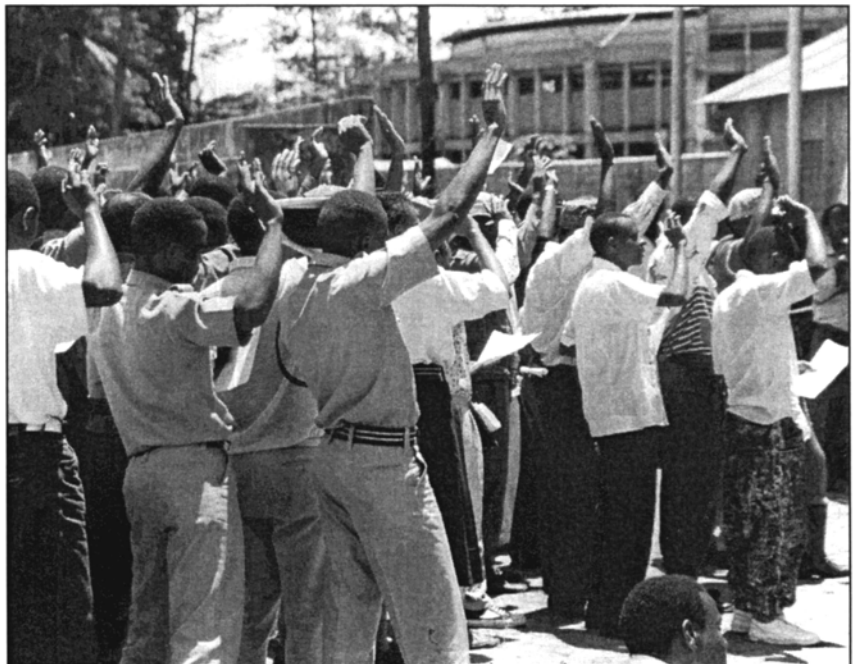
The Constitution of the United Republic of Tanzania requires that the parties' Presidential and Vice-Presidential candidates each come from different parts of the Union. For the October 1995 elections, Presidential candidates were nominated by four parties, namely: CCM, CUF, NCCR-Mageuzi and UDP. The process of registering their nominations went smoothly in all cases, except for that of NCCR-Mageuzi whose initial Vice-Presidential candidate, the returned exile Professor Abdul Rahman Babu, was not accepted by the NEC because of an alleged previous criminal conviction.

One feature of the electoral process which drew criticism within Tanzania, from human rights organisations and other international bodies, was the enactment, in December 1994, of a constitutional provision which prohibited independent candidates from seeking election to the Union Presidency and Parliament. A petition on this issue had earlier been filed in the Court of Appeal which had ruled that the prohibition against independent candidates was unlawful, and that the right of the individual to seek election was an inalienable right properly upheld by the country's Constitution. In the event, Parliament was prorogued before it could address this issue again.

Preparations for Polling

In the run-up to polling day, it appeared to us that considerable efforts had been made on the part of the NEC and Regional and District officials to ensure that all arrangements for the elections were in place on time. The print and electronic media were used to explain the procedures to the electorate.

However, it was noted by many of the people who briefed us that efforts in civic/voter education on the part of the Government and the NEC were inadequate. Initiatives to deal with this concern had been taken by a number of bodies including the opposition parties, the Tanzania Election Monitoring Committee (TEMCO) and its constituent groups (including the Zanzibar Elections Monitor and Observer Group (ZEMOG)), religious bodies such as the Christian Council of Tanzania (CCT), the Evangelical Lutheran Church of Tanzania (ELCT), the



Mass swearing in of election and security officials before election day in Bukoba

Tanzania Episcopal Council (TEC), and the Eastern and Southern African Universities' Research Project (ESAURP).

Polling sites and voters' lists were generally well-publicised in advance of polling day, and were usually at, or very close to, the sites where voter registration had taken place. In order to bring the electoral process geographically closer to the people and to limit the voter rolls at each polling station to a maximum of between 300 and 350 people, a total of some 40,000 polling stations were established. Inevitably, given this huge number, the type and nature of polling stations varied considerably. This was due in part to the need to identify neutral sites, discounting those CCM premises which had in the past been used for election purposes.

Where available, public and community buildings such as schools or health centres were used, but in many instances small business premises were pressed into service (examples observed included small carpenters' workshops, cafés, and butchers' shops). Local election officials indicated that the party neutrality of the owners of these premises had been a prime consideration, and evidently some previously used locations had been rejected as a result of objections raised by local party activists. As a result, many of the locations finally used were less than ideal, physically, for the purpose. In a number of areas – both urban and rural – temporary makeshift constructions of palms, wood, and polythene sheeting, were erected.

In most cases, the names or the sequential numbers of those registered to vote at a particular station had been pasted to the structure or at a point adjacent to it, well in advance of polling day, although some of these had been defaced by the elements. The NEC printed and published sample ballot papers as posters which were widely distributed throughout the country. Late changes in the final arrangement of the ballot papers which were designed to improve the secrecy of the ballot, unfortunately led to a discrepancy with some of the sample posters already distributed. Nevertheless, these posters were well-publicised, allowing parties and voters to familiarise themselves with the ballot papers and the method by which they should indicate their choice.

The political parties who came to brief our Group in Dar es Salaam complained about the layout of the ballot papers for both the presidential and parliamentary elections. Their concern was that the presentation of the pictures of the parties' Vice-Presidential candidates on the presidential ballot paper was confusing to the voters, crowded the ballot paper, and could result in a relatively large number of spoilt ballots. With regard to the ballot papers for the parliamentary elections, the parties were concerned that in each constituency the candidates appeared in alphabetical order *according to their surnames* and therefore parties did not have a fixed place on the ballot papers across the country. The parties firmly believed that these concerns, together with the absence of any party symbols on either of the ballot papers, would present difficulties in educating their supporters on voting procedures.

In the areas covered by our teams in the three days immediately preceding the poll, we observed Returning Officers conducting seminars for the instruction and swearing-in of Presiding Officers and their Assistants, polling agents (representatives of political parties) and security personnel. Regional and District Election Co-ordinators, and Returning Officers had attended earlier seminars. It was noted however that the NEC's Supplement to the Guidelines for Presiding Officers was issued only days before polling. As late as 28 October 1995 some Presiding Officers were not aware, for example, that the times for the opening and closing of polls had changed. Whilst all those involved – trainers and participants – confirmed the value of these training seminars, our observations on polling day suggest that not enough time was allowed for the officials to develop a sufficient understanding of the process to implement it as efficiently as might have been the case.

Our teams encountered some problems concerning the payment of allowances to Presiding Officers, polling agents and other officials attending these training seminars. Some officials believed that as operations were likely to extend into the day following polling, they should be paid, in advance, for three days rather than two. Another view expressed to us was that to pay for three days would encourage officials to extend their work into the third day whether it was necessary or not. Events on polling day reinforced the importance of the payments issue, with polling in some of the constituencies we observed opening very late in the day as a result of threats by officials not to start work until full payment was made. These instances were, however, the exception, not the rule.

Officials held last minute meetings with representatives of political parties, and in some cases with the police, to help ensure the peaceful conduct of elections on the day. Political parties were requested to urge their supporters to conduct themselves in an orderly fashion on election day: to vote and go home to await the results.

Preparations on the part of the security personnel charged with ensuring the maintenance of public order and the security of ballot boxes and returns during transit, appeared to have been well-organised.

Distribution of Election Materials

Arrangements for the distribution of election materials to most of the regional centres we observed appeared to have been satisfactorily handled, with significant exceptions such as the Dodoma and Mbeya Regions, and most notably in the capital itself, Dar es Salaam. In the last instance this has necessitated a re-poll. For the rest of the country, including Zanzibar, ballot boxes, ballot papers and other materials were received in regions and districts in time for their distribution to polling stations. Returning Officers generally had election materials in their custody about 48 hours before polling day, and their storage was secured by a police presence.

In many parts of the country where timely delivery of election supplies had taken place, polling day revealed considerable shortages of ballot papers, particularly for the presidential election. This would have had an impact on the final results of the presidential election, although the nature and extent of this impact will never be known.

Chapter 4

The Campaign

Overview

The NEC designated an official campaign period which began on 29 August 1995 and ended at midnight on 28 October 1995. During this time the NEC-established guidelines for equal access to the state-owned media came into effect. A full treatment of how this affected the electoral process is discussed in Chapter 5.

We were told by the NEC that it had proposed a Code of Conduct for all political parties (modelled on past Commonwealth examples) in order to establish a framework for the conduct of the campaigning. This was rejected by the Opposition parties on the grounds that it was a CCM ploy to curb their activities. The Commission had invited the Opposition parties to provide a draft code themselves, but this had not been taken up.

By and large, the impact of the campaign conducted by each of the 13 contesting parties depended upon the relative size of the party and whether or not they were presenting a Presidential candidate. Sparse populations in the vast interior of Tanzania, and poor roads and communications, proved a major challenge to the ability of the new parties to campaign effectively across the country during the official campaign period.

Partly in response to this, and as a means of countering the ruling CCM's inherent advantages, all the four political parties contesting the Union Presidency – CCM, CUF, NCCR-Mageuzi, and UDP – planned their campaign schedules around the personal appearances of the candidates and their leading supporters throughout Tanzania.

Churches, prayer houses, and non-governmental organisations were at times caught up in the dynamic momentum of the campaign. The National Council for Women, Bawata, received a caution from President Mwinyi after complaints over the misuse of the Council by some of its leaders to serve political ends. Our Group heard from a number of interlocutors that certain religious leaders were campaigning for particular candidates even after the NEC had reminded the public that the Elections Act of 1985 proscribed the use of prayer houses as campaign venues and the use of religion in political campaigns. A statement issued by the Council of Catholic Bishops warned religious leaders against direct involvement in campaigning for candidates or parties, urging that they take a lead in voter education.

The ruling CCM fielded the largest number of candidates for the 232 directly-elected seats in the Union Parliament and, being the only party previously known to the electorate, its presence was well established throughout the country. Three other large parties, NCCR-Mageuzi (with 196 candidates), CUF (177), and CHADEMA (157), campaigned across the country but concentrated their efforts in those areas where their support was strongest.

Our Group was able to observe the last eight days of the campaign. Generally, the campaigns were conducted in good spirit: in some areas it was not unusual to see a row of two or three different party flags flying outside neighbouring stalls or shops. Poster-adorned vehicles with loud hailers plied the streets in the urban districts, and toured the villages and settlements in the rural areas. Stops were made to address the crowds which gathered, during which parliamentary candidates were presented to their voters and the profile of the presidential candidates promoted. Rallies varied in size and organisation throughout the country, and provided excellent opportunities for the parties to make contact with the voters at the grassroots level.

The new parties were often preoccupied with the mechanics of the transitional electoral process and therefore few policy themes emerged during the campaign. Some Opposition parties targeted the CCM government's record on delivering economic development, others raised the issue of corruption within the party and government, and the question of a tier of

government for mainland Tanganyika – the so-called 'third government' within the Union – was also canvassed. A 'first' for Tanzania was scored on 19 September 1995 when a three-and-a-half hour debate between the four presidential candidates sponsored by a local private media house was broadcast live on state-owned Radio Tanzania, the only radio station with truly national reach. During the programme, each candidate made an introductory speech covering their proposals for government, and this was followed by a question and answer session. The debate was keenly followed by voters as the candidates discussed a range of issues including the economy, development strategies, corruption and human rights. It was proposed that a further presentation by each of the presidential candidates should be broadcast on the last day of the campaign, but in the event this did not take place.

Rallies were held in the final hours of the campaign period by all the major contesting parties. The Presidential candidates of CCM, CUF and NCCR-Mageuzi addressed large crowds in Dar es Salaam on the eve of poll. In a number of regions around the country enthusiastic supporters turned out in numbers in stadiums, on open grounds, and in vehicle processions for the last time before polling day.

A Level Playing Field?

The transition from a one-party to a multi-party system is often characterised by complaints that the incumbent government and ruling party enters the race with major advantages. These usually flow from the control of public appointments and the state-owned media; access to public vehicles and party-controlled public property; and access to public funds. In Tanzania, all these concerns featured in the complaints of the new Opposition parties, and were supported by independent assessments of the transition process contained, for example, in the Nyalali and Fimbo Commissions' Reports.

