



# POLITICAL ACTORS DIALOGUE

## DECLARATION

ON

## ELECTORAL REFORMS

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Zimbabwe Gender Commission

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M.P.G

We the Political Actors at an Extra-Ordinary Executive Plenary Meetings on Electoral Reforms held on the 17<sup>th</sup> of December, 2021 and the 14<sup>th</sup> of January 2022 for the Political Actors Dialogue (POLAD),



**Whereas**, we recognise that electoral reforms are pertinent in conducting free and fair elections,

**Whereas**, we recognise that there is need for organised and structured contestation of elections,

**Whereas**, we recognise that there are institutions and legal frameworks that facilitate the conducting of elections. There is need to enhance and strengthen the electoral processes,

**And whereas**, we are committed to the common understanding that we remain united in our common purpose to dialogue with the intention of resolving the issues affecting the nation, in particular electoral reforms,

**Now therefore**, we have resolved to adopt and recommend the following electoral reforms that affect the Electoral Act:


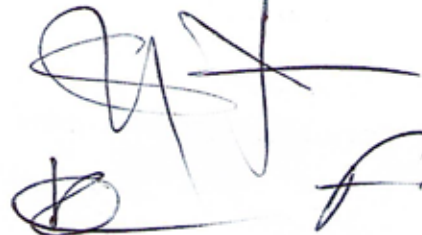


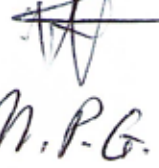

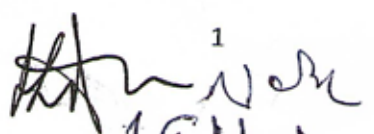
 

**Reform 1: All election-related laws to be in the Electoral Act**

Access to electoral law by all political actors must be easy and the law itself must not be complicated. Ideally, all electoral laws must be found in one Code. This is not the case now: political party financing is in its own legislation, the regulation of political rallies and other political meetings is in a separate statute while access to the media by political actors during the election season is shrouded in mystery and is regulated outside the Electoral Act. It is proposed that all election-related laws must be in the Electoral Act. Thus, the Political Parties (Finance) Act must be repealed and all its provisions transferred to the Electoral Act. The regulation of political rallies and political meetings during an election season must be in the Electoral Act and not MOPA. Special access to the public media during an election season must be provided for in the Electoral Act and not the Broadcasting Services Act.

*M.S*



    *M.P.G.*   

**Reform 2: State funding of political parties must be widened to promote a multi-party democracy.**

The current system of state funding of political parties does not promote the growth of a truly democratic multi-party system. It does not take into account all votes cast in a general election. It has a very high minimum threshold of 5% of votes cast and it does not consider votes cast for the President and for local councillors.

It is proposed that the Political Parties (Finance) Act be amended to take into account all three elections namely Presidential, Parliamentary and Local Authorities for participating political parties. The minimum threshold must be reduced to less than 5%.

**Reform 3: Regulation of political campaign meetings must be kept to a bare minimum during the period from proclamation of elections up to polling day**

Political campaign meetings during the period from proclamation of elections up to polling day following flexible arrangements:

- Door to door campaigns: police notified for record purposes only.
- Meetings of less than 50 people indoors: police notified for record purposes only.
- Meetings of less than 100 people open space: police notified for record purposes only.
- All other political campaign meetings: 2 days' notice to the police.

**Reform 4: The Electoral Act must have a specific provision giving each political party fielding candidates in an election a free statutory cumulative minimum two-hour period on each public media platform to propagate its campaign message and a minimum of five articles provided the allocation of time must be**

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**proportionate to the number of candidates fielded by the participating political party.**

Access to the public media during the election season, particularly radio and television, is uneven. This must be remedied by a legislated two-hour free slot during prime time viewing for every political party participating in the election and minimum of five (5) articles at least on pages with odd numbers. In addition ZMC must monitor fair coverage of all Political Parties in the public media.

**Reform 5: The formula for the 30% female quota in local authorities recently introduced by the Constitution must be provided for in the Electoral Act in time for 2023.**

The Constitution now provides for a 30% female quota in respect of councillors for local authorities but the Electoral Act has not yet made provision for how the female quota is to be filled. It is proposed that this be done immediately and that the formula currently being used for the female quota in Parliament be used subject to the following difference: the party list of each contesting political party must be headed by a woman who is either less than 35 years of age or is living with disability.

