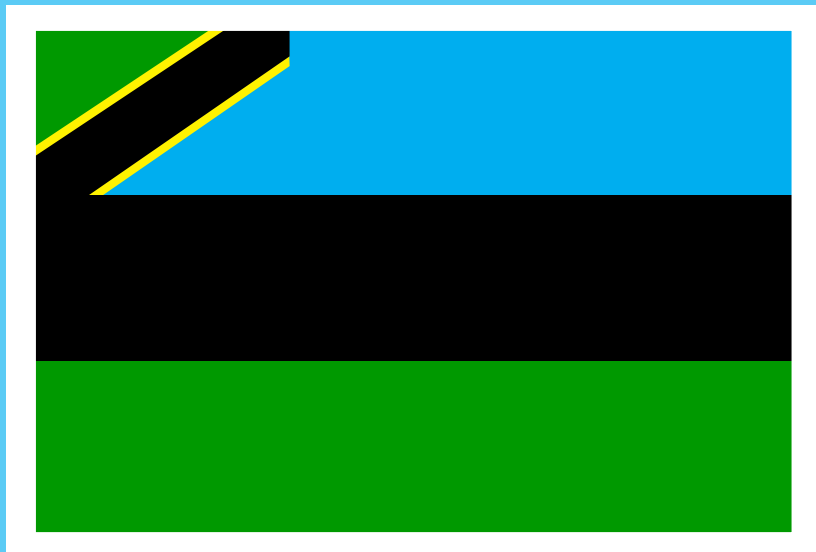


EISA ELECTION
OBSERVER MISSION REPORT

ZANZIBAR



PRESIDENTIAL, HOUSE OF REPRESENTATIVES
AND LOCAL GOVERNMENT ELECTIONS
OF 31 OCTOBER 2010



EISA ELECTION OBSERVER MISSION REPORT No 38

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THE ZANZIBAR PRESIDENTIAL, HOUSE OF
REPRESENTATIVES AND LOCAL GOVERNMENT
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EISA strives for excellence in the promotion of credible elections, participatory democracy, human rights culture, and the strengthening of governance institutions for the consolidation of democracy in Africa.

EISA Election Observer Mission Report, No. 38

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Acronyms and Abbreviations

ASP	Afro-Shirazi Party
CCM	Chama Cha Mapinduzi
CSO	Civil society organisation
CUF	Civic United Front
DFID	Department for International Development
ECF	Electoral Commissions Forum
EISA	Electoral Institute for the Sustainability of Democracy in Africa
EOM	Election Observer Mission
EU	European Union
NEC	National Electoral Commission
PEMMO	Principles for Election Management, Monitoring and Observation
PVR	Permanent voters' roll
SADC	Southern African Development Community
SDC	Swiss Agency for Development and Cooperation
Sida	Swedish International Development Agency
TACCEO	Tanzania Civil Society Consortium for Election Observation
TANU	Tanganyika African National Union
TEMCO	Tanzania Election Monitoring Committee
ZEC	Zanzibar Electoral Commission
ZNP	Zanzibar National Party

EXECUTIVE SUMMARY

The 31 October 2010 presidential, House of Representatives and local government elections in Zanzibar were held as part of regular elections conducted every five years in line with that country's constitution. This report is the EISA Electoral Observer Mission's assessment of the electoral processes, which covered the pre-election phase, polling day – including voting, counting and the announcement of provisional results at polling stations – and the immediate post-election period.

At the invitation of the Zanzibar Electoral Commission (ZEC), EISA deployed a 12-member continental observer mission made up of members drawn from civil society organisations (CSOs) and election management bodies from various African countries, as well as representatives of partner organisations based in Asia and Europe. The mission was led by Yusuf Aboobakar, Director of EISA's Kenya office, Felix Odhiambo, was the deputy mission leader.

Members of the mission began arriving in Zanzibar on 24 October 2010, and observed the process until 3 November 2010. A press conference was held on 2 November to announce the EISA mission's preliminary findings. The mission was guided in its observation of the electoral process by the Principles for Election Management, Monitoring and Observation (PEMMO) in the Southern African Development Community (SADC) region.

Although there was room for improvement, the mission felt that the legal framework for elections in Zanzibar was generally satisfactory for the holding of credible elections. During the pre-election phase, the mission observed a generally peaceful campaign in parts of Unguja Island, and did not hear reports of any major disturbances during the campaign period. A few isolated cases of violence were reported, but these did not seem to have affected the overall peacefulness of the process and voters' freedom of choice.

The openness and peaceful nature of the campaign period prior to the 2010 elections was a significant improvement from the corresponding period during previous elections held in Zanzibar. It demonstrated the genuine commitment of all parties – in particular the two major political parties, Chama

Cha Mapinduzi (CCM) and the Civic United Front (CUF) – to uphold their bilateral agreement to work together to ensure that the elections proceeded smoothly and without major incidences of violence and intimidation. This bilateral agreement created the platform for a significantly improved election. The EISA mission commends both parties for their initiative in securing the agreement, as well as for the conduct of their respective leaders and supporters during the period.

Polling day was generally smooth and peaceful, and secrecy of the ballot was largely ensured. Voters were calm and expressed great enthusiasm about casting their ballots. The mission noted that there was a good representation of both party agents and the local observer group, the Tanzania Election Monitoring Committee, at most polling stations. The mission also encountered international observer groups from the Commonwealth, the European Union and SADC.

Overall, the mission's assessment was that the 2010 presidential, House of Representative and local government elections in Zanzibar were held in conformity with the PEMMO. The mission, however, did note areas in which the electoral process could be improved, and makes recommendations in this report concerning a number of areas, including the voter registration process, the role of *Shehas* during elections, the voter tabulation process and the transmission of results.

TERMS OF REFERENCE OF THE EISA OBSERVER MISSION

The Terms of Reference describe the roles and responsibilities of the EISA Election Observer Mission during deployment for the 2010 presidential, House of Representative and local government elections in Zanzibar. They provide a summary of the mission's objectives and outline the activities of the international observers.

All EISA observers were guests in Zanzibar; the elections and related processes were for the people of Zanzibar to conduct. As observers, members of the EISA mission were expected to assess the electoral process without interfering in the process. EISA believes that international observers can play a critically important supportive role by helping to enhance the credibility of elections, reinforcing the work of domestic observer groups and contributing to improved popular confidence in the entire electoral process.