Our Group received detailed briefings on how the Government and the electoral authorities had attempted to correct at least two of these imbalances. The question of fair access to the state-owned media, as well as the private media, had been addressed by the NEC through the publication of guidelines. However, time and again we heard from the Opposition parties that there had been little attempt on the part of the NEC to ensure equitable access or balanced reporting even during the official campaign period.

In June 1995, the Government announced the size of the grants to be paid to the contesting political parties. Each party taking part in the Presidential election was to receive 5 million Tanzanian Shillings. At the parliamentary level, each party would receive 1 million Tanzanian Shillings per constituency for the contest, and 1 million Shillings towards administrative costs for each constituency won by a party. The Secretariat Planning Missions received, in August, complaints that the disbursement of these monies was the responsibility of the Prime Minister's Office and was therefore open to possible manipulation. Shortly thereafter, the responsibility for this disbursement was transferred to the office of the Registrar of Political Parties. However, on the eve of the elections, our Group received complaints that the political parties had received only half of the grants they had expected to assist them in campaigning.

Reports of Intimidation

Although we did not witness any overt incidents of intimidation or harassment during the campaigning or on polling day itself, we did hear from NCCR-Mageuzi that it had documented proof that in some areas CCM activists had undertaken a "census of members" during the registration period, fuelling the perception that if a voter did not vote "the right way" it could be detected. NCCR-Mageuzi claimed that these acts of intimidation had been brought to the attention of the police, but no action was taken against the perpetrators. In one region, CCM officials complained that its public meetings had been interrupted by agents of another party. Complaints had been laid with the police and, according to the CCM, certain persons were being prosecuted in the courts.

One of our teams was told by a TEMCO regional co-ordinator that he had investigated the buying and destruction of voters' registration certificates by both CCM and NCCR-Mageuzi activists in that region. However, since both the buying and selling of a citizen's right to vote are

criminal offences, those involved had been unwilling to give evidence. Our Group received reports that CCM supporters were showing videos of the massacres in Rwanda and Burundi in the rural areas, warning that similar chaos would occur in Tanzania if the Opposition was elected to government. It was also alleged that CCM activists were telling their opponents' supporters that voting for different parties would take place on different days.

A number of interlocutors drew our attention to the *Nyumba Kumi Kumi* (Ten-House Cell/ 'ten-cell') system developed during the CCM's political monopoly. This system meant that the party's structure grew from very small units of organisation where official party leaders with considerable influence over the local population lived among the voters. However, it was suggested that at least in some areas, this network had been 'hijacked' by the new Opposition parties. We heard several allegations concerning the activities of certain 'ten-cell' leaders, but were unable to verify any of these.

Rallies

In Tanzania, a political party is required to give 48 hours notice of its intention to hold a rally. The police could not in law prevent a rally from taking place without good reason, but there were a number of instances reported to us where they had apparently arbitrarily prevented rallies from taking place. Earlier in the campaign period, some disturbances had occurred particularly at Opposition rallies, and we were informed that the police were more likely to resort to the use of tear-gas in the supervision of Opposition rallies than in CCM gatherings.

Requests for permission to hold rallies in certain stadiums around the country had been opposed by the CCM on the grounds that the stadiums concerned belonged to the party. One functionary of the CCM defended his party's position of preventing the use of these stadiums by likening the situation to letting an enemy use your house to abuse you!

Notwithstanding these reported difficulties, huge rallies were held in Dar es Salaam as well as in other parts of the country. These rallies were generally peaceful and were conducted with considerable enthusiasm, as well as singing and dancing, particularly on the part of young people.



Against a colourful backdrop of kangas, a political rally near Bukoba draws curious villagers

Chapter 5

The Role of the Media

We were keenly aware that the transition from a one-party to a multi-party system involved more than the liberalisation of political choice – it also involved giving people the means to make that choice an informed one, thus enabling them to fully participate in the democratic process. During any campaign period, it is important therefore, that the public has access to information on the nature and policies of various political parties and other interest groups, and that a general public airing and discussion of the issues is encouraged. We therefore paid close attention to the role of the media during the campaign.

Before our arrival we had learnt that the media in Tanzania had been almost entirely state-owned under the one-party system, the only other media outlets being newspapers belonging to the CCM. We learnt that since the liberalisation process had begun in 1992, privately owned radio stations and newspapers had been established. In addition, where no television stations had existed before, except in Zanzibar, three stations had now been set up, two of them privately owned.

It is premature, however, to talk about a flowering of the media in Tanzania. The vast majority of people, especially in the rural areas, continue to rely on the state-owned radio station, Radio Tanzania, for their information; one estimate we received was that radio was the source of about 90 per cent of news for Tanzanians. In contrast, the circulation of the Swahili and English newspapers was confined to urban areas and television services on the mainland were restricted to the coastal regions.

Guidelines for the Conduct of the Media

The important role of the media, in particular the state-owned media, was recognised when the Elections Act was amended in 1995. Under Section 53 of the Act as amended, the presidential candidates and political parties participating in elections were given the 'right to use' the state radio and broadcasting service during the official campaign period. The Act also directed the NEC to co-ordinate the use of these broadcasting rights.

In addition, the Act declared that state-owned print media was to be impartial when publishing information on the electoral process and should refrain from discriminating against any candidates in the amount of space dedicated to them. Under the Act, the NEC could issue directives to state-owned media on covering elections.

The NEC issued its guidelines for elections coverage by state-owned media. Under these guidelines, state-owned media were to report factual happenings accurately and without bias (with a clear distinction between what was news reporting and what was comment), and to report any controversial public issues by fairly representing all the opposing sides. These guidelines are at *Annex VIII*.

The NEC also issued guidelines to the private media in which it urged, among other things, fair reporting, a hearing for all sides on controversial issues and access to the broadcast media for a 'reasonable' amount of time, and at no cost, for political parties wishing to make political advertisements. These guidelines are also at *Annex IX*.

We monitored the performance of the media during the campaign and relied on the work of the Association of Journalists and Media Workers (AJM) which had set up a team to monitor the performance of both the public and private media during this period. This monitoring group worked under the general umbrella of the Tanzania Election Monitoring Committee (TEMCO) which had received some funding from external sources.

The monitoring group issued bulletins weekly after analysing data from a number of centres throughout Tanzania. While we did not necessarily agree with the conclusions drawn by this group, we were impressed with the data they collected.

State-Owned Media

Given the importance of radio in transmitting information, we paid special attention to Radio Tanzania. Monitoring of the Swahili news bulletins of Radio Tanzania Dar es Salaam (RTD) showed that the CCM and its presidential candidate dominated the bulletins in the first two weeks of the campaign. In Week Two, 63 per cent of the news stories were on the CCM and 53 per cent on its presidential candidate, against 25 per cent for the NCCR-Mageuzi and 20 per cent for its presidential candidate. By Week Seven, near the end of the campaign, airtime for these two parties and the CUF, and their presidential candidates, had comfortably evened out, each taking between 19 and 31 per cent of the news bulletins.

We are aware of the dangers of relying on raw statistics alone. Indeed, the monitoring group itself records that bulletins on Opposition parties were often more unfavourable than those on the CCM. Representatives of the political parties we met both in Dar es Salaam and in the regions also complained of treatment that was not even-handed. It is clear, even from the monitoring group's findings, that many of the 10 other parties contesting parliamentary seats were squeezed out of the airwaves.

The NEC guidelines, which stipulated that state-owned media should give all political parties, free of charge and on an equal basis, access to radio time, appear to have produced mixed results. We had been told by the NEC that each party had been allocated three 15-minute slots for free political advertising. We understand that many of the smaller parties did not take up the offer. Some claimed that they did not know about it. A TEMCO representative told us that these broadcasts were inadequately advertised to the public and that if they were aired after prime time, few people would be tuned in. We heard one complaint that while one party was allowed to present what it liked, others were subjected to a question and answer session and they therefore did not regard it as free advertising. Opposition parties in particular said that the three 15-minute slots were inadequate for them.

The Private Media

The emergence of privately owned television and radio stations and newspapers in the past three years augurs well for a future in which an environment of public discussion of issues can be nurtured. We were pleased to see that in three years, privately owned Swahili and English newspapers were so obviously taking to the idea of putting forward alternative views.

CCM representatives complained to us that a considerable number of these papers were anti-CCM although they agreed that their own party newspaper, *Uhuru*, had sold well for many years.

Local journalists told us that the private media industry was constrained by the continuing existence of various media and other laws, such as the Newspaper Act, the Broadcasting Act and the Sedition Act under which editors, journalists and their organisations faced severe penalties if they infringed the law. They admitted that the media had not yet shaken off the habits of years of one-party rule and were still very used to taking orders and passing them on instead of developing vigorous independent editorial policies.

Although a number of private radio stations had been established in 1995, none could match the reach of RTD, as by law they could only broadcast on FM and thus could reach fewer people.

Television Dar es Salaam (DTV) started the campaign period devoting up to 40 per cent of its news stories to the CCM or its presidential candidate. By Week Two, this had dropped to 21 per cent.

On balance, we felt that although the major political parties were able to put their views across in one forum or another, the vast majority of Tanzanians remained tied to their single source of news, the state-owned Radio Tanzania.

Chapter 6

The Poll and the Count

Opening of the Poll

Polling stations in the first multi-party presidential and parliamentary elections in the United Republic of Tanzania for 34 years, were to open at 7am on 29 October 1995 and close nine hours later at 4pm. The count was to be conducted at the polling stations immediately after the close of poll. In all the regions where we were deployed, our teams arrived at polling stations well before 7am so as to observe the scheduled opening.

Our experience was varied across the country. In some cases, polling stations opened on time and processed voters fairly efficiently through the day. In other cases, extreme delays of up to several hours were experienced for a number of different reasons, including election materials and sufficient quantities of ballot papers not being received, polling stations not being properly set up, or, because some Presiding Officers and their Assistants were protesting about not receiving their allowances. In still other cases, some polling stations observed by our teams in Dar es Salaam, Mbeya and Dodoma did not open at all on polling day.

The atmosphere at the stations was generally peaceful. In most places, voters had already been queuing for some time before the 7am start. Voters were orderly, and showed extraordinary patience, even though in many cases they had a long wait before they could vote. Special consideration was given to the elderly, the disabled, and mothers with babies.

Generally, in the areas where we observed the opening of the poll, election officials followed the prescribed procedures. We also found that election officials and the party representatives present co-operated with each other, which helped to improve the pace of the process in most stations. Where needed, voters received assistance in voting from a Presiding Officer or someone else according to procedure agreed with the polling agents present.

Late Delivery and Shortage of Materials

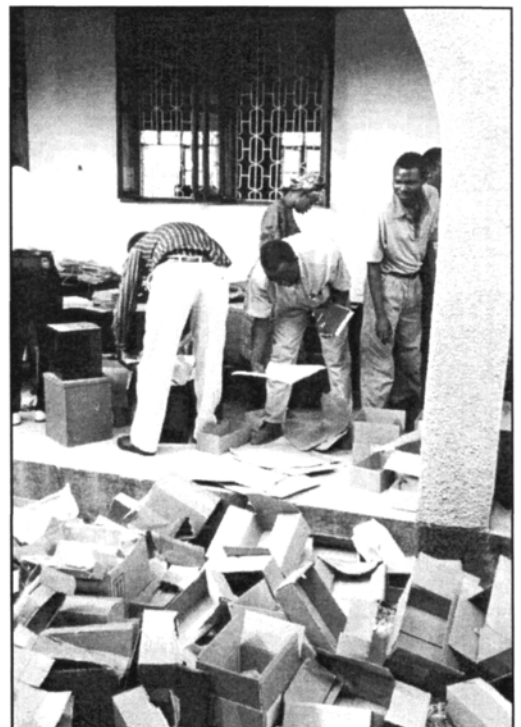
The reasons for the late or insufficient delivery of essential electoral supplies to certain polling stations were not explained, frustrating election officials and voters alike. However we observed very few stations where voters became angry and hostile as a result of the delay. We noted that in some polling stations, voting nevertheless proceeded with what was available, and in others, the election officials insisted on waiting until they had all the necessary materials before opening the polls.