**Reform 6: ZEC regulations must be promulgated at least 6 months before the elections.**

Save in exceptional circumstances, any regulations that ZEC is mandated by law to promulgate to govern a general election must be promulgated at least 6 months before the election. For the avoidance of doubt such regulations must include any amounts of money that candidates may be required to pay.

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*CD*  
*WHS*  
*RC*  
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*3*  
*LEGMat*

**Reform 7: Proclamation of election date must be at least 90 days before polling day**

The election date must be proclaimed at least 90 days before polling day. The current time lines in the electoral Act must be adjusted accordingly.

**Reform 8: Voters roll to be closed fourteen days after date of proclamation.**

Last minute registration of voters must be allowed up to fourteen days after the proclamation and thereafter the voters roll must be closed, polished and published. Only voters whose names are on the voters roll must be allowed to vote. There must be no room for voting slips or supplementary voters roll.

**Reform 9: The voters roll must be published and made available at least seven days before the nomination court.**

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**Reform 10: Nomination of candidates must take place over a period of five days with the Nomination Court only sitting on the fifth day to announce the final list of successful candidates.**

The current nomination system of nomination courts sitting for one day between 1000hrs and 1600hrs is colonial, unduly restrictive and undemocratic. It disadvantages women and the disabled. *AC*

ZEC is a full-time body and has the time and resources to manage the nomination process in a more open, democratic and flexible system. *Wid*

*M.P.G* *J.C* *1 G/Mat*

It is proposed that nomination of candidates be opened over a five-day period, with each successful candidate being given a nomination certificate as soon as she/he satisfies the nomination requirements. The nomination court will have a special sitting on the last day to announce the list of successful candidates.

**Reform 11: ZEC must be obliged by a specific provision of the Electoral Act to inform voters via both the print and electronic public media of the names of candidates.**

The current law only obliges ZEC to gazette the names of candidates. No voter consults the Government Gazette for names of candidates. Voters rely on the media for news about candidates. The Electoral Act must oblige ZEC to keep making public announcements of the names of candidates on a regular basis, in the manner that they appear on the ballot paper say once every week for the last six weeks of the election season.

**Reform 12: Ballot papers must have a single vertical column of names of candidates in alphabetical order of surnames, whatever the length.**

Best practice, regarded as transparent and democratic, is that the election management bodies must not have discretion on the shape or appearance of the ballot paper. This must be fixed by law. It is proposed that a provision be inserted in the Electoral Act prescribing that the ballot paper shall be have a single continuous column of names of candidates in alphabetical order of surnames, whatever the length.

**Reform 13: There must be Braille voting for blind voters.**

Blind voters, like all other voters, are entitled to exercise their right to vote in secret. The Electoral Act must have a specific provision that makes it mandatory for ZEC to provide for Braille voting.

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**Reform 14: Assisted voting.**

All persons, who require assistance to vote, should be allowed to be assisted by a person of choice but must be required to sign a declaration for request for assistance. It must be a criminal offence to make a misrepresentation relating to illiteracy or any disability. No person shall be allowed to assist more than one voter.

**Reform 15: Election results must be announced within a maximum period of 96 hours.**

The current provision in the Electoral Act says the maximum period for the announcement of final results is four (4) days. This period is too long and may lead to unnecessary anxiety and political tension. ZEC must be able to announce final results within a shorter period of 96 hours. If it requires more time beyond 96 hours, it must apply to a judge of the Electoral Court.

*Mopasi*

**Reform 16: Media is permitted to publish any election result already posted outside a polling station or ward centre or constituency centre.**

*JE*  
*NS*

Once an election result has been certified and announced at a polling station or ward or constituency centre, the law must permit any media outlet to publish the result. This is in line with established democratic practices.

*C*

**IN WITNESS WHEREOF**, we the Principals of the Political Actors Dialogue (POLAD) or our duly authorised representatives, have signed this declaration.