Following an invitation extended by the Zanzibar Electoral Commission (ZEC), EISA established a mission to observe the 2010 presidential, House of Representative and local government elections in Zanzibar.

Specific objectives for this particular mission included to:

- assess whether the conditions existed for the conduct of elections that reflected the will of the people of Zanzibar;
- assess whether the elections were conducted in accordance with the electoral framework of Zanzibar, as well as the Union of Tanzania; and
- assess whether the elections met the benchmarks set out in the Principles for Election Management, Monitoring and Observation (PEMMO) in the SADC region, developed and adopted by EISA and the Electoral Commissions Forum of SADC countries.

In order to achieve the above, the mission undertook to:

- obtain information on the electoral process from the ZEC;
- meet with political parties, CSOs, other international observer

groups and other stakeholders to acquaint itself with the electoral environment;

- observe all aspects of the elections in the areas that it visited;
- assess if registered voters had easy access to voting stations and whether or not they were able to exercise their vote in freedom and secrecy;
- assess the logistical arrangements to confirm if all necessary materials were available for voting and counting to take place efficiently;
- find out if all competing parties and candidates were given equal opportunity to participate in the elections; and
- report accurately on its observations and refer any irregularities to the relevant authorities.

THE EISA APPROACH TO ELECTION OBSERVATION

EISA strives for excellence in the promotion of credible elections, participatory democracy, a human rights culture, and the strengthening of governance institutions for the consolidation of democracy in Africa. In this regard EISA undertakes applied research, capacity building, advocacy and other targeted interventions. It is within this context that EISA fields election observer missions to assess the context and conduct of elections in the continent. Since November 2003, EISA has promoted the PEMMO election benchmarks in the SADC region. This tool informed the work of the EISA Election Observer Mission to the 2010 Zanzibar elections.

EISA deployed a team of 12 short-term observers led by Yusuf Aboobaker, chairperson of the Mauritius Electoral Supervisory and Electoral Boundaries commissions, and an EISA board member. Observers arrived in Stone Town on 20 October 2010. A two-day briefing session was held for observers. During the briefing session observers were acquainted with their terms of reference, observation practices and logistical matters, and committed themselves to the Code of Conduct for International Election Observers, extracted from the Declaration of Principles for International Election Observation, which has been endorsed by over 35 organisations, including EISA. The first part of the briefings dealt with the principles, standards and practices of election observation. The second part consisted of briefings from a range of stakeholders, including the ZEC, political parties, CSOs and the media. The Arrival Statement (see Appendix 4) was delivered at a press conference held on 24 October 2010 at the Serena Hotel in Stone Town.

The mission was divided into teams of two and deployed on both Unguja and Pemba islands. The teams assessed the pre-election phase in the respective regions and met with various electoral stakeholders. On voting day, the teams visited polling stations throughout the day and later observed vote counting. A total of 61 polling stations were visited on Unguja and Pemba islands, including polling centres on Tumbatu Island.

After the counting process the teams met in Stone Town on 1 November 2010 and held a debriefing session. The mission released its Interim Statement at

a press conference on 2 November 2010 (see Appendix 5), which covered its observation findings up to that point. This report provides the mission's full account of the pre-election, election day and post-election phases of the 2010 Zanzibar presidential, House of Representatives and local government elections.



1

Political and Historical Overview



1.1 Political background

1.2 Electoral trends

EISA has observed Zanzibar’s presidential and parliamentary elections since 2000. This section positions the 2010 elections by providing a brief background of the major features of Zanzibar’s political and electoral history.

1.1 POLITICAL BACKGROUND

Zanzibar comprises two islands off the east coast of Africa: the larger Unguja Island and the smaller Pemba Island, which make up the semi-autonomous region of Zanzibar. The first democratic elections in Zanzibar took place in 1957 and were won by the Afro-Shirazi Party (ASP), which beat the Zanzibar Nationalist Party (ZNP), a party that was backed by the British who controlled the island at the time. The results of the 1961 elections were more controversial after strong evidence emerged that the British had interfered in the polls to ensure that the ZNP won the elections. Angered at British interference in the elections, the ASP mounted a revolution in 1964 and successfully seized control of the island state, installing the ASP-controlled Revolutionary Government of Zanzibar. Sheikh Amani Abeid Karume became Zanzibar’s first president under the Revolutionary Government.

On 26 April 1964, Zanzibar merged with the mainland state of Tanganyika to form the United Republic of Tanzania. Julius Nyerere became the Union’s first president, while Karume assumed the vice-presidency and retained his position as head of state of Zanzibar. Under the Union arrangement Zanzibar retained semi-autonomy from the mainland, with its own president, House of Representatives and electoral commission. In 1965, Tanzania became a

de jure one-party state with the creation of the Constitution of the Union. The ASP did not formally amalgamate with the official party on the mainland, the Tanganyika African National Union (TANU) until 1977, when the two parties merged to create the Chama Cha Mapinduzi (CCM) party. Zanzibar's constitution was contained in a separate chapter in the Constitution of the Union, which governed matters on the islands.

1.2 ELECTORAL TRENDS

Tanzania remained a one-party state from 1965–91, when Union president Ali Hassan Mwinyi established the Nyalali Commission to investigate the viability of the one-party state system in Tanzania. The Nyalali Commission recommended to the president that the country adopt reforms that would ultimately allow for competitive multiparty elections in Tanzania and Zanzibar. Zanzibar's first multiparty democratic elections since 1961 took place in 1995, with two separate electoral commissions managing the Union and Zanzibar electoral processes in parallel. The National Electoral Commission (NEC) was responsible for ballots for the Union presidency and Union Parliament, while the ZEC was responsible for the election of the president of Zanzibar, the Zanzibar House of Representatives and local councillors. The 1995 elections were won narrowly in Zanzibar by the incumbent CCM, although the newly formed Civic United Front (CUF) alleged massive irregularities in the count. As the result was extremely close (0.5% winning margin for the CCM), the CUF rejected the official results and boycotted the government.

The 2000 elections took place under conditions of heightened political tension and mistrust between the CCM and CUF. These elections were marred by even more irregularities, violence and fraud; but once again the CCM was officially declared the winner of the elections. In protest, CUF supporters organised mass demonstrations on 26 January 2001, which led to extremely bloody and violent clashes with government security forces. Many people were killed and hundreds more were wounded and displaced. The violence precipitated international mediation efforts spearheaded by the Government of Norway, and culminated in the signing of a political agreement between the two political parties known as Muafaka II.