When our teams visited distribution centres in Dar es Salaam to



Conscientious election officials in Dar es Salaam carefully seal ballot boxes in front of witnesses before polling begins

11am on polling day and election officials are still scrambling to find their materials so they can open their stations in one of Dar es Salaam's constituencies





1pm on polling day and some of the boxes were just being sent to stations in Dar es Salaam which had still to open



4pm on polling day, when voting should have stopped ... these officials were still looking for balloting materials and their stations never opened

investigate the delays that had prevented many polling stations from opening at all, we witnessed chaotic scenes where desperate election officials were grabbing election materials which had failed to reach their polling stations. The scale of the delays in Dar es Salaam were so acute that the next day the NEC annulled voting in the city's seven constituencies, and said that a new polling date would be set.

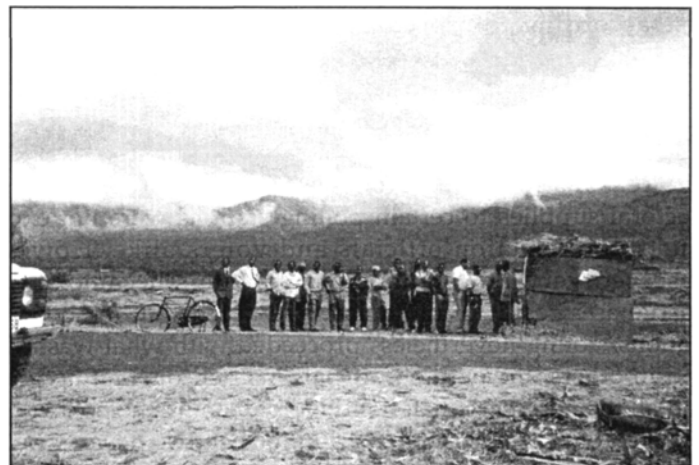
We believe that the cumulative effect of the shortage of materials across the country could be significant. Large numbers of people left stations before they had cast their ballot or, even if they waited, were unable to vote because there were no ballot papers available. Such

was our concern at the time, that many of our teams reported the shortage of materials to the local electoral authorities.

Twice on polling day in Dar es Salaam, our Chairperson reported to the NEC the shortages he had witnessed in some polling stations, as well as the state of chaos at the offices of some Returning Officers, and the uneven response by Presiding Officers to the NEC's decision to extend polling until 8pm. We were unable to determine whether or not action was taken on the reports that we made. We do know that at those stations in Dar es Salaam and elsewhere where there were protracted delays or where no voting took place, election officials were very worried that angry voters could turn violent.

The Polling Stations

Sites easily accessible to the voters and unconnected with political parties had been selected as polling stations. These included schools, market places, butchers' shops, open halls and makeshift huts constructed for the elections. At many sites, there were more than one station and in some cases voting took place in the open air. Many of



An orderly queue at a booth in the foothills of Kilimanjaro



Above: In this polling station in Dar es Salaam, there was no 'booth' for privacy. Voters had to turn their backs on the room and make their mark

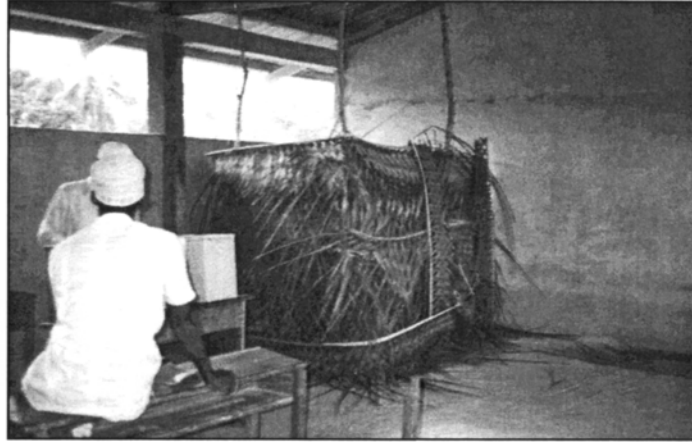
Below: This butcher's shop became a polling station in Dar es Salaam. Its officials spent almost 24 hours in it during voting, the count and later when they were ordered to guard the boxes



travel long distances in order to cast their ballot, and the count at each polling station would be speedier. However, transport problems meant that there were difficulties in getting election materials to so many small units. In some cases, unequal apportioning of electors between adjacent polling stations caused unnecessary queues of voters.

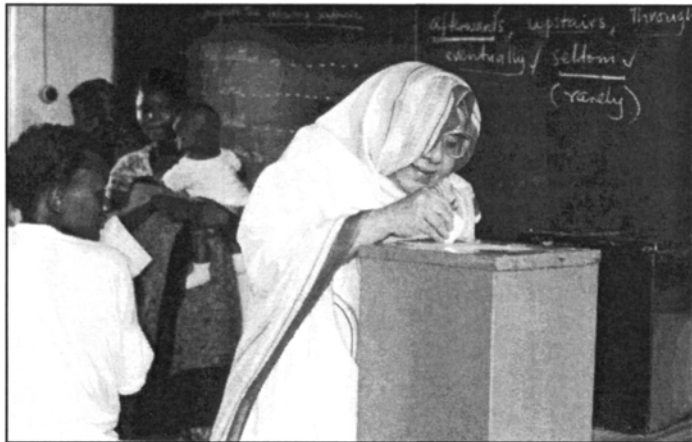
Security of Polling Stations

The security arrangements at the stations were generally good. The presence of security staff was discreet although we noted that in some places there was no security presence and in Dar es Salaam there were a few instances where security was intrusive. In some cases, the security staff helped to direct people to the right queues and assisted as requested by the election



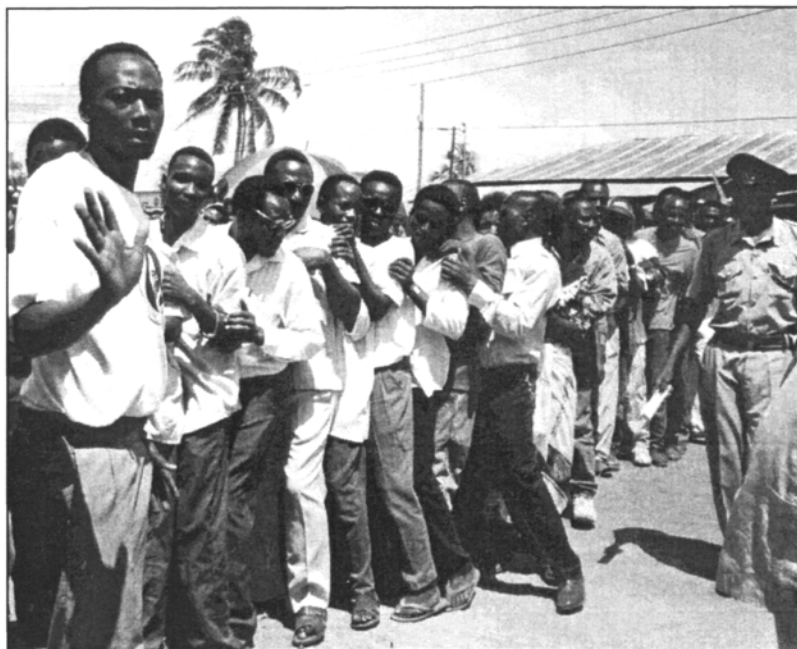
Above: This polling booth inside a school in Pemba was carefully woven from palm leaves

Below: Many women turned out to vote, despite having to wait long hours, often carrying babies with them



these stations were small and crammed with various election materials, election officials and party agents. Where there was no furniture, election officials sat on the floor or remained standing. Many stations were dark or poorly lit. This would have had an impact on the ability to process those voters who had arrived towards the end of the designated polling time and were required by law to be allowed to cast their vote, as well as on the mechanics of the count thereafter.

There were approximately 40,000 stations across the country and generally no more than 300 electors were assigned to one polling station. This arrangement offered two main advantages: voters would not have to



At this polling station in Dar es Salaam, hundreds of angry voters began pushing and shoving as voting got off slowly

officials. There were some places where concern was expressed over the replacement of police security by 'village militia'.

Secrecy of the Vote

The areas where people marked their ballots varied considerably. In some places, a separate room was available, or an area was screened off using school furniture, branches, bags, sacking and even colourful *kangas*. In others, voters had to mark their ballots at a desk or chair in a corner in full view of, and sometimes very close to, election officials and party agents in the same room.

We did not detect any instance where voters were interfered with in the booths or where others tried to see who they were voting for. However, while we recognise local constraints, we consider that greater effort could have been made to construct a private area, using

available materials in order to provide the necessary privacy and to foster the confidence that the secrecy of the vote was assured.

We noted too that the names and registration numbers of voters were announced by the election officials and often recorded by party agents. These party agents were also able to keep a record of the numbers on the ballot papers being given to voters. As individual ballot papers were held up for public scrutiny during the count, it could have been possible for an agent to check to see how any one person voted.

Concern had been raised from various quarters before polling day about the requirement that election officials record voters' registration numbers on the counterfoils of ballot papers, because this could be used to trace how a person voted. The NEC issued guidelines to Presiding Officers detailing that these counterfoils were to be secured at the close of poll and, before the count, placed in an envelope sealed by the Presiding Officer concerned and any of the polling agents present wishing to verify the seal. These counterfoils could only be opened by court order. The practice among Presiding Officers varied with regard to recording of voters' registration numbers on the ballot paper counterfoils, but in all the cases we observed the procedure for the sealing of counterfoils before beginning the count was followed.

Electoral Staff and Polling Agents

In general, the electoral staff followed the prescribed procedures, although in their efforts to be accurate they were sometimes very slow. Most of them had received training in their polling day duties, although this may not have been adequate given the evidence of inefficiency and some confusion over procedures.

It must be said that the staff had to work in extremely uncomfortable physical conditions for long hours, in many cases not having received their promised allowances. Even though they were not satisfied with the arrangements made for them to carry out their duties, many nevertheless proceeded to make the best use of the resources available. Some displayed creativity in the way they made use of available facilities and were courteous and helpful to voters.

Polling agents were present at all the stations we visited. In general, they were conscientious, alert, showed keen interest in the proceedings and co-operated with the electoral staff.

Close of Poll

As more and more information about polling stations opening late and sufficient election materials not being delivered filtered in, the NEC took the decision during the afternoon of polling day, to extend polling until 8pm at all stations. The announcement was made on the radio, but many polling stations obviously did not get the message, or only learnt of it after dutifully closing the poll and sealing the ballot boxes at the scheduled closing time of 4pm.

This led to even more confusion, with stations within the same constituency continuing to accept voters, others closing and starting the count, and still others who had already closed breaking the seals on the ballot boxes and resuming voting. There were some instances where we observed people who turned up to vote after 4pm were recalled after having been turned away.

We felt that the four-hour extension of polling was unnecessary in most areas as almost all voters had already cast their ballot before 4pm, and forcing the stations to stay open delayed the count and caused considerable problems with regard to the proper administration of the poll and the count in conditions of inadequate accommodation and lighting. In some areas where late delivery of election materials delayed the ability of voters to cast their ballot, the extension of the poll made the difference. In other areas, where the problem was a shortage of ballot papers, it made no difference at all.

Later in the evening, as the confusion continued, the NEC made a second announcement, also conveyed via radio, requesting all election staff to stay at their stations and ensure the security of the ballot boxes. In some stations, counting had started and this continued as long as light – from whatever source – was available. In others, staff sealed the boxes and waited. We witnessed many instances where dedicated staff and polling agents slept at their stations, sometimes in the most uncomfortable conditions and often without food.

It was only the next day, 30 October 1995, that the NEC, after receiving reports from all over the country and after long discussions with the Returning Officers of Dar es Salaam's seven constituencies, annulled the voting in Dar es Salaam and announced that a fresh polling date for the city's voters would be set. The NEC also stated that polling would continue the same day (30 October 1995) in eight constituencies elsewhere in the country which had not been given an opportunity to vote. Meanwhile in many other constituencies, the count had already begun.

