

THE
CARTER CENTER



Carter Center Preliminary Statement on Zimbabwe's 2023 Harmonized Elections

Aug. 25, 2023

As the election process has not yet concluded, this press statement covers the process thus far. The Center will continue to observe and assess the remaining post-election process and will issue a preliminary statement shortly and a comprehensive final report in the coming months, which will include recommendations for steps that could improve future elections.

The Carter Center has observed that the 2023 elections in Zimbabwe took place in a restricted political environment and that the administration of the elections lacked independence and transparency in key areas. Parliament did not pass important electoral reforms and instead adopted legislation targeting the country's vibrant civil society, effectively silencing reform advocates and political opponents in the months leading up to the polls. Several critical technical aspects of the process were poorly or opaquely implemented, reducing the transparency and credibility of the elections.

The key findings of this preliminary statement are as follows:

Election Day: On election day, Carter Center observers reported that the voting process ran smoothly at most polling stations; however, in some areas, particularly in Harare, Bulawayo, and Manicaland, polling stations opened late — in some cases more than 11 hours late. Although the Zimbabwe Electoral Commission extended voting hours, and the government officially proclaimed Aug. 24 as an additional election day, many stakeholders expressed concerns that logistical delays may have depressed voter turnout in those areas. Closing and counting procedures were assessed as largely positive in the limited number of polling stations the Center observed.

Several hours after polls closed on Aug. 23, Zimbabwean security forces raided the offices of the Zimbabwe Electoral Support Network and the Election Resource Center, two accredited and well-known civil society election observation groups, arresting 39 people and confiscating equipment. The raid was an unnecessary and serious restriction of the fundamental civil and political rights of these organizations and individuals, and it prevented their efforts to contribute to transparency around critical phases of the election, including independent verification of officially announced results.

Legal and Electoral Framework: While the constitution safeguards fundamental human rights and freedoms — including the freedoms of opinion and expression, assembly, and association — subordinate legislation unduly limits those rights, including in the context of campaigning, and is not fully consistent with international standards. This includes advance notice requirement for public gatherings and demonstrations, and limitations of freedom of expression under the so-called Patriotic Act.

Election Administration: The legal framework gives wide discretion to the ZEC to regulate and supervise the election process; to register voters; delimit constituencies; design, print, and distribute ballot papers; approve the form of, and procure, ballot boxes; establish and operate polling centers and stations; and accredit both citizen and international observers, media, and party agents. The administration of elections lacked transparency in key areas, as the ZEC did not provide critical information in a timely manner during various stages of the process, which undermines public and stakeholder confidence in its management of electoral processes. In addition, the restrictions and limitations on the work of election observers, including the late provision or denial of accreditation, severely hindered important independent transparency efforts.

Voter Education: While the ZEC conducted voter education and publicly invited civil society organizations, private voluntary organizations, and faith-based organizations to apply for ZEC accreditation as voter educators in May, some interlocutors reported that they were only granted approval in August, just days before the election. This prevented effective and timely voter education by a range of qualified organizations.

Voter Registration: The ZEC registered 451,811 new voters and transferred 191,738 registered voters to new locations prior to the elections. Although the voter roll was posted for inspection, public confidence in it remained low because of inaccuracies and errors. There were many reports during the inspection period of voters finding themselves through the SMS system but not on the physical voter roll. The ZEC attributed this to new ward boundaries and the addition of polling stations following the boundary delimitation exercise. The ZEC did not provide electoral stakeholders with a copy of the final voter roll that could be easily reviewed or audited.

Candidate Registration: The Candidate Nomination Court sat on June 21 to process candidates for all levels of the election, including for the party lists. The ZEC issued directives on how the party lists should be structured just one day before the court, which constrained the ability of some parties to provide adequate numbers of women for provincial council party lists. Parties were allowed to resubmit lists, but this caused delays. Late decisions on these cases meant that ballots were printed late, which the ZEC cited as the reason for late delivery of ballots in some areas. Only the ruling party managed to submit party lists and candidates for every constituency and ward election, and ran uncontested in around 10% of wards.