Under the agreement, the composition of the ZEC was revised and conditions

for free and fair elections were agreed between the two parties. However, Muafaka II suffered from poor implementation, in particular around the issue of a permanent voters' register for the island and the stipulation that a person should reside in his/her constituency for a minimum period of five years to be eligible to vote. For the 2005 elections, this stipulation was reduced to three years.

The political settlement meant that the 2005 elections were not as problematic as the 2000 elections, although violence was still a feature of the campaign period. The CCM was again declared the winner, and the CUF again refused to recognise the results. Although there was some anticipation of a further mediated discussion between the two parties, both sides announced during the post-election period that they would continue talks without further mediation.

This process culminated in a landmark political power-sharing settlement known as Mardhiano, which sought Zanzibari approval in a national referendum in 2010 to change the constitution and create the post of a second vice-president. According to the agreement, the second vice-president would be in charge of parliamentary business and would come from the official opposition. Zanzibar's citizens approved the amendment to the constitution, with 66% of the votes supporting the settlement.

The power-sharing agreement was the culmination of 14 months of talks between the CCM and CUF, and saw the CUF end its long-standing boycott of the government. However, not all political parties in Zanzibar were satisfied with the agreement, in particular the 16 smaller parties which felt that the CCM and CUF had created a system which would divide up the country between them without consultation with other political parties. The settlement did, however, pave the way for significant improvements in the political atmosphere of the elections and enabled consolidation of the permanent voters' register, which had been the cause of some complaints in 2005.

2

Constitutional, Legal & Institutional Framework



The Constitution of Zanzibar is contained in Chapter 3 of the Union Constitution. The Union arrangement of 1964 created a single entity from the formerly separate and sovereign states of Zanzibar and Tanganyika. The Union between the two states was structured in such a manner as to ensure that the smaller Zanzibar islands retained a degree of autonomy and would not be marginalised in relation to the much larger Mainland population.

The Union agreement ensured that Zanzibar would keep its own president, legislature and local government structures, in addition to representation in the Union National Assembly. The articles of the Union stipulate which matters are to be treated as Union matters, while all other governance decisions are directed by the president of Zanzibar and the House of Representatives. Zanzibar also retains its own cabinet, judiciary, electoral commission and security forces. The Zanzibar High Court is the supreme arbitrator on Zanzibar's legal matters. The Union Court has the power to overturn High Court judgments, but only if these judgments relate to Union matters.

The presidential and House of Representatives elections in Zanzibar are regulated by the following acts:

- Zanzibar Constitution of 1984, with amendments up to 1985
- Ninth Constitutional Amendment Act, 2002

-
- Zanzibar Elections Act of 1984, with amendments up to 1995
 - Election (Amendment) Act, 2000
 - Election (Amendment) Act, 2001
 - Election (Amendment) Act, 2002
 - The Political Parties Act, 1992.

Additionally, the Local Authorities (Elections) Act, 1979 (Act No. 4 of 1979) governs local authority elections for the Union, including the local authority elections in Zanzibar.

Following the 31 July 2010 referendum, the Zanzibar Constitution of 1984 was amended to create the post of second vice-president, who would also be the head of business in the House of Representatives. This amendment to the constitution was approved by voters and enacted prior to the 31 October 2010 elections.

3

The Pre-Election Phase



- 3.1 Voter registration and voters' roll
- 3.2 The 31 July 2010 referendum
- 3.3 Nomination of candidates
- 3.4 Media access and coverage
- 3.5 Campaign process

3.1 VOTER REGISTRATION AND VOTERS' ROLL

Prior to the 2005 elections in Zanzibar, the country did not utilise a permanent voters' roll (PVR) to determine voter eligibility. As part of the Muafaka II agreement, the ZEC put a PVR system in place for the 2005 elections. This voters' roll was the subject of much criticism, in particular from the CUF, which condemned the roll for excluding many legitimate voters and for the inclusion of ghost voters in what the CUF alleged were significant numbers.

The creation of the 2005 PVR was delayed by the concurrent roll-out of national identity cards, which had to be completed before the registration process could commence. This left the ZEC with limited time to prepare the PVR for the 31 October polls. The concurrent national ID card roll-out also meant that the 2005 PVR included, by necessity, qualified voters on the roll, as well as voters who did not possess valid Zanzibar identity cards but who were still eligible to vote. This created heightened suspicion among opposition parties about the accuracy of the PVR.

The 2005 PVR formed the basis for the updated 2010 PVR system in Zanzibar, with the ZEC conducting voter registration drives according to a pre-determined schedule. The ZEC visited each region of the country for two-week periods, up to the final date for registrations on 5 May 2010. Two special registration days for voters whose cases were deemed special during the national registration period took place on 8–9 May 2010. The ZEC



EISA observer Adolphus Dupley (Liberia) examines the voters' register at a local polling station the day before the election.



Voters' lists posted outside a polling station in Mkokotoni show signs of damage.

estimated that 1,984 new voters were added to the roll for the referendum, but the Tanzania Election Monitoring Committee (TEMCO) claimed this number was 436.¹

The PVR was displayed publicly outside registration/polling centres from 14–20 June 2010. Voter registration cards with a picture ID were made available at the registration centres from 25 June 2010. After cleaning and validation of the PVR, the overall number of registered voters for the 2010 elections was 407,638 – down from 507,000 in 2005.