The Count

In general, the process of counting started late and was slow because election officials were extremely careful about following procedures. At the close of poll and before counting could take place, polling agents were required to complete complaints forms. Election officials were then required to sort election materials and place the counterfoils into separate envelopes which were then sealed. This reconciling of election materials took a relatively long time, was hampered further by poor lighting and often being carried out in cramped physical conditions.

In Zanzibar, the counting process could not begin until it was authorised by an Assistant Returning Officer who had to supervise and complete one count before moving on to another. This inevitably delayed the process, and in at least one case, a Returning Officer insisted that any candidate present had to witness each polling station count, which further compounded the delays. There were *ad hoc* modifications to permit simultaneous counts, but it remained an exhausting exercise for tired officials.

In their efforts to ensure transparency and accuracy, Presiding Officers displayed ballot papers one by one to party agents, and counted and recounted the ballots. Spoilt ballots were the subject of intense discussion to ensure that all party agents agreed with the decision eventually taken. Results at each station were announced and we observed that some of these had been posted outside the polling stations before we left our areas of deployment. In Dar es Salaam and in other areas we visited, however, there were reports that some officials refused to count until they had received their allowances.

We were unable to follow the process through to the completion of the tally since our teams were required to return to Dar es Salaam the day after polling. In many cases, because of delays mentioned previously, polling and counting were still taking place when we departed from our



Commonwealth Observer Group chairperson Rashleigh Jackson (right) asks election officials about the chaos in Dar es Salaam on polling day

respective areas of deployment. This situation was unfortunate as we considered it important to observe the counting and tallying procedures to ensure that the elections had completed satisfactorily.

We firmly believe that the problems that occurred on polling day in several constituencies indicated inadequacies on the part of the NEC in organising and managing the elections.

Postscript

Consequent upon the decision of the NEC to annul the voting in Dar es Salaam and following reports from our Observers deployed to Dodoma and Mbeya that many polling stations did not open at all on polling day, we requested a meeting with the NEC in Dar es Salaam. This took place on 1 November 1995. Our main objective was to ascertain from the Chairman of the NEC whether the Commission had any plans to ensure that the voters in these areas would be able to exercise their right to vote.

The Chairman of the NEC and the Director of Elections responded that there were eight constituencies excluding those in Dar es Salaam, where voting had not proceeded satisfactorily. Where specific problems had been reported by Returning Officers, permission had been granted for polling to be continued on 30 and 31 October 1995.

Our Chairperson enquired specifically about the shortages of ballot papers for the presidential ballot which we had observed in a number of areas. The NEC informed the Group that this had been rectified by despatching extra ballot papers from Dar es Salaam.

Before departure, our Chairperson issued a statement summarising the Group's observations. This is at *Annex X*.

Conclusions

- The people of Tanzania showed great enthusiasm to vote in their first multi-party elections in 34 years. The voters queued for long hours in some cases, with admirable patience and generally in a peaceful atmosphere.
- By registering no more than 350 voters at each polling station, the National Electoral Commission (NEC) made a creditable effort to deliver to the people of Tanzania good quality election services on polling day.
- The organisation and conduct of the elections varied widely throughout the country. In most areas, polling went smoothly – all election materials were received by Presiding Officers in good time and the election officials worked efficiently. In others, election materials arrived hours after polls should have opened and in some areas – notably in Dar es Salaam and a number of constituencies elsewhere – these never arrived at all.
- The failure to provide adequate facilities and polling booths at some polling stations compromised the secrecy of the vote in those stations.
- Other factors that were not conducive to ensuring the secrecy of the vote were the printing of numbers on ballot papers, often visible to party agents both at the time of issue and at the count, and the practice of writing the voter's registration number on the numbered ballot paper counterfoil.
- The NEC did not take full responsibility for the conduct of voter education, leaving this largely to political parties and other non-governmental groups and organisations. This meant that voters did not always have access to unbiased advice on election procedures.
- The rate of voter registration during the designated period began slowly. However, by the end of the extended time, and with the extra interest generated by the nomination of candidates, close to 9 million voters (some 80 per cent of the estimated total) had registered to exercise their right to vote.
- Opposition parties expressed frustration that they were unable to campaign effectively because they had not received the full payment of campaign assistance funds expected from the Government before the elections, and because they did not have equal access to the state-owned radio.
- Although the NEC was aware of the logistical challenge posed by the administration of these elections, it did not have the necessary structure and experience in managing multi-party elections to ensure that all voters wishing to do so were able to express their will on polling day. Notwithstanding the extension of the voting period until 8pm, the poll had to be continued in some constituencies on 30 and 31 October. In Dar es Salaam, the situation was so confused in some of the seven constituencies that voting was annulled and a re-poll scheduled. It became evident that one of the contributing factors to this confusion was the inadequate control of the distribution of materials, particularly ballot papers, which had resulted in the shortage of these vital election supplies in a number of different areas.

To its credit, the NEC attempted to meet the concerns of the political parties with regard to the selection of non-partisan election officials for the approximately 40,000

polling stations around the country by opening up the recruitment process and bringing representatives of political parties (polling agents) closer to the electoral process. This generated a large pool of people, many of whom had not previously served as election officials and therefore required training. Events on polling day suggested that the nationwide seminars conducted in the last week of the campaign were not sufficient preparation for the task ahead. This was one area where a Commonwealth offer of technical assistance was not taken up.

Further, dissatisfaction on the part of election officials in a number of constituencies with the arrangements made for the payment of their allowances caused delays in the opening of polling stations in those areas, and in the conduct of the count and the tally in others.

The inadequate preparations contributed to the chaos and confusion witnessed at a number of polling stations around the country on polling day. Nevertheless, of the total 232 constituencies involved, the NEC informed us that only 15 did not complete polling on 29 October 1995.

- Finally, the generally peaceful atmosphere which characterised the elections throughout the country is a tribute to the people of Tanzania, and evidence of their determination to make the democratic transition a success.

Acknowledgements

This mission could not have been accomplished without the assistance and support of many people. We would particularly like to express our appreciation of the co-operation extended to the Commonwealth Observer Group by the Ministry of Foreign Affairs, the political parties, Justice Lewis Makame, Chairman of the National Electoral Commission, Justice Zubeir Juma Mzee, Chairman of the Zanzibar Electoral Commission, and their fellow Electoral Commissioners, the local election monitoring groups, other international observers and the United Nations Electoral Secretariat in Dar es Salaam.

We are indebted to the people of Tanzania for their warm welcome and the individual kindness shown to us by many during our stay.

We wish to express our special thanks and very warm appreciation to Mr Carl Dundas and his able team from the Commonwealth Secretariat for the extraordinary support given to us in the execution of our mission. Their dedication was exemplary. We were highly appreciative resolute way in which they worked beyond the call of duty.

Finally, we are of course especially grateful to the Commonwealth Secretary-General, Chief Emeka Anyaoku, for giving us this opportunity to be associated with this historic occasion, and for his guidance and support.

Annexes

ANNEX I

Composition of the Commonwealth Observer Group

Mr Rashleigh Esmond Jackson (Guyana – Chairperson)

Mr Rashleigh Jackson began his professional life as a Master at Queen's College, Guyana in 1957. Embarking on a diplomatic career in 1964, Mr Jackson became Permanent Secretary in 1969 and served as Guyana's Permanent Representative to the UN from 1973-78, during which time he was elected President of the UN Council for Namibia; and represented his country on the Security Council in 1975-76. He served as Guyana's Minister of Foreign Affairs from 1978 until 1990. In recent years Mr Jackson has been active in national, regional and international efforts to promote sustainable development. He was a member of the Guyana delegation to the 1992 UN Conference on Environment and Development (UNCED), in Rio de Janeiro, Brazil, and led a task force of regional resource personnel which formulated joint positions as Caribbean regional inputs to the UNCED. Mr Jackson was educated in Guyana, Britain and the United States.

Mr Gerard Paul Ah-Shung (Seychelles)

Mr Gerard Ah-Shung began his public service career in 1968 with the Seychelles Directorate of Audit, serving as Director of Audit on several occasions, and was also appointed Registrar of Co-operatives from 1981-84. In 1983, he became Secretary and Head of Administration and Public Debt Department in the Central Bank of Seychelles. Mr Ah-Shung managed BCCI (Seychelles) on behalf of the Central Bank following its take-over in 1991, and supervised the winding up of BCCI (Seychelles) in 1992; he was appointed a Director-General, Banking Supervision, in the Central Bank in 1992. In 1994, Mr Ah-Shung became Electoral Commissioner of Seychelles and Registrar of Political Parties. In addition, he holds the position of Chief Officer of the Civil Statutes.

The Hon Brian G K Alleyne, SC, MP (Dominica)

The Hon Brian Alleyne was admitted to the Bar in Dominica in 1967. He entered into private legal practice – being admitted to the Bar in Grenada in 1978 – until elected to Parliament in 1980 as a member of the Freedom Party. Mr Alleyne's ministerial career included terms as Senator and Attorney-General, 1979-80; Minister of Home Affairs, Housing and Industrial Relations, 1980-85; Attorney-General and Minister for Legal Affairs, Immigration and Labour, 1985-90; Minister for External Affairs and Organisation of Eastern Caribbean States Unity, 1990-95.

Mr Angelos Angelides (Cyprus)

Mr Angelos Angelides is a retired diplomat in the foreign service of Cyprus. During a career that spanned four decades, Mr Angelides served in various capacities at the Ministry of Foreign Affairs in Cyprus, and as Head of the Economic and Political Departments. In the mid-1960s he was appointed Counsellor and Deputy Head of Mission at the High Commission in London, and went on to be posted to Moscow and then to Washington, returning to Moscow as Ambassador in 1979. Between 1984 and 1989, Mr Angelides was Permanent Delegate to the European Union, concurrently accredited to Belgium, the Netherlands, Luxembourg and the Republic of Ireland. He returned to the Ministry in Nicosia as Under-Secretary for a year, before taking up his last posting as High Commissioner in London, with accreditation to Norway and Sweden. Mr Angelides was educated in Cyprus, the US and Britain, and has decorations from Egypt, Germany, and Luxembourg.

The Hon Anna Kathrina Bayer, MP (Namibia)

The Hon Anna Bayer is a teacher by profession. Having attended Teachers' Training College in Cape Town, South Africa, she taught primary school for 27 years. Mrs Bayer is a longstanding member of SWAPO, and is a committed worker in the development of income-generating projects for groups within the community. Mrs Bayer was elected MP from the Hardap region

to the south of Windhoek in December 1994, and within the National Assembly takes a keen interest in issues concerning women and children, education and culture.

Dr Robin Alexander Ian Bell (Australia)

Dr Robin Bell lectured and undertook research in geophysics and nuclear physics at Victoria University (Wellington), Oxford University (obtaining a D.Phil in 1969), and at the Australian National University (ANU) for 16 years before completing a Bachelor of Laws degree at ANU in 1977. He then served in various legal officer positions with the Attorney-General's Department in Canberra, concurrently being a member of the Australian National Commission for Unesco, and the Australian Public Lending Right Committee Scheme. Between 1985 and 1988 he was Senior Assistant Secretary in the Freedom of Information and Human Rights Branch of the Attorney-General's Department, and Deputy Commonwealth Ombudsman. He has been Deputy Electoral Commissioner with the Australian Electoral Commission since 1991.

Mr Emiliano Bouletare (Vanuatu)

Mr Emiliano Bouletare is Solicitor before the Supreme Court of the Republic of Vanuatu since 1992 and also a member of the Electoral Commission. He is Deputy Clerk of Parliament of the Republic of Vanuatu. He was Manager, Legal Matters and then Secretary to the Board of Directors and Acting Deputy Managing Director of the Development Bank of Vanuatu (1989-94). He is a lecturer in the Government Training Centre for francophone civil servants.

The Hon Rauff Hakeem, MP (Sri Lanka)

The Hon Rauff Hakeem is by profession an attorney-at-law/solicitor and has appeared before the original and Appellate Courts since 1984. He was elected to Parliament in 1994 as a member of the Sri Lanka Muslim Congress, and is Deputy Chairman of Committees within the assembly. Mr Hakeem was a permanent delegate representing the Sri Lanka Muslim Congress to the All Party Conference (1990-92) and is currently General Secretary of the party. He has participated in national and international conferences on human rights, and published a number of articles on constitutional and legal reform.