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*[Signature]*

*[Signature]*

*M.P.G.*

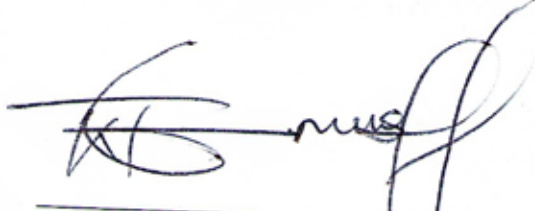
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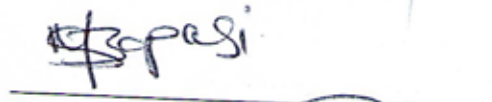
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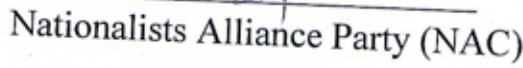
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Done at **HARARE** on this **14<sup>TH</sup>** day of **JANUARY** 2022.

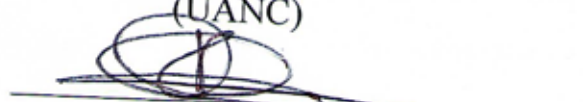
  
Bethel Christian Party (BCP)

  
D.A.V.I.D.

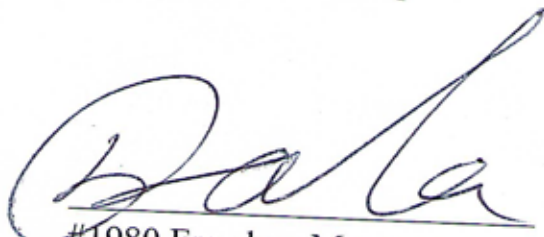
  
Nationalists Alliance Party (NAC)

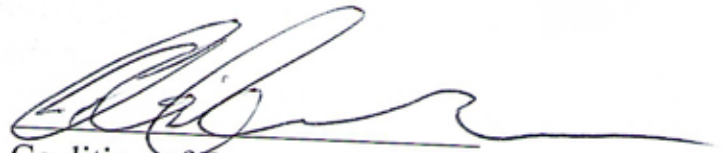
  
New Patriotic Front (NPF)

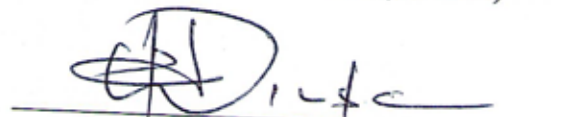
  
United African National Council  
(UANC)

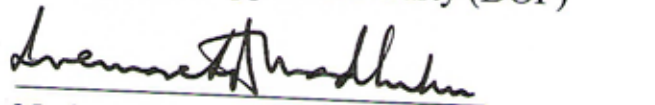
  
United Democracy Movement (UDM)

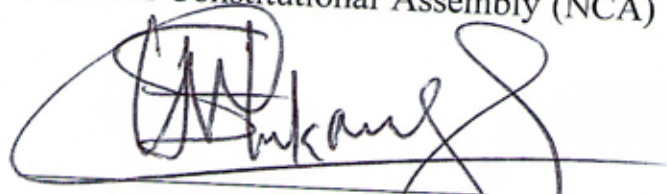
  
Zimbabwe Partnership


  
#1980 Freedom Movement

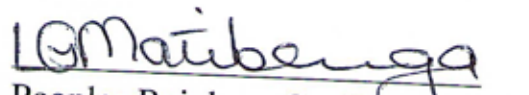
  
Coalition of Democrats (CODE)

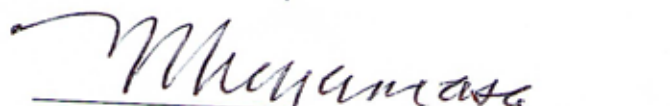
  
Democratic Opposition Party (DOP)

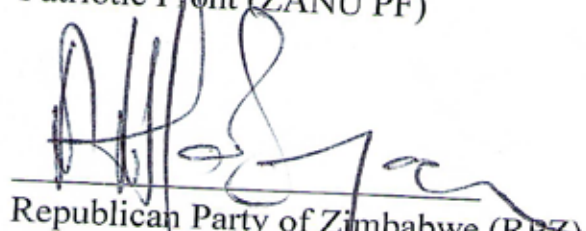
  
National Constitutional Assembly (NCA)

  
Rebuild Zimbabwe

  
United Democratic Front (UDF)

  
Peoples Rainbow Coalition (PRC)

  
Zimbabwe African National Union  
Patriotic Front (ZANU PF)

  
Republican Party of Zimbabwe (RPZ)