Table 1: Permanent voters' roll by constituency for the 2010 elections in Zanzibar

	Constituency	Registered voters
Kaskazini Unguja		
Kasikazini "A"		
	Chaani	8,103
	Matemwe	6,325
	Mkwajuni	6,769
	Tumbatu	9,424
	Nugwi	8,436
District total		39,057
Kaskazini "B"		
	Donge	7,872
	Bumbwini	7,170
	Kitope	7,737
District total		22,779
Kusini		
Kati		
	Chwaka	10,402
	Koani	12,034
	Uzini	8,743
District total		31,179

Kusini		
	Makunduchi	8,689
	Muyuni	8,201
District total		1,698
Regional Total		48,069
Mjini/Magharibi		
Magharibi		
	Bububu	9,809
	Dimani	12,813
	Dole	8,017
	Fuoni	10,884
	Kiembe Samaki	4,698
	Magagoni	10,141
	Mfenesini	7,247
	Mtoni	9,672
	Mwanakwerekwe	8,062
District total		81,343
Mijini		
	Amani	7,641
	Chumbuni	10,379
	Jang'ombe	9,173
	Kikwajuni	7,910
	Kwahani	7,497
	Kwamtipura	10,767
	Magomeni	9,912
	Miji Mkongwe	7,495
	Mpendae	9,459
	Raheleo	7,229
District total		87,462
Regional total		168,805

Kasakazini Pemba		
Wete		
	Gando	6,755
	Kojani	7,440
	Mtambwe	6,155
	Ole	7,206
	Wete	8,422
District total		35,978
Micheweni		
	Konde	7,443
	Mgogoni	6,951
	Micheweni	7,988
	Tumbe	7,692
District total		30,074
REGIONAL TOTAL		66,052
Kusini Pemba		
Chakechake		
	Chake Chake	8,194
	Chonga	7,324
	Wawi	9,354
	Ziwani	7,453
District total		32,325
Mkoani		
	Chambani	4,834
	Kiwani	5,994
	Mkanyageni	6,141
	Mkoani	6,971
	Mtambile	6,631
District total		30,571
REGIONAL TOTAL		62,896
Zanzibar total		407,658

Source: The Zanzibar Electoral Commission. Available at <http://www.zec.go.tz/> [Accessed 31 November 2010.]

3.2 THE 31 JULY 2010 REFERENDUM

As part of the bilateral negotiations held before the 2005 elections, Zanzibar's two main political parties, the CCM and CUF, reached a political agreement ahead of the 2010 elections, which precipitated the need to change the constitution.

The two parties agreed to the creation of a second vice-president position to replace the post of chief minister. This second vice-president position would be given to the main opposition leader based on the election results. The second vice-president would assume charge of all business in the Zanzibar House of Representatives and would act as head of state in the president's absence. Ministries would also be allocated based on the number of seats won in the House of Representatives. In order to effect this change to the constitution, voters were asked to vote 'Yes' or 'No' to the question: Do you accept the new government structure after the general election 2010?

The results of the referendum confirmed the agreement and paved the way for the elections to take place under significantly improved conditions. Voter turnout was low for Zanzibar at 71.3%, but the people of Zanzibar approved the necessary amendments by a clear majority.

Table 2: 31 July 2010 referendum turnout

Registered voters	407,669
Total votes	290,670
Percentage turnout	71.30
Valid votes	281,993
Spoilt ballots	8,677
Percentage spoilt ballots	2.99

Source: The Zanzibar Electoral Commission. Available at <http://www.zec.go.tz/> [Accessed 31 November 2010].

Table 3: 31 July 2010 referendum results

Option	Votes	% Votes
Yes	186,669	66.20
No	95,324	33.80
Total	281,993	100.00

Source: The Zanzibar Electoral Commission. Available at <http://www.zec.go.tz/> [Accessed 31 November 2010].

3.3 NOMINATION OF CANDIDATES

Presidential candidates in Zanzibar must be nominated by a registered political party and must include both a presidential and first vice-presidential nominee. Nominations must be supported by the signed approval of 200 persons in each of Zanzibar's five regions, along the same lines as the requirements for Union nominations. Candidates must be from Zanzibar, and must be over 40 years old for the presidential nomination and at least 25 years old for the House of Representatives. Seven candidates were proposed for the 2010 presidential elections (see Table 4).

Additionally, there is a two-term limit imposed on the presidency, which since 2000 has been held by the CCM's Amani Abeid Karume, who stepped aside as president for Dr Ali Mohammed Shein. Dr Shein hails from Pemba Island, a traditional CUF stronghold, and his selection as the candidate for the ruling party cemented the improved relationship between the two parties and engendered greater trust between them.

Table 4: Zanzibar 2010 presidential nominees

Candidate	Party
Dr Ali Mohammed Shein	Chama cha Mapinduzi (CCM)
Seif Sharif Hamad	Civic United Front (CUF)
Kassim Bakar Aliy	Jahazi Asila
Haji Khamis Haji	National Reconstruction Alliance (NRA)
Juma Ali Khatibu	Tanzania Democratic Alliance (TADEA)
Soud Said Soud	Chama Cha Waulima (AFP)
Ambar Haji Khamis	National Convention for Construction and Reform (NCCR-Mageuzi)

Source: The Zanzibar Electoral Commission. Available at <http://www.zec.go.tz/> [Accessed 31 November 2010].

3.4 MEDIA ACCESS AND COVERAGE

The two main forms of media communication in Zanzibar are print media and the national television station. The print media comprises predominantly independent publications, but the national broadcaster provides equitable access to the station's broadcasts for all 18 political parties. Political parties are encouraged to prepare their own programming for broadcast, and election issues are discussed during television and radio shows.

Access to the media for the 2010 elections was satisfactory, although not all political parties made use of their programming slots largely due to lack of resources and programming materials. Although Article 18 of the constitution provides for freedom of the press, the history of the national broadcaster, in particular during Zanzibar's 1965 revolution, has seen strong state control over the media in past elections. However, all parties interviewed by EISA during the 2010 elections expressed their satisfaction with the manner in which the national broadcaster conducted itself during the campaign period, covering opposition rallies and broadcasting opposition speeches along with CCM rallies.

3.5 CAMPAIGN PROCESS

Previous campaign periods in Zanzibar, including the 2005 campaign, saw multiple instances of clashes between supporters of opposition political parties and the state security forces, leading to bloodshed and loss of life.

The contrast between these campaigns and the 2010 campaign could not have been starker; the campaign period was conducted in the absence of any political tension and saw no clashes, which had characterised previous campaigns. All political parties attributed this marked improvement to the Maridhiano agreement.

Campaigning was regulated by the ZEC. However, unlike past campaign periods, opposition parties expressed their satisfaction with the ZEC's campaigning regulations, specifically regarding its regulation of political rallies. The rallies that the EISA Election Observer Mission team attended were orderly, secure, and free from violence and intimidation. There were no reports of 'no-go' areas for any party. The 2010 campaign period represented a significant improvement on previous elections in Zanzibar.