Mr Natarajan Krishnan (India)

Mr Natarajan Krishnan is a former diplomat. He joined the Indian Foreign Service in 1951 and served in Bangkok, Phnom Penh, Buenos Aires, Geneva and the Ministry of External Affairs. He was Ambassador to Yugoslavia and Greece from 1976 until 1979, and became India's Permanent Representative to the United Nations in 1981 – a post he held for five years before being appointed the Prime Minister's Special Envoy for Africa from 1987-89. Whilst at the UN he was a member of two Committees on UN Reform, and a Commonwealth group on the Security of Small States. Mr Krishnan was the Indian member on the Executive Board of Unesco and is currently a member of the Committee advising the UN Secretary-General on disarmament matters. He is a member of a number of boards of educational and research institutions, having served as Dean of the School of International Studies at Pondicherry University from 1988 to 1990. Mr Krishnan holds a Bachelor of Arts (Econ) degree from the University of Madras.

The Hon Dr Moti Lall, MP (Guyana)

The Hon Dr Moti Lall is a specialist in chest diseases, having studied these at the postgraduate level in Germany and Canada. He worked in this field for the Ministry of Health from 1974, rising to the position of Principal Tuberculosis Officer in 1978, a post he currently holds. He became Member of Parliament in the General Election of 1992. He served on UN electoral observer missions to El Salvador and an OAS mission to Peru.

The Hon Joseph McGuire, MP (Canada)

The Hon Joseph McGuire trained as a teacher and community development worker. He was first elected to Parliament in 1988, as the member for Egmont, on Prince Edward Island, and was re-elected in 1993. Mr McGuire has served on the Fisheries and Oceans Committee in the House; the Standing Committee of Agriculture (1988-93); and sub-Committee on Electoral Boundaries.

The Hon Edna Madzongwe, MP (Zimbabwe)

The Hon Edna Madzongwe is the Deputy Speaker of Parliament for Zimbabwe. She held various positions in the Ministry of Education and Culture before being elected MP in 1990. In 1994, Mrs Madzongwe was appointed Deputy Minister of Education. She is a life member of the Commonwealth Parliamentary Association (CPA); Member of the Inter-Parliamentary Union (IPU), and former President of the World Women Parliamentarians for Peace. Mrs Madzongwe has chaired various Parliamentary Committees, and is a member of the Central Committee of ZANU-PF, holding the position of Deputy-Secretary for Labour and Production to the Politburo. Mrs Madzongwe attended the University of Massachusetts, USA, where she obtained an MA in Education.

The Rt Reverend Bishop Philip Stanley Mokuku (Lesotho)

The Rt Reverend Bishop Philip Mokuku undertook his theological training in a seminary in Johannesburg, South Africa. He was made a Deacon in 1959, serving in St James' Cathedral, Maseru, Lesotho, and between 1961 and 1976 was a Rector in several parishes in the Diocese of Lesotho. He was the Dean of Maseru for two years, 1976-78, before his elevation to become the Bishop of Lesotho. He is currently Secretary of Heads of Churches in Lesotho, and lists his interests as horse riding and gardening.

HE Mrs Tuelonyana Ditlhabi Oliphant (Botswana)

HE Mrs Tuelonyana Ditlhabi Oliphant began her public service career in the Ministry of Mineral Resources and Water Affairs in 1977, where she rose to the position of Principal Administration Officer. During the next eight years she worked in administration and also attended sectoral meetings of the Southern African Development Community (SADC). She co-founded and acted as editor of the Ministerial Newsletter. In 1985, Mrs Oliphant joined the Department of Foreign Affairs and her first posting was to Washington DC as First Secretary. She was promoted to Counsellor and Charge d'Affaires, and acted as Head of Chancery before being moved to serve as Counsellor in the Permanent Mission of Botswana to the UN in New York. In 1990, Mrs Oliphant was appointed Botswana's first High Commissioner to the Republic of Namibia and Ambassador to the People's Republic of Angola. She is currently Dean of the Diplomatic Corps and the Commonwealth Group in Namibia, and since 1992 has been Dean of the African Group. Mrs Oliphant studied at the University of Botswana, Lesotho and Swaziland, and at Pennsylvania State University in the US. Her interests include issues related to the welfare of the elderly and children, and the advancement of women in public life.

Dato' K Pathmanaban (Malaysia)

Dato' K Pathmanaban has had wide experience as a senior civil servant as well as a Deputy Minister in the Malaysian Government. He was a Director in the National Planning Division of the Malaysian Government's Economic Planning Agency and Acting Secretary-General of the Ministry of Labour before entering politics in 1974. He was a Member of Parliament from that year until 1990. Dato' Pathmanaban's ministerial appointments included periods as Deputy Minister in the Labour and Manpower, and Health Ministries between 1976 and 1990. He was an executive council member of the Commonwealth Parliamentary Association in 1984 and led a number of Malaysian delegations to CPA conferences. He has also led Malaysian Parliamentary delegations to the ASEAN Inter-Parliamentary Organisation. He now heads several national organisations and serves as Director of a number of companies. Dato' Pathmanaban chaired the Commonwealth Observer Group to the elections in Bangladesh in 1991, and was a member of the Commonwealth Observer Group to the elections in South Africa in April 1994.

Mr Muhammad Haneef Ramay, MPA (Pakistan)

Mr Muhammad Haneef Ramay began his professional life as an artist and an economist, but later became involved in politics as a journalist. He was a founding member of the Pakistan People's Party (PPP). He was the chief editor of the People's Party papers, and was first elected to the Punjab Assembly on the PPP ticket in 1970. He was appointed Finance Minister of Punjab in 1972, and Chief Minister of the Province in 1974. Mr Ramay was given a seat in the Senate in

1975, and joined the Pakistan Muslim League in 1976, becoming its chief organiser before forming his own political party, the Pakistan Musawat Party in 1978. During the period when political parties were banned in Pakistan, Mr Ramay took a sabbatical in the US as Research Associate at the University of California, Berkeley Campus. After his return to Pakistan, Mr Ramay rejoined the PPP and won a provincial assembly seat from Lahore in 1993. He has served as Speaker of the Punjab Assembly since that time, and is currently a member of the Commonwealth Parliamentary Association (CPA) Executive Committee.

Lord Redesdale (Britain)

Lord Redesdale is the Liberal Democrat Party Spokesman on Overseas Development. He is a member of the House of Lords Select Committee on Science and Technology. His special interests include the environment and mental health. Lord Redesdale has previously participated in observer missions to South Africa, Malawi, Mozambique and Sri Lanka.

The Hon Trevor Rogers, MP (New Zealand)

The Hon Trevor Rogers had a successful international business career before beginning his political life. Between 1977 and 1989, Mr Rogers was a councillor for Auckland City, serving as Chair on a number of Committees including Works and Sister Cities, during which time the council developed a close relationship with Los Angeles City Council, and a new relationship with Fukuoka City, Japan. He was from 1983-86 concurrently a member of the Auckland Regional Authority, which he represented as an Executive Member of the district roads council. Mr Rogers was first elected to Parliament in 1990, successfully retaining his seat after the boundaries were redrawn in 1993. He has since 1990, at various times served as a Member of the Foreign Affairs Select Committee, Deputy Chairman of the Internal Affairs and Local Government Select Committee, and is presently Chairman of the Commerce Select Committee. Mr Rogers is a keen sailor and a long time pilot.

Mrs Tekarei Russell (Kiribati)

Mrs Tekarei Russell qualified as a teacher at the Teachers' Training College in Suva, Fiji, in 1955. She then taught in a school in Fiji, before being employed by the Government of the then Gilbert and Ellice Islands to teach at the newly opened government girls secondary school, the Elaine Bernacchi School and the Teachers' Training College. Whilst raising her family between 1966 and 1971, Mrs Russell worked part-time in the Women's Interest Section of the Department of Education and became the first local Women's Interest Officer. Mrs Russell was first elected to Parliament in 1971, and successfully introduced a Private Bill on the Maintenance of Children which passed into law. She was re-elected in 1974, becoming Minister of Health and Community Development (1975-77), and visited Britain in the Queen's Silver Jubilee year as a member of the government team negotiating independence for Kiribati and the question of Banaba (Ocean Island). Between 1978 and 1987, Mrs Russell returned to teaching at the local government secondary school, and simultaneously served as a member of the Electoral Commission (1978-81). Since her retirement from government employment in 1987, Mrs Russell has helped to re-establish the National Women's Federation, and was elected its President in 1987. Mrs Russell attended the 1995 UN Conference on Population and Development in Cairo, Egypt. She is currently a member of the Public Service Commission and the Citizenship Commission, and has had a life-long interest in the Kiribati Girl Guides Association.

Mr David George Pendleton Taylor, CBE (Britain)

Mr David Taylor began his career path in Her Majesty's Overseas Civil Service, first as District Officer, finally as Acting Senior Local Government Officer in post-independence Tanzania. In 1964, he joined Booker McConnell as an executive officer, rising to the position of Divisional Director. He was posted to Malawi as Chairman and Chief Executive of Bookers (Malawi) Ltd, before returning to London to take up senior executive positions with responsibility for the company's overseas operations. From 1983-87, Mr Taylor was seconded by Booker at the request of the Government to be Chief Executive of the Falkland Islands, returning again in 1988 to act as Chief Executive, before being posted to Monserrat as Governor between 1990 and 1993. Mr Taylor has a wide range of interests including water-colour painting. He is a member

of the Marylebone Cricket Club (MCC) and the Anti-Slavery Society. Mr Taylor is a Fellow of the Royal Geographical Society, and was awarded the CBE in 1993.

The Hon Dianne Yates, MP (New Zealand)

The Hon Dianne Yates has had careers in education, administration and the media in New Zealand, Britain, the US and Zimbabwe. Her political career has included membership of teacher unions, the Association of University Staffs, the Women's Electoral Lobby and the Electoral Reform Coalition. A long-term member of the Labour Party, Ms Yates was first elected to Parliament in 1993 and currently sits for the constituency of Hamilton East. She is presently Labour Opposition Spokesperson on Women's Affairs, and a member of the Justice and Law Reform, and Foreign Affairs Select Committees. Ms Yates chairs the New Zealand Parliamentarians for Global Action Group.

Commonwealth Secretariat Support Staff

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Ms Lorna McLaren, Administrative Officer

Mr John Saddington, Administrative Officer

Ms Zippy Ojago, Secretary

ANNEX II**Press Release of 19 October 1995****Commonwealth
News Release**

95/42

19 October 1995

Commonwealth to Observe General Election in Tanzania

A team of 22 Commonwealth Observers, together with support staff from the Commonwealth Secretariat, will be present in Tanzania for the Union Presidential and Parliamentary elections to be held on 29 October 1995, as well as the elections for the Presidency and House of Representatives of Zanzibar scheduled for 22 October 1995.

In announcing the Observer mission, Commonwealth Secretary-General Chief Emeka Anyaoku said that the Commonwealth was responding to an invitation received in April this year, from the Government of the United Republic of Tanzania, for a Commonwealth Observer Group to observe the general election. A Planning Mission from the Commonwealth Secretariat which visited Tanzania last July established that there was broad support across the political spectrum for a Commonwealth presence throughout the electoral process. These will be the first multi-party elections in Tanzania since 1961.

The main body of the Commonwealth Observer Group will leave London tomorrow. After an intensive briefing on arrival, they will be deployed to a number of different locations around the country to observe the last days of campaigning, the poll and the count. The Group will leave Tanzania once it has completed its report which will be submitted to the Secretary-General.