Political Environment: While incidents of political violence were fewer than in 2018, tensions and polarization increased in the months preceding the elections, as legislation restricting individuals' freedoms of speech, movement, and association, such as the Criminal Law (Codification) Amendment Act, also known as the Patriotic Act, and the PVO Amendment Bill were introduced. While the PVO legislation has yet to become law, coupled with the Patriotic Act, its potential enactment has produced a stifling effect on Zimbabwean civil society.

Campaign Period, Including Social Media: The campaign took place in a restrictive and highly polarized environment. Authorities were reported to have banned more than 300 public gatherings, making it extremely difficult for opposition parties and candidates to engage with potential supporters and the electorate. There were isolated instances of violent intraparty and interparty clashes. Interparty violence resulted in one reported death in Harare on Aug. 3, 2023. The Patriotic Act, adopted in July, further stifled the right to freedom of peaceful assembly and negatively affected the exercise of the rights of freedom of association and expression, especially in the context of campaigning.

Participation and Inclusion: The legal framework contains commitments to ensure gender parity and provides for temporary measures to promote participation of women. However, these measures are not fully enabled in subordinate legislation, and no penalties are in place for non-compliance. As a result, participation of women was less than in previous elections, as political parties generally failed to ensure gender balance among their nominated candidates for directly elected seats, relying solely on seats reserved exclusively for women to give any inclusion for women. The large increase in candidate nomination fees limited all but the wealthy from running for National Assembly seats. Zimbabwe's political parties also generally failed to take steps to promote the participation of youth and people with disabilities as candidates.

Role of Civil Society and Election Observers: Civil society plays a critical role in ensuring support for institutional electoral processes as well as the development of democratic space in a country. Notwithstanding pressure from authorities, Zimbabwe enjoys a vibrant civil society.

The Catholic Commission for Justice and Peace, the Zimbabwe Council of Churches, the Zimbabwe Electoral Support Network (ZESN), and the Electoral Resource Center (ERC), among other civic organizations, have been involved for decades in strengthening citizen participation as well as engaging on policies to improve the quality of electoral and democratic processes. These organizations deployed observers on the election day, and many regularly engage in civic education to promote inclusion and transparency of electoral processes. The Carter Center noted, however, that there was limited civil society participation in the August elections because of state restrictions and the ZEC's limited consultation of civil society in various electoral processes.

The Zimbabwean government invited The Carter Center to launch an election observation mission for the Aug. 23 elections; however, authorities did not accredit 30 of the Center's short-term observers. This action represented a severe and unwarranted obstruction of the Carter Center's mission, inconsistent with commonly recognized and respected norms and practices. This disrupted the Center's methodology, forcing last-minute adjustments in order to enable observation activities while maintaining its core principles of independence, impartiality, and fact-based reporting.

Conclusion: With the tabulation of results still underway at some tally centers, it is critical for Zimbabweans to wait for the announcement of the ZEC's final results in the coming days, and for key political leaders to abide by the provisions of the Peace Pledge. Given the highly polarized environment and lack of trust among political stakeholders, it is now especially critical for the ZEC to publish detailed results at the polling station level, allowing political parties and observers to

cross-verify the results, in accordance with international best practice, to help ensure the transparency and credibility of the election process.

The Carter Center wishes to thank all the stakeholders who have taken the time to meet with the mission. A preliminary statement will be released shortly, and a final comprehensive report that includes recommendations will be released in the next several months.

***Background** The Carter Center was invited to observe the Aug. 23 elections by the Zimbabwe Electoral Commission and arrived in Zimbabwe on July 28. The mission was led by Attahiru Muhammadu Jega, former chairman of the Independent National Electoral Commission of Nigeria. Fifteen long-term observers from 12 countries were deployed throughout the country in advance of election day to assess election preparations. On election day, 62 observers from 30 countries visited 201 polling stations across all 10 of Zimbabwe's provinces to observe voting and counting. Carter Center observers continue to assess the conclusion of vote tabulation and, as per its mandate, intends to remain in Zimbabwe to observe the post-election environment and announcement of final results.*

All assessments are made in accordance with regional and international standards for elections, including principles enshrined in the Southern African Development Community Principles and Guidelines Governing Elections and the African Charter on Human and Peoples' Rights, among others. The Carter Center conducts its election observation missions in accordance with the 2005 Declaration of Principles for International Election Observation.

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The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in more than 65 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production. Visit: www.cartercenter.org to learn more about The Carter Center.