4

The Election Phase



- 4.1 Voting process
- 4.2 Polling staff
- 4.3 Monitors and observers
- 4.4 Counting process

4.1 VOTING PROCESS

The process of voting on election day was smooth, orderly and in almost all instances properly conducted. In all stations where the EISA Election Observer Mission (EOM) visited, materials were available in the necessary quantities, party agents were present and security forces did not interfere in the management of the elections by ZEC staff. During the 2010 elections, 1,294 polling stations were set up in Zanzibar's 50 constituencies.²



ZEC staff check voter details at a polling station in Tumbatu, Zanzibar.

Although the EISA mission was informed of several polling stations that did not open promptly at 07h00, none of the stations observed by the mission opened late. The latest opening reported to the mission was 07h45, but this could not be confirmed.

The layout of the stations was logical and promoted a smooth flow at most polling stations. Where the layout was problematic, this was normally due to the physical limitations of the classrooms being used. Voters queued patiently in separate queues for men and women. The most common complaint that the mission encountered was confusion among voters as to which classroom they were meant to vote in. Lists had been posted outside the polling stations seven days prior to the election, indicating which classroom voters should proceed to; however, poor weather conditions over the period had rendered the lists illegible. The mission observed that there was some confusion among voters as to which classroom they were meant to report to in order to cast their ballot. On the whole, however, ZEC staff quickly assisted these voters, and the majority of voters appeared aware of their correct classroom within a station.

Voting was peaceful with no incidents of violence reported or witnessed by the EISA mission.

4.2 POLLING STAFF

The ZEC retained the services of over 1,000 election staff from previous elections, with new election staff drawn from the Zanzibar civil service, in particular local teachers. ZEC staff were for the most part familiar with the correct procedures, although there were instances where the Election Observer Mission observed ZEC staff uncertain of these procedures. In such instances decisions were reached by consensus with political party agents and the returning officer in charge. The mission did note a couple of instances where party agents appeared to overstep their authority and interfered directly in the process of vote casting. In these instances it appeared as though the contributing factor was ZEC staff members' lack of confidence in their own authority.

The mission noted with satisfaction the high number of women acting as ZEC officials, and that in most instances the staff were satisfactorily trained

to perform their duties efficiently and correctly. The EISA mission did notice, however, issues relating to the polling staff's handling of the Union elections, which were under the responsibility of the National Electoral Commission (NEC). In some instances the training of these staff members did not appear to match the standards of the ZEC staff. EISA observed good cooperation between ZEC and NEC staff, and the security forces present at the polling stations.

4.3 MONITORS AND OBSERVERS

The EISA mission encountered local monitors and observers as well as international observer missions in the field. In almost all stations visited by EISA, the mission encountered monitors from the TEMCO group. In fewer polling stations, the mission also encountered monitors from the Tanzania Civil Society Consortium for Election Observation (TACCEO).

International observer groups included teams from the Commonwealth, the United Nations, the European Union (EU), the African Union, SADC and the East African Community. Long-term missions from Norway and the EU were also present for an extended period prior to and after the 2010 elections.

4.4 COUNTING PROCESS

Counting began immediately after the close of polling stations at 16h00. There were no reports of persons who were waiting in queues at the time of closing being turned away without voting. The EISA mission did not witness any queues by the close of voting on election day. Ballot boxes were validated, and the seals were checked and approved by all political parties and observers before being opened for counting to begin. The mission noted with satisfaction the practical consideration of closing the polls while there was still sufficient daylight to facilitate the count more easily. The NEC and ZEC counting processes were conducted separately and concurrently, with the majority of party agents choosing to observe the ZEC counting process more keenly.

The mission noted that the counting process proceeded smoothly at all stations, but that the method used to count the papers varied considerably between stations. The presidential ballot was counted first, followed by the House of Representatives ballot, and then the local government ballot.

The biggest delay during the counting procedure was the completion of results and the validation and sealing of the remainder of the materials. This process was lengthy and on several occasions caused some confusion among the staff, party agents and observers. At no stage, however, did the mission feel that delays in completing the results were of a malicious or fraudulent nature; rather, completion of the forms was complex and time consuming.

Although the count began at around 17h00, in many instances the final results were only posted outside the classrooms at 21h30 or later. This meant that some of the counting and tabulation processes took place in the dark, and the mission noted that lighting in the counting areas became a challenge. Although each polling station was provided with a lamp, the mission received reports that some rural centres had no lamps or that the lamps did not work.

Once counting was completed, all party agents and ZEC/NEC staff present signed the seals, sealed the materials and posted the results clearly outside the polling centre.

5

The Post-Election Phase



5.1 Tabulation and announcement of results

5.2 Results

5.1 TABULATION AND ANNOUNCEMENT OF RESULTS

According to the Constitution of Zanzibar, the results of the presidential elections must be announced within three days of the election, unless special circumstances prevent the results from being announced within three days. No time frames are stipulated for the House of Representatives or local government results. It is also unclear what special circumstance would be considered a valid reason for delaying the announcement of results.



Director of Elections for the ZEC Rajabu Kiravu briefs observers and media at the ZEC command centre in Stone Town ahead of the 2010 Zanzibar elections.

The tabulation and results process was coordinated by the ZEC national results and media centre in Stone Town. The facilities provided for observer teams and the media were excellent, and the close proximity to the ZEC offices facilitated a swift and clear stream of information between the ZEC and the media and observer teams.

However, a perceived delay by some elements of the voting public in announcing the results of the presidential election caused agitation and a swell of discontent the longer the results were not announced. The mission found this agitation out of character with the conduct of the entire election process up to that point and, in fact, largely premature. Crowds of people gathered outside the results centre from about 09h00 on 1 November 2010 demanding the immediate announcement of the results. A possible reason for this agitation was that the July 2010 referendum results had been announced quickly.

In spite of growing discontent, the ZEC kept political parties, the media and observers regularly updated as new results were authenticated, and as at 13h30 on 1 November, 29 of the 50 constituency results had been declared. The final results were confirmed a little after 21h00 on 1 November 2010. However, earlier in the day (about 12h30) popular agitation outside the results centre required direct intervention by CUF presidential candidate Seif Sharif Hamad. A large crowd of people had gathered and were demanding the results be released. Hamad addressed the crowd and called for calm and patience. He defused the situation by assuring those gathered that the count was proceeding normally and that the ZEC was cooperating fully with all political parties at every stage of the tabulation process. The EISA mission noted with satisfaction that this intervention calmed the situation and reaffirmed the commitment of all parties to the peaceful conduct of elections in Zanzibar.