The Group will be led by **Mr Rashleigh Jackson**, former Foreign Minister of Guyana. The other members of the Group are:-

Mr Gerard Ah Shung
Electoral Commissioner, Seychelles

Mr Brian Alleyne MP
Member of Parliament, Dominica

Mr Angelos Angelides
Former Diplomat, Cyprus

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Mrs Anna Bayer MP
Member of Parliament, Namibia

Mr Robin Bell
Deputy Electoral Commissioner, Australia

Mr Emiliano Bouletare
Member, Electoral Commission and Clerk of Parliament, Vanuatu

Mr Rauff Hakeem MP
Member of Parliament, Sri Lanka

Ambassador N Krishnan
Former Diplomat, India

Mrs A Kuenyehia
Senior Lecturer in Law, Ghana

Dr Moti Lall MP
Member of Parliament, Guyana

Mr Joseph McGuire MP
Member of Parliament, Canada

The Hon Edna Madzongwe MP
Deputy Speaker, Zimbabwe

Rt Rev Bishop Philip Mokuku
Bishop, Anglican Church in Lesotho

H E Mrs D Oliphant
High Commissioner to Namibia, Botswana

Dato' K Pathmanaban
Former Cabinet Minister, Malaysia

Mr Muhanmad Haneef Ramay MP
Speaker of the Punjab Assembly, Pakistan

Lord Redesdale
Member of the House of Lords, Britain

Mr Trevor Rogers MP
Member of Parliament, New Zealand

Mrs Tekarei Russell MP
Member of Parliament, Kiribati

Mr David Taylor
Former Senior Civil Servant, Britain

Ms Dianne Yates MP
Member of Parliament, New Zealand

The Group will be supported by a ten-member team from the Commonwealth Secretariat led by Mr Carl Dundas, Special Adviser (Legal), of the Economic and Legal Advisory Services Division.

Note to Editors:

This will be the sixteenth Commonwealth team to observe a national plebiscite in a member state since October 1990. These observer missions are to be seen in the context of a decision taken by Commonwealth Heads of Government to support the promotion of democracy in member states.

ANNEX III

Report on the Elections for the Zanzibar Presidency and House of Representatives, 22 October 1995

Introduction

After our briefing by the Secretary-General in London on 16 October 1995, we left for Dar es Salaam and were deployed to Zanzibar on Wednesday 18 October 1995.*

In Zanzibar, we met with the Zanzibar Electoral Commission (ZEC); senior officials from the two main political parties present in Zanzibar, Chama Cha Mapinduzi (CCM) and the Civic United Front (CUF); UN Observers; and Professor Haroub Othman, Chief Co-ordinator of the Zanzibar Elections Monitor and Observer Group (ZEMOG), a non-governmental organisation. We also attended a CUF Press Conference as well as the CCM and CUF rallies.

We observed the campaign, the poll on both islands (Zanzibar (Unguja) and Pemba), and the count at one station on Zanzibar island (Unguja). We left on Monday 23 October 1995, the day after the elections, to join the rest of the Commonwealth Observer Group in Dar es Salaam.

Background

Politics in Zanzibar played an important role in the internal campaign for an end to the one-party state. The elections on 22 October 1995 in Zanzibar were the first multi-party elections in thirty years for a President of Zanzibar, the 50-seat House of Representatives and local councils. (These elections were separate from the Union Presidential and Parliamentary elections scheduled to take place throughout Tanzania on 29 October 1995.)

Six parties participated in the elections for the House of Representatives, though only the CCM and CUF participated in the Presidential and local government elections. The competition for the Zanzibar Presidency was very keen. The CCM candidate was Mr Salmin Amour, the incumbent President of Zanzibar, and the CUF candidate was Seif Shariff Hamad.

The tensions between the mainland and Zanzibar were evident in the campaign. The CUF claimed that responsibility for many local matters were being transferred to the Union Government. They, therefore, campaigned for a two-tier/three government federal system, with a national government and separate administrations (one each) for Tanganyika and Zanzibar. This was also a recommendation of the Nyalali Commission.

The most contentious issue which arose during the preparations for the elections had to do with the introduction of the 'five-year rule', a qualification which required a five-year residential status for eligibility to register as a voter in Zanzibar. CUF claimed to be particularly disadvantaged, since many of its supporters currently living in Unguja had migrated from Pemba and would therefore not qualify to vote where they resided.

The Zanzibar Electoral Commission (ZEC)

The ZEC comprised the Chairperson, Mr Zubair J Mzee, and six other Commissioners, and the Director of Elections, Mr Aboud Talib Aboud. We met with the Chairperson and two Commissioners. At that meeting we were told that approximately 95 per cent of the estimated eligible voters had registered. We were also told that CUF had boycotted the registration initially and, according to the ZEC, if this had not happened, the party would have been able to identify discrepancies in the register earlier, and ZEC would not have been rushed at the last minute to deal with mistakes.

Political Parties

While we were in Zanzibar we met the Deputy Secretary-General of CCM and the Secretary-General of CUF. We were informed by the CCM official that relations between the two parties – CCM and CUF – were not cordial. This was because many of the CUF members were former members of the CCM, and also because the CCM considered that the policies of CUF, for



Despite the pouring rain, voters waited patiently during the elections for the Zanzibar Parliament which were held a week before the Union elections

example returning property to private ownership, were reactionary.

The CUF official expressed several concerns which included: difficulty in getting established because of the control by the state of the media; a lack of neutrality on the part of the security forces; bias by the ZEC whose first chairperson resigned because of protests that he was partisan; and intimidation during the registration period by young people recruited by the CCM. We were informed that a rally which was held in Pemba one week before the elections was disrupted by the police because the CCM presidential candidate was passing through the area. We were unable to verify these allegations.

We were unable to meet with officials from the other parties. However, at a briefing organised by the UN Observer Group, we heard representatives from two other parties explaining their respective parties' position on election issues.

Preparations for the Elections

We heard complaints from both the CCM and CUF that the registration process did not go very smoothly. We were told by a CUF official that this was due to several factors: the residency requirements caused confusion; there were several queries about the eligibility of persons wishing to register; the registration period was not extended in Zanzibar although it was extended on the mainland; and the procedures for appeal took time and in fact were taking place just prior to the elections.

We were informed by the ZEC that a comprehensive voter education programme had been planned but could not be implemented due to lack of resources. However, civic education took place by radio and by video which was taken by a van to the various villages. Our observations on polling day indicated that most voters knew where to go to vote and what had to be done in casting a vote.

Ballot papers were distributed from the office of the ZEC. On Friday 20 October, we witnessed and assisted the unpacking and sorting of boxes of ballot papers for Unguja district. The ballot papers were sorted by district and ballot type (for president, local government and



There was a big turnout of women on polling day for the Zanzibar Parliament

House of Representatives) according to the printers' lists. The sorting procedure was witnessed and agreed by party representatives. Police security was very high and both police and party agents accompanied the ballot papers to the polling stations.

The Campaign and the Media

The campaign was keen and energetic. We observed rallies by CCM and CUF on the day before the elections. Both rallies were very lively and free from violence. The police were present and there were adequate security arrangements. We did not observe any instance of intimidation.

We were told that the parties had no problems with the print media since these were privately owned. A committee comprising representatives of the political parties and chaired by a member of the ZEC met once a week to decide on the amount and use of airtime. We understood that the two main parties were satisfied with the arrangements although CUF informed us that their first and last broadcasts were shortened without explanation.

Other Observers

We were invited to participate in a briefing seminar convened by the United Nations on Friday 20 October 1995. At the seminar, Ms Judy Thompson, an election expert provided by Canada as technical assistance to the ZEC, explained the procedures to be followed at the poll and during the count. Observers were also given an overview of the history and politics of Zanzibar.

We later met with Professor Haroub Othman, the Chief Co-ordinator of ZEMOG. For the Zanzibar elections ZEMOG was fielding an observer group which comprised 90 local and 24 international observers. The local members were recruited from the staff and students of the University of Dar es Salaam, the religious community, professional people, and respected men and women in the community. ZEMOG informed us of a number of local issues and concerns in Zanzibar with regard to the electoral process.

The Poll and the Count

One of our teams observed the poll in Pemba. We visited approximately thirty polling stations on that island. In nearly all cases, the polling stations had opened at the stipulated time or shortly thereafter. At one venue the opening of the poll was delayed because the Presidential ballot papers for that station had been delivered elsewhere and not enough local government ballot papers were available. After a closely supervised collection and redistribution of Presidential ballot papers between various polling stations, polling for the Presidential and House of Representatives ballots was able to commence at noon. However, voters were told that they would not be able to vote for local government that day.

Visits were also made to over thirty polling stations in Unguja. There were cases of delay on this island as well, due to problems of the availability of ballot papers.

On both islands the voters queued well before opening time at 8am. They were orderly and patient, even though some of them were tired and frustrated by the long wait. Priority for

voting was given to the infirm and mothers with babies.

Security staff were present and in many cases they were helpful and not intrusive.

The election officials we encountered were also helpful, and patiently explained the procedures to the voters. They were at their stations well on time and carried out their duties properly but at varying speeds. Voters had to cast three votes, and this took some time since there was the need to explain the difference in the ballot papers and ballot boxes.

The polling stations closed on time, but there were very long delays before counting took place. We witnessed the count at a venue near Zanzibar town. The process did not start until after 9pm for several reasons: the election officials could not proceed until an official from the ZEC had arrived with forms for tallying; reconciling the various polling records took a long time; instructions on the procedure were lengthy; and there was need for clarification and agreement among polling agents as to what votes would be considered invalid.

Conclusions

We observed keenly fought elections. The campaigns were intense, lively but peaceful. The public had been mobilised to vote in the three elections on 22 October 1995 and the Union elections on 29 October 1995.

Procedures for the poll and for the count were followed. The election officials, the polling agents and security personnel contributed to a peaceful poll. Voting took place at most stations, but there were cases of delays and, in a few instances, the election for local government had to be postponed. The count and the tally were not completed by the time we left Zanzibar on 23 October 1995. The final results were announced at 2pm on 26 October 1995, a full four days after the polls.

In at least three constituencies, the ZEC had reportedly undertaken a recount and collation of the results. The delays experienced in the count and the tally, and the length of time the ZEC took to announce the election results, led to suspicions and allegations of fraud. This was compounded by the fact that the results were very close.

We returned to join the rest of the COG on the mainland on 23 October 1995, before the counting had been completed. Subsequent to our departure, allegations were made that irregularities had occurred in the count and the tally. In the event, the CCM Presidential candidate, Mr Salmin Amour, was declared the winner of the Presidential ballot on 26 October 1995, and was sworn in the next day.

** Those involved in the observer mission to the Zanzibar elections were: Dr Robin Bell and The Rt Reverend Bishop Philip Mokuku; supported by Dr Moses Anafu and Dr Lucy Steward of the Commonwealth Secretariat*

ANNEX IV**Arrival Statement of 21 October 1995**

Tanzania Presidential and Parliamentary Elections, 1995

Commonwealth Observer Group*News Release***ARRIVAL STATEMENT BY THE COMMONWEALTH OBSERVER GROUP**

We are here in response to a request from the Government of the United Republic of Tanzania to the Commonwealth Secretary-General, Chief Emeka Anyaoku, for the Commonwealth to observe the Presidential and Parliamentary Elections scheduled for 29 October 1995. A Commonwealth Secretariat Planning Mission to Tanzania last July, confirmed a general support for a Commonwealth presence at this time.

Our broad objective is to observe the organisation and conduct of the elections in accordance with the laws of Tanzania, and where appropriate Zanzibar. We have come from many parts of the Commonwealth but not as representatives of the governments or organisations to which many of us belong. Rather, we have been invited to serve the Commonwealth in this manner in our individual capacities.

Our Group has no executive role. Our function is to observe the process and form an impartial judgement as to whether the process taken as a whole has been such as to be likely to represent the wishes of the people. At the end of our mission, we will present a report to the Commonwealth Secretary-General who will make it available to the Government of the United Republic of Tanzania, to the political parties taking part in the elections, and thereafter to the other 51 Commonwealth Governments.

We are very much looking forward to our mission. In fulfilling it, we will remain in close touch with the Electoral Commissions and their Directorates, with the political parties, and the many other interested groups. We look forward to the next three days of briefings here in Dar es Salaam, during which time we hope to arrive at a clearer appreciation of the preparations in hand. We will be deployed throughout the country some days before polling day, during which time our teams will be visiting constituencies, meeting local electoral officials and party members, and observing the end of the campaign period. On polling day itself, the Commonwealth teams will travel around their designated areas observing the poll and the counting of votes.

It is an honour to be here at this time. We are ready to assist, in whatever ways we can, this stage of the transitional process from a one-party to a multi-party system, knowing that the Commonwealth as an association is committed to strengthening the democratic processes in member countries.