5.2 RESULTS

In an extremely close result the incumbent CCM candidate Dr Ali Mohammed Shein was elected president of Zanzibar with 179,809 votes to the 176,338 votes cast for the CUF's Seif Sharif Hamad. No other candidate won more than 0.22% of the total votes cast. The margin of victory was so close that the difference between the two main candidates was less than the total number of spoiled ballots, which was 6,109.

In spite of the extremely narrow victory, all political parties expressed their satisfaction with the results and congratulated the ZEC on a well-managed electoral process. This concluded the remarkable transformation of Zanzibar's political landscape from one of bitter conflict in 2000 to new-found political maturity in 2010.

Table 5: Overview of 31 October 2010 election results

Registered voters	407,658
Total votes	364,924
Percentage turnout	89.52
Valid votes	358,815
Spoilt ballots	6,109
Percentage spoilt ballots	1.67

Source: Mwinyichande KMK, 'Speech for the Presidential Election Results Announcement: Presented by the Chairman of the Zanzibar Electoral Commission', 2 November 2010, Media, Observers and Results Centre, Bwawani Hotel, Zanzibar.

Table 6: Results of 31 October 2010 presidential vote

Candidate	Party	Votes	% Votes
Dr Ali Mohammed Shein	Chama Cha Mapinduzi (CCM)	179,809	50.11
Seif Sharif Hamad	Civic United Front (CUF)	176,338	49.14
Kassim Bakar Aliy	Jahazi Asila	803	0.22
Haji Khamis Haji	National Reconstruction Alliance (NRA)	525	0.15
Juma Ali Khatibu	Tanzania Democratic Alliance (TADEA)	497	0.14
Soud Said Soud	Chama Cha Wakulima (AFP)	480	0.13
Ambar Haji Khamis	National Convention for Construction and Reform (NCCR-Mageuzi)	363	0.10
Total		358,815	99.99

Source: Mwinyichande KMK, 'Speech for the Presidential Election Results Announcement: Presented by the Chairman of the Zanzibar Electoral Commission', 2 November 2010, Media, Observers and Results Centre, Bwawani Hotel, Zanzibar.

6

Conclusions and Recommendations



- 6.1 Independence of the ZEC
- 6.2 Improving vote counting and management of election results
- 6.3 Staff training
- 6.4 Identifying ZEC officials
- 6.5 Civic and voter education

The 2010 elections in Zanzibar were conducted under significantly improved political conditions, which also clearly contributed to the improved technical functioning of the ZEC during this period. The landmark political agreement between the CCM and CUF, which facilitated significantly better levels of trust in the electoral process as well as better preparations on the part of the ZEC, led to a marked improvement in both the overall conduct of the 2010 elections and in the voters' level of trust in the electoral process.

The EISA mission is pleased to note the general improvement in Zanzibar's 2010 elections compared to previous polls on the island. While there are still areas that require work, the mission recognises that the commitment of the parties to peaceful conduct and the improved delivery of the ZEC have contributed to a significantly better electoral process in Zanzibar.

The mission has made the following recommendations:

6.1 Independence of the ZEC

The mission noted that the measures taken to make the ZEC an impartial and credible electoral body should be further consolidated. In particular, the appointment of the chairperson and commissioners should be the responsibility of the House of Representatives not the presidency, which is currently the case. The ZEC's budget should be guaranteed and provided for by the Zanzibar House of Representatives in order to ensure that it can function as an independent body, without the risk of future political interference.

6.2 Improving vote counting and management of election results

EISA recommends that mechanisms be considered by the ZEC whereby the electorate is regularly updated on progress in the tabulation of votes, as this would significantly reduce tension and uncertainty in the post-election period. This process was put in place for members of the media and observer teams, but the dearth of information reaching the electorate created the opportunity for mischief, misinformation and tension. The mission felt that a turnaround time of little more than 24 hours was satisfactory for the final results, but that progress in counting should be clearly communicated to the public at regular intervals.

6.3 Staff training

EISA recommends that the ZEC's staff training should strive to improve levels of standardisation in staff practices and procedures, as this would reduce discrepancies in the application of electoral procedures. In particular, the mission noted that different methodologies for counting and recording results were used by staff at different polling centres.

6.4 Identifying ZEC officials

EISA recommends that in order to reduce confusion the ZEC should take care to distinguish its own staff from other stakeholders in the polling stations. ZEC staff were not always clearly identifiable or distinguishable from certain observer groups and individuals who were wearing similar colours. This could potentially lead to persons seeking help from individuals other than ZEC staff. Steps should be taken to avoid this possibility.

6.5 Civic and voter education

EISA recommends that the ZEC coordinate broad-based, continuous civic and voter education, not exclusively around election periods, in order to ensure that the gains made during the 2010 elections are sustainable.

APPENDICES

APPENDIX I

Composition of the EISA Observer Mission

Name	Organisation	Country	Gender
Yusuf Aboobaker	Mauritius Boundaries Delimitation Commission	Mauritius	Male
Grant Masterson	EISA	South Africa	Male
Antoinette Mbumba	EISA	DRC	Female
Barbara Nyangairi	Zimbabwe Election Support Network	Zimbabwe	Female
Gosiame Choabi	South African Council of Churches	South Africa	Male
Ibrahima Niang Amadou	Goree Institute	Senegal	Male
Serzhino Biharisoa	EISA	Madagascar	Male
Adolphus Dupley	Coalitions of Domestic Election Observers	Liberia	Male
Félicité Guessé Ndoubayidi	SYNEFM	Chad	Female
Felix Odhiambo	EISA	Kenya	Male
Sydney Letsholo	EISA	South Africa	Male
Yvette Ondinga	EISA	South Africa	Female



EISA Observer Team to the 2010 Zanzibar Elections.

APPENDIX 2

Code of Conduct for Observers

Election Observer Mission

2010 Presidential, House of Representatives and Local Government

Elections in Zanzibar

CODE OF CONDUCT

International election observation is widely accepted around the world. It is conducted by intergovernmental and international non-governmental organisations and associations in order to provide an impartial and accurate assessment of the nature of election processes for the benefit of the population of the country where the election is held and for the benefit of the international community. Much therefore depends on ensuring the integrity of international election observation, and all who are part of this international election observation mission, including observers and leaders of the mission, must subscribe to and follow this Code of Conduct.

Respect sovereignty and international human rights

Elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, genuine elections are internationally recognised human rights, and they require the exercise of a number of fundamental rights and freedoms. Election observers must respect the sovereignty of the host country, as well as the human rights and fundamental freedoms of its people.

Respect the laws of the country and the authority of electoral bodies

Observers must respect the laws of the host country and the authority of the bodies charged with administering the electoral process. Observers must follow any lawful instruction from the country's governmental, security and electoral authorities. Observers must also maintain a respectful attitude toward electoral officials and other national authorities. Observers must note if laws, regulations or the actions of state and/or electoral officials unduly burden or obstruct the exercise of election-related rights guaranteed by law, constitution or applicable international instruments.

Respect the integrity of the International Election Observation

Mission

Observers must respect and protect the integrity of the international election observation mission. This includes following this Code of Conduct, any written instructions (such as terms of reference, directives and guidelines) and any verbal instructions from the observation mission's leadership.

Observers must: attend all of the observation mission's required briefings, trainings and debriefings; become familiar with the election law, regulations and other relevant laws as directed by the observation mission; and carefully adhere to the methodologies employed by the observation mission. Observers must also report to the leadership of the observation mission any conflicts of interest they may have and any improper behaviour they see conducted by other observers who are part of the mission.

Maintain strict political impartiality at all times

Observers must maintain strict political impartiality at all times, including leisure time in the host country. They must not express or exhibit any bias or preference in relation to national authorities, political parties, candidates, referenda issues or in relation to any contentious issues in the election process. Observers must not conduct any activity that could be reasonably perceived as favouring or providing partisan gain for any political competitor in the host country, such as wearing or displaying any partisan symbols, colours, banners or accepting anything of value from political competitors.

Do not obstruct election processes

Observers must not obstruct any element of the election process, including pre-election processes, voting, counting and tabulation of results and processes transpiring after election day. Observers may bring irregularities, fraud or significant problems to the attention of election officials on the spot, unless this is prohibited by law, and must do so in a non-obstructive manner.

Observers may ask questions of election officials, political party representatives and other observers inside polling stations and may answer questions about their own activities, as long as observers do not obstruct the election process. In answering questions observers should not seek to direct the election

process. Observers may ask and answer questions of voters but may not ask them to tell for whom or what party or referendum position they voted.

Provide appropriate identification

Observers must display identification provided by the election observation mission, as well as identification required by national authorities, and must present it to electoral officials and other interested national authorities when requested.

Maintain accuracy of observations and professionalism in drawing conclusions

Observers must ensure that all their observations are accurate. Observations must be comprehensive, noting positive as well as negative factors, distinguishing between significant and insignificant factors and identifying patterns that could have an important impact on the integrity of the election process. Observers' judgments must be based on the highest standards for accuracy of information and impartiality of analysis, distinguishing subjective factors from objective evidence.

Observers must base all conclusions on factual and verifiable evidence and not draw conclusions prematurely. Observers must also keep a well-documented record of where they observed, the observations made and other relevant information as required by the election observation mission, and must turn in such documentation to the mission.

Refrain from making comments to the public or the media before the mission speaks

Observers must refrain from making any personal comments about their observations or conclusions to the news media or members of the public before the election observation mission makes a statement, unless specifically instructed otherwise by the observation mission's leadership. Observers may explain the nature of the observation mission, its activities and other matters deemed appropriate by the observation mission, and should refer the media or other interested persons to those individuals designated by the observation mission.

Cooperate with other election observers

Observers must be aware of other election observation missions, both international and domestic, and must cooperate with them as instructed by the leadership of the election observation mission.

Maintain proper personal behaviour

Observers must maintain proper personal behaviour and respect others, which includes exhibiting sensitivity for host country cultures and customs. They must also exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including leisure time.

Violations of this code of conduct

In a case of concern about the violation of this Code of Conduct, the election observation mission shall conduct an inquiry into the matter. If a serious violation is found to have occurred, the observer concerned may have his or her observer accreditation withdrawn or be dismissed from the election observation mission. The authority for such determinations rests solely with the leadership of the election observation mission.

Pledge to follow this code of conduct

Every person who participates in this election observation mission must read and understand this Code of Conduct and must sign a pledge to follow it.

APPENDIX 3

Stakeholder Briefing Programme

EISA ELECTION OBSERVER MISSION
TO ZANZIBAR PRESIDENTIAL, HOUSE OF REPRESENTATIVES
AND LOCAL GOVERNMENT ELECTIONS
PRE-DEPLOYMENT TRAINING AND STAKEHOLDER BRIEFING
25–26 OCTOBER 2010

DAY ONE: 25 OCTOBER 2010

TIME	TOPIC	PRESENTER/FACILITATOR
9.00-9.30	Welcome and Introduction	Mission Leader/ EISA
9.30-10.00	Arrival Statement	Mission Leader
10.00-10.45	Mission Background and ToR	EISA designated person
10.45-11.00	Tea/ Coffee break	
11.00-11.45	Election observation: Types, function and role of international observers	EISA
11.45-12.30	International and regional benchmarks for elections	EISA
12.30-13.15	What makes an election free and fair	EISA
13.15-14.00	Lunch break	
14.00-14.45	Election observation methodology, reporting forms and checklist	EISA
14.45-15.30	Code of conduct of international observers	EISA
15.30-16.15	Tea/ Coffee break	
16.15-17.00		EISA Mission Secretariat

DAY TWO: 26 OCTOBER 2010

TIME	TOPIC	PRESENTER/FACILITATOR
09.00-09.45	The state of readiness of the Zanzibar Electoral Commission	Zanzibar Electoral Commission
09.45-10.00	Arrival press conference set up	
10.00-10.30	Press conference	EOM Mission Leader
10.30-11.00	Tea/ Coffee break	
11.00-11.45	Preliminary assessment of the electoral process: Perspectives from civil society	Civil society ANGOZA
11.45-12.30	Preliminary assessment of the electoral process: Perspectives from the media	Media person Daily News
12.30-14.00	Lunch break	
14.00-14.30	1 st Political Party	Chama cha Mapinduzi (CCM)
14.30-15.00	2 nd Political Party	Civic United Front (CUF)
15.30-16.00	3 rd Political Party	Alliance for Tanzania Farmers Party (AFP)
16.00-16.15	Tea/ coffee break	
16.15-17.00	Political analysis of the 2010 elections	Academic
17.00-17.30	Deployment plans	EISA Mission Secretariat

APPENDIX 4

EISA Observer Mission to the 2010 Zanzibar Presidential, Parliamentary and Local Government Elections



ARRIVAL STATEMENT

24 October 2010

EISA is pleased to announce the arrival of its Election Observer Mission to the 2010 presidential, parliamentary and local government elections in Zanzibar, scheduled for 31 October 2010. The mission is in Zanzibar at the invitation of the Zanzibar Electoral Commission (ZEC) and is led by Yusuf Aboobaker (senior advocate and chairperson of the Electoral Supervisory Commission of Mauritius and chairman of the Electoral Boundaries Commission of Mauritius). The deputy mission leader is Felix Odhiambo (country director, EISA Kenya).