21 October 1995

Note to Editors:

The Commonwealth Observer Group to Tanzania has established an office at the Hotel Kilimanjaro, Dar es Salaam. For further information please contact: Ms Cheryl Dorall (Press Officer) Tel: 051 - 46694/46879; Fax: 051 - 46839

ANNEX V**Schedule of Engagements****Commonwealth Observer Group (COG) to Tanzania
Daily Schedule****21 October 1995**

- 1100 hrs** Arrive at Dar es Salaam International Airport
- 1130 hrs** Arrival Statement by Chairperson, Mr Rashleigh Jackson
- 1230 hrs** Arrive at COG Headquarters, Hotel Kilimanjaro, Dar es Salaam
- 1300 hrs** Working Lunch
- 1400** Meeting with National Electoral Commission
- 1600 hrs** REST/FREE TIME
- 1730** Meeting with Commonwealth High Commissioners
- 2000 hrs** British Council, Dar es Salaam

22 October 1995**Elections on Zanzibar**

- 0900** Meeting with CCM (ruling party)
- 1030 hrs**
- 1130 hrs** Meeting with NCCR-Mageuzi (main opposition party)
- 1300 hrs** Lunch
- 1415 hrs** UDP (opposition party, presidential candidate)
- 1600 hrs** Meeting with Professor R Mukhandala,
Co-ordinator TEMCO (local election monitoring group)
- 1800 hrs** Chairperson's Briefing Meeting

23 October 1995**Zanzibar Party rejoins COG in Dar es Salaam**

- 0900 hrs** Meeting with Attorney-General at A-G's Chambers
Chairperson, 4 Observers (Mr Angelos Angelides, Ambassador
N Krishnan, Hon Mrs Madzongwe MP, Mr Trevor Rogers MP)
and Team Leader
- 1400 hrs** Joint Churches' Task Force
- 1530 hrs** Tanganyika Law Society
- 1700 hrs** COG Zanzibar Debriefing
- 1800 hrs** Meeting with the Registrar of Political Parties, Mr George Liundi
- 1830** Chairperson's Reception for Observers and other invited guests,
2030 hrs Hotel Kilimanjaro

24 October 1995

- 0900 hrs** Zanzibar Party debriefing contd.
- 1015 hrs** Group 1) Media and Workers' Association (AJM)
Group 2) CHADEMA (opposition political party)
- 1100 hrs** Briefing by team of UN Co-ordinators
- 1200 hrs** Chairperson's Deployment Briefing
- 1300 hrs** Lunch
- 1430 hrs** Meeting with Chairman and Commissioners of the National
Electoral Commission at the NEC.
Chairperson, 4 Observers (Mr R Hakeem MP, Mr Joseph
McGuire MP, HE Mrs D Oliphant, Ms Dianne Yates MP) and
Team Leader
- 1545 hrs** Deployment Briefing contd.
- 1630 hrs** CCM Rally at Ilala, DSM

25 - 30 October 1995

Deployment

Chairperson's Deployment Statement

29 October 1995 Polling Day

30 October 1995

COG returns to Hotel Kilimanjaro, Dar es Salaam

2100

2300 hrs Debriefing

31 October 1995

0900 hrs Debriefing and consideration of draft report

1245 hrs Lunch

1545 hrs Consideration of draft report contd..

1700 Group Photograph

1715 hrs

Consideration of draft report contd..

1830 hrs Reception for international observers hosted by the Heads of Mission of the Core Electoral Support Group (Denmark, Finland, the Netherlands, Sweden, European Union, Norway)

1 November 1995

0830 hrs Consideration of draft report contd..

1245 hrs Lunch

1400 hrs Consideration of draft report contd..

1500 hrs Meeting with Chairman and Commissioners of the NEC

1600 hrs Consideration of draft report contd..

Finalisation of report

2 November 1995

COG to Tanzania disperses

1200 hrs Chairperson's Departure Statement

ANNEX VI

Statement on the Deployment of Commonwealth Observers, 24 October 1995



Tanzania Presidential and Parliamentary Elections, 1995

Commonwealth Observer Group

News Release

24 October 1995

Commonwealth Observer Groups Deploy To The Regions

The 21-member Commonwealth Observer Group has completed four days of intensive briefings in Dar es Salaam, during which it met representatives of the National Electoral Commission (NEC), some of the political parties, the Registrar of Political Parties and the Tanzania Election Monitoring Committee, among others. From tomorrow (Wednesday 25 October), the Observers will be deployed to the regions, together with some Commonwealth Secretariat support staff, who will act as Assistant Observers.

The Group will be deployed in the following way:

Dar es Salaam/Morogoro	Rashleigh Jackson (Chairman - Guyana) Carl Dundas (Secretariat) Cheryl Dorall (Secretariat)
Dar es Salaam/Morogoro	Dianne Yates (New Zealand) Emeliano Bouletare (Vanuatu)
Arusha/Moshi	Brian Alleyne (Dominica) Sandra Pepera (Secretariat)
Tanga	Joseph McGuire (Canada) Anna Bayer (Namibia)
Zanzibar	David Taylor (Britain) K. Pathmanaban (Malaysia)
Lindi/Mtwara	Gerard Ah Shung (Seychelles) Trevor Rogers (New Zealand)
Musoma	Edna Madzongwe (Zimbabwe) Ade Adefuye (Secretariat)
Bukoba	Muhammad Haneef Ramay (Pakistan) John Saddington (Secretariat)
Mwanza	N Krishnan (India) D Oliphant (Botswana)
Kigoma	Lord Redesdale (Britain) Lucy Steward (Secretariat)

Dodoma	Angelos Angelides (Cyprus) Tekarei Russell (Kiribati)
Mbeya	Moti Lall (Guyana) Judith Johnson (Secretariat)
Shinyanga	Rt Rev Bishop Philip Mokuku (Lesotho) Robin Bell (Australia)
Iringa	Rauff Hakeem (Sri Lanka) Moses Anafu (Secretariat)

In the last few days before the elections of 29 October 1995, the Observers will meet with electoral and security officials, representatives of parties in the regions and observe the last days of campaigning. They will also visit and examine polling stations. On election day, they will observe the opening of the polls and throughout the day visit polling stations, observing the electoral process. They will also observe the count before returning to Dar es Salaam where they will discuss their final report on the elections as a whole.

This report will be submitted to the Commonwealth Secretary-General who will forward it to the Government of Tanzania, the leadership of the political parties taking part in the elections and thereafter to other Commonwealth governments.

Note: The office of the Commonwealth Observer Group is in the Hotel Kilimanjaro, Dar es Salaam, tel: 051-46694/46879, fax: 051-46839, or Extension 892 through the hotel's switchboard.

ANNEX VII**Observation Notes for Poll and Count and Check List for Polling Station Visits****OBSERVATION NOTES FOR POLL AND COUNT****PART A**

The Observers may focus particular attention on the following aspects of the conduct of the election:

THE CAMPAIGN

1. The extent of access to the electronic media available to all parties.
2. The procedure for the allocation of time for political broadcasts and advertisements on radio and television.
3. The extent of access enjoyed by the political parties to the print media.
4. The tone and content of political broadcasts, advertisements and posters put out by the political parties.
5. The conduct of political meetings.
6. The conduct of house-to-house canvassing of voters.
7. The voter education programme on radio and television conducted by the Electoral Commission and others.
8. Permits for public meetings.
9. Access to printing facilities.
10. Access to funds and sources of funds.

THE POLL

1. The location of polling stations.
2. Distances travelled by voters to polling stations, particularly in rural areas.
3. The length of time voters wait to cast their votes.
4. The steps taken to ensure that the secrecy of the ballot is assured.
5. The performance of electoral officials at the polling stations visited.
6. The procedure followed at the opening of the poll.
7. The adequacy or otherwise of facilities at polling stations and their state of readiness.
8. The procedures in place to ensure proper security of ballot papers, ballot boxes and official seals.
9. The general atmosphere at the polling stations visited.
10. Availability of adequate supplies, eg, ballot papers, official stamps and stamp-pads, indelible ink, etc.
11. Security of ballot papers prior to election.
12. Access of party agents to polling stations.

THE COUNT

1. Inspection of seals.
2. The process of reconciling the number of people who voted with the number of ballots cast.
3. The determination of invalid ballots.
4. The conduct of electoral officers.
5. The facilities for candidates and their representatives to witness and verify the count.

PART B

Questions that may be put:

BEFORE POLLING DAY

1. Was the Voters' Register compiled in a satisfactory way? Were people missed out? Were the names of dead people included?
2. Who are the election officials? How were they chosen? Are voters confident that they will be impartial?
3. Is the person in the street satisfied with arrangements? Will he/she vote? If not, is he/she afraid to do so?
4. Have all parties been able to campaign freely? Has the campaign been free of intimidation, etc? Have all parties had full access to the mass media?
5. Is there freedom to advertise and distribute posters, leaflets, etc?

ON POLLING DAY

1. Before polling starts, are the ballot boxes empty? Are they properly sealed?
2. Are all procedures being adhered to?
3. Are all parties represented at polling stations? Are they satisfied with the process?
4. Are voters apparently voting freely? Are they enthusiastic? Do they talk freely? Do they exhibit signs of fear or intimidation?
5. Do voters understand the procedures properly? If not, are the procedures being explained fully and impartially? Are attempts being made to suggest how voters should vote?
6. Is only one person at a time being allowed into the voting booth?
7. How long are voters waiting to vote? If a long time, are some being put off?
8. Will all parties be represented at polling stations throughout voting and count? Are party polling agents adequately trained and vigilant?

9. Will foreign observers have free access to all stages of the process?
10. Is the security presence oppressive?

THE COUNT

1. Are the boxes kept safe until opened? Are all parties present at opening?
2. Does the number of used ballot papers tally with the record of those who voted?
3. Are the papers counted properly? Are counting agents present? Are they satisfied with the procedure of the count?

CHECKLIST FOR POLLING STATION VISITS

Name of Observer(s):.....

Constituency:

Polling Station:

Time of Arrival:

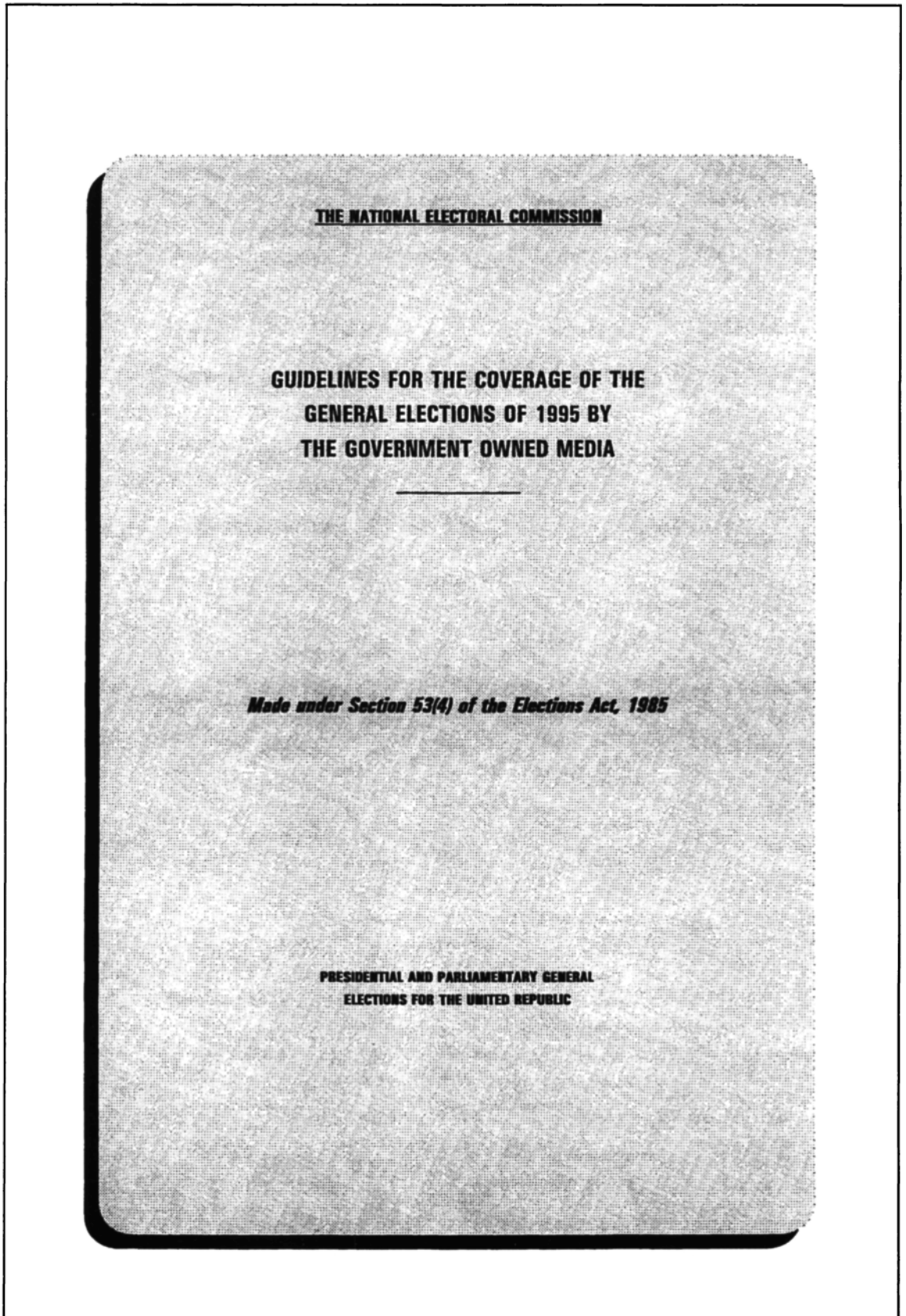
Voters in Queue: Rate of Processing:

-
1. **Opening of Poll:** On time? Procedures followed?
 No/Yes No/Yes
 Details:
 2. **Layout and Facilities:** Good? Adequate? Poor?
 3. **Polling Staff:** Efficient? Satisfactory? Poor?
 4. **Security Presence:** Discreet? Intrusive? Oppressive?
 5. **Complaints by Party Polling Agents:** No/Yes Details:
 6. **Complaints by Voters:** No/Yes Details:
 7. **Mood at Station?** Orderly? Tense? Chaotic?
 8. **Secrecy of Ballot:** Assured? Poor? Uncertain

9. **Voting:**
- (a) Personation attempts alleged: No/Yes
Details:
- (b) Multiple voting attempts alleged: No/Yes
Details:
10. **Closing of Poll:** On time? Numbers still in queue?
Procedure followed? No/Yes
11. **The Count:** Are procedures being observed? No/Yes
12. **Apparent fairness overall:** Good? Acceptable?
Questionable?
13. **Other Comments:**

ANNEX VIII

Guidelines for the Coverage of the General Elections of 1995 by the Government-Owned Media, published by the National Electoral Commission (NEC) of Tanzania



THE NATIONAL ELECTORAL COMMISSION

GUIDELINES FOR THE COVERAGE OF THE
GENERAL ELECTIONS OF 1995 BY
THE GOVERNMENT OWNED MEDIA

PRESIDENTIAL AND PARLIAMENTARY GENERAL
ELECTIONS FOR THE UNITED REPUBLIC

1. **INTRODUCTION**

The Constitution of the United Republic guarantees freedom of opinion and expression that is to say, the right to hold and express opinions freely and to seek, receive and impart information and ideas through any media, whether through printed materials, or radio or television broadcasts. The media wield can assert enormous impact on society and can therefore play an important role in educating, informing and motivating the public for the common good. However, they can only achieve these lofty objectives if they deliberately adopt and observe certain guidelines and professional ethics for their editorial policy and in their handling of the factual news.

2. These Guidelines shall apply after necessary consultations with parties has been finalised and shall be applicable up to 28th October 1995.

GUIDELINES FOR GOVERNMENT OWNED MEDIA
DURING ELECTION CAMPAIGN

3. **GENERAL GUIDELINES**

(a) **Events**

Reports of factual happenings should be accurate and without bias. Editorials and commentaries on events should be clearly distinguished from plain reports of events.

(b) **Controversial Issues**

Where a public issue is controversial fair representation of the opposing sides should be afforded. Requests by any person or group to present their case on controversial public issues should be considered on their individual merits and in the light of their contribution to the public interest.

4. **SPECIFIC GUIDELINES**

(A) **Access by Political Parties**

(i) (a) The government owned media in mainland Tanzania consists of Radio Tanzania Dar es Salaam (RTD) and two newspapers - "The Daily News" and "The Sunday News".

(b) The government owned media in Zanzibar consist of Television Zanzibar (TVZ) and Radio Zanzibar which will be available after consultation between National Electoral Commission and Zanzibar Electoral Commission.

(ii) Access to the government owned media shall be given free of charge and on an equal basis to all political parties which qualify and wish to campaign in the Presidential and Parliamentary Elections for the United Republic. Accordingly broadcasts should devote an equal period of time and the print media should make available the same amount of space for each qualified political party. The National Electoral Commission shall notify the media of the parties that qualify for this free coverage. The existing programmes aired by RTD available for political campaigning are:-

- (a) News Bulletins
- (b) TUAMBIE
- (c) MAJIRA.

These programmes should be apportioned fairly and equitably among the Presidential and Vice Presidential Candidates and the qualified political parties.

(iii) No paid political programme should be accepted by the government owned media for dissemination of such programme during the election campaign save for "kipindi maalum" to be facilitated by the National Electoral Commission.

(iv) (a) Submission of Programmes

Programmes should be submitted by a political party concerned within seven days before the expected allocated time or space for publication.

(b) Political Programmes submitted to the government owned media for publication shall be in accordance with allocated time or space. Any extra material shall be returned to the political party concerned.

(c) Controversial Materials

If any of the media believes that a political programme is not in good taste, or contrary to the public interest, security, peace or morality, they may reject the political message in question in the presence of the appointed representative of the political party concerned. However, specific details should be provided for the rejection and opportunity be given for changing the material to meet broadcast or publication standards.

(d) Correction of Errors by the Media

The media may not censor or alter in any manner any of the materials presented by the parties or candidates to rectify the broadcasting or publication of errors, except after the consultations with the party concerned.

(v) Disclaimers

The media shall insert or publish a disclaimer whenever a political programme is published by their medium.

The disclaimer shall be made by the same medium which made the publication.

(vi) Incumbency

It is the responsibility of publishers to ensure that they do not become the vehicles by which participants in the election unduly benefit from their incumbency in Government.

(B) Requirements

The Mass Media shall ensure that all the registered political parties will cooperate in abiding by the election guidelines during the campaign period.

ANNEX IX

Guidelines for the Coverage of the General Elections of 1995 by the Private News Media, published by the NEC

THE NATIONAL ELECTORAL COMMISSION

COVERAGE OF THE GENERAL ELECTIONS OF 1995 BY THE PRIVATE NEWS MEDIA

INTRODUCTION

The Constitution of the United Republic guarantees freedom of opinion and expression that is to say, the right to hold and express opinions freely and to seek, receive and impart information and ideas through any media, whether through printed materials, or radio or television broadcasts. The media wield can assert enormous impact on society and can therefore play an important role in educating, informing and motivating the public for the common good. However, they can only achieve these lofty objectives if they deliberately adopt and observe certain guidelines and professional ethics for their editorial policy and in their handling of the factual news. It is common knowledge that election campaign period started on 30th August 1995 and will end on the 28th October, 1995.

GUIDELINES

In order to have before them the right kind of information on the candidates and party policies on which to base their choice, the voters will need a fair and unbiased coverage by the mass media.

The National Electoral Commission therefore urges the private media to observe the following points:

(a) **News**

To be fair and without bias in the reporting of factual happenings, which should be clearly distinguished from news analysis, commentaries and editorials. Professional ethics should be maintained in the use and selection of news sources.

(b) Controversial Public Issues

Opportunity for fair representation of opposing sides should be granted. Requests by individuals or groups to present their views on controversial public issues should be considered on the basis of merit and in the light of their bearing on the public interest.

(c) Access by Political Parties to Gratuitous Programmes

The National Electoral Commission requests the broadcast media (radio and television) to make available, weekly and at no cost, a reasonable amount of time or space, for each qualified political party to deliver political advertisements.

The National Electoral Commission shall notify the media of the political parties which qualify for this free coverage. All such programmes should be clearly identified as a public service to political parties.

(d) Submission of Programmes

The media may establish reasonable deadlines for the submission of the materials in order to fit their broadcast or publication schedule.

The media shall ensure that all political parties are given equal treatment and access as to time and space for the publication of their political programmes.

(e) Correction of Errors by the Media

The media may not censor or alter in any manner any of the materials presented by the parties or candidates to rectify the broadcasting or publication of errors, except after the consultations with the party concerned.

(f) Controversial Materials

If any of the media believes that a political programme is not in good taste, or contrary to the public interest, security, peace or morality, they may reject the political message in question in the presence of the appointed representative of the political party concerned. However, specific details should be provided for the rejection and opportunity be given for changing the material to meet broadcast or publication standards.

(g) Paid Political Advertisements

Political parties or candidates who require additional time and space should pay for all the extra advertisements, preferably at the lowest established rates, but each party should be charged at the same rate. However, one political party or candidate should not be allowed to block access by other parties or candidates by purchasing all available time or space.

ANNEX X**Departure Statement of 2 November 1995, by Mr Rashleigh Jackson, Chairperson of the Commonwealth Observer Group**

Tanzania Presidential and Parliamentary Elections, 1995

Commonwealth Observer Group

Tel: (255) 51 21281-9

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Hotel Kilimanjaro

P O Box 9574

Dar es Salaam

NEWS RELEASE

2 November 1995

**DEPARTURE STATEMENT BY MR RASHLEIGH JACKSON,
CHAIRMAN OF THE COMMONWEALTH OBSERVER GROUP IN TANZANIA**

The Commonwealth Observer Group has been in Tanzania for the last 10 days. During this time, our 21 members have met with members of the National Electoral Commission, representatives of political parties and other interest groups, and spoken to many ordinary citizens of this country. We have travelled extensively throughout this country in the week before the elections, observing the last days of the campaign and preparations for the poll, and were present in 13 regions and in Zanzibar on election day. Some members of our Group were also present in Zanzibar on 22 October to witness the elections for the President and House of Representatives of Zanzibar.

Our Group leaves this country today with some regret that these historic elections marking the transition from one-party to a multi-party system were not concluded when they should have. We witnessed the events of polling day which led to the National Electoral Commission's decision to annul the vote in the seven constituencies of Dar es Salaam and hope that the re-run of voting will be conducted in a manner worthy of the patience and obvious desire for a multi-party democracy displayed by the Tanzanian voters thus far.

We have deliberated upon our final report on the elections up to this point, which we will submit shortly to the Commonwealth Secretary-General. He will make this available to the Government of Tanzania and the political parties, as well as to all Commonwealth governments. However, we thought we should share with the people of Tanzania some of our observations. These are as follows:

- We were impressed by the great enthusiasm for voting in a multi-party system displayed by Tanzanians and for their great patience and fortitude in the often trying circumstances on 29 October;

- We commend the National Electoral Commission for its effort to make voting as easy as possible for Tanzanians by placing thousands of polling stations within easy reach of millions of voters;
- We also commend the Electoral Commission for attempting to meet the concerns of political parties with regard to the selection of election officials by recruiting thousands of people who had not served previously as election officials; the Electoral Commission also brought representatives of political parties closer to the electoral process;
- We observed that the conduct of the elections varied considerably throughout the country. Polling and counting proceeded fairly smoothly in many places but in others, and especially in the seven constituencies of Dar es Salaam as well as in Dodoma and Mbeya, polling opened very late because of delays in the distribution of election materials, and in some cases did not open at all;
- We observed that facilities were inadequate at polling stations and that the secrecy of the vote was compromised at some stations;
- We believe that inadequate preparations, especially in logistical planning, by the National Electoral Commission contributed to the delays in election materials arriving at the stations and to the chaos and confusion we witnessed on polling day, scenes we have not witnessed before when observing elections in other Commonwealth countries.

We thank the Government and the people of Tanzania for their kindness and hospitality and hope that multi-party democracy will take firm root in this country.

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