The mission is made up of 15 members drawn from civil society and election management bodies in various African countries. The deployment of the mission is in line with the following strategic objectives of EISA:

- To enhance electoral processes to ensure their inclusiveness and legitimacy
- To promote effective citizen participation in democratic processes to strengthen institutional accountability and responsiveness
- To strengthen governance institutions to ensure effective, accessible and sustainable democratic processes
- To promote principles, values and practices that lead to a culture of democracy and human rights.

Mission objectives

Specific objectives for this mission include the following:

- To assess whether conditions exist for the conduct of elections that allow the people of Zanzibar to freely express their will

- To assess and determine whether the elections are conducted in accordance with the constitutional and legal framework for elections in Zanzibar
- To determine whether the final results of the electoral process as a whole reflect the wishes of the people of Zanzibar
- To assess whether the elections meet the benchmarks set out in the Principles for Election Management, Monitoring and Observation (PEMMO) in the SADC region.

Deployment and Activities

- Members of the mission began arriving in Zanzibar on 24 October 2010 and will remain in the country until 3 November 2010.
- Observers will attend a briefing by various electoral stakeholders on 25-26 October 2010.
- On 27 October, members of the mission will be deployed throughout Zanzibar and Pemba Island, where they will meet with electoral stakeholders, including electoral officials, civil society and representatives of political parties and the media.
- On election day, mission members will observe voting and counting at the polling stations.
- On 1 November mission members based at Pemba Island will return to Zanzibar for debriefing and to assess the electoral process.
- An interim statement will be issued on 2 November and the mission will begin to leave Zanzibar on 3 November 2010.
- EISA will continue to monitor the process until the finalisation of the election results, upon which the mission's final report and assessment will be compiled.

Contact

The Mission Secretariat is based at the Serena Inn Hotel, Zanzibar,
Tel +255 20 2842 000.

Contact Sydney Letsholo, Mission Coordinator, on Tel +255 772 171 800.

Senior Advocate Yusuf Aboobaker
EISA EOM Mission Leader

APPENDIX 5
**EISA Observer Mission to the 2010 Presidential, Parliamentary and
Local Government Elections in Zanzibar**
31 October 2010



INTERIM STATEMENT
Zanzibar, 2 November 2010

FOR IMMEDIATE RELEASE

I. INTRODUCTION

EISA deployed a continental election observer mission to the 2010 general elections in Zanzibar held on Sunday 31 October 2010. This is the third election observer mission conducted by EISA in Zanzibar, the other two being for the 2000 and 2005 elections. The mission was in Zanzibar at the invitation of the Zanzibar Electoral Commission (ZEC) dated 14 September 2010. The mission was led by Mr Yusuf Aboobaker, chairperson of the Electoral Supervisory Commission of Mauritius and chairman of the Electoral Boundaries Commission of Mauritius. The deputy mission leader was Mr Felix Odhiambo, EISA country director in Kenya. The mission comprised 10 members from election management bodies (EMBs) and civil society organisations (CSOs) drawn from nine African countries namely Chad, Kenya, Liberia, Democratic Republic of Congo, Mauritius, Madagascar, Senegal, South Africa and Zimbabwe.

The specific objectives of the mission were to:

- assess whether conditions existed for the conduct of elections that allow the people of Zanzibar to express their will freely;
- assess and determine whether the elections were conducted in accordance with the constitutional and legal framework for elections in Zanzibar;
- determine whether the final results of the electoral process as a whole reflect the wishes of the people of Zanzibar; and

- assess whether the elections met the benchmarks set out in the Principles for Election Management, Monitoring and Observation (PEMMO) developed under the auspices of EISA and the Electoral Commissions Forum of SADC countries.

The EISA mission has made the assessment of the electoral process in Zanzibar. Its preliminary findings and recommendations are presented in this interim statement. EISA will produce a more comprehensive and final report on the entire election process in due course. The final report will provide an in-depth analysis, detailed observations and recommendations.

2. METHOD OF WORK

In order to accommodate the need for a holistic approach to election assessment, EISA undertook various activities covering the pre-election and polling phases, as well as the immediate aftermath of the election. EISA will continue to follow post-election developments closely. The assessment methodology encompassed the activities outlined below.

2.1 Pre-election assessment

EISA maintains a continuous monitoring exercise in Zanzibar between elections and keeps itself abreast of political developments. To supplement its experience, EISA deployed a pre-election assessment mission to Zanzibar, whose main rationale was to examine political, legal and logistical conditions prior to the October 2010 tripartite elections. The two-member team visited Zanzibar from 21–25 September 2010. The main mission arrived in Zanzibar on Tuesday 20 October 2010.

2.2 In-country briefings

Members of the mission attended briefing sessions on 25 and 26 October 2010 at the Serena Inn Hotel in Zanzibar, where they were introduced to the context in which the election was being held. The methodology and tools of election assessment to be used by EISA were reviewed. During the briefing sessions, the mission received presentations from various key electoral stakeholders including CSOs, political parties and the media. On 28 October 2010, the mission attended a briefing for observer teams hosted by the chairperson, commissioners and director of the ZEC.

2.3 Deployment

The EISA mission was deployed to various parts of Zanzibar to observe the electoral process. In its deployment, the mission covered Stone Town, and the northern and southern parts of Unguja Island, including Tumbatu. The mission also dispatched a team of observers to Pemba Island.

2.4 Stakeholder meetings and political party rallies

These meetings provided useful insight into the different key stakeholders' assessments of the process. These meetings also assisted the mission to gauge the general mood in the country as the polls drew nearer. The mission also attended political party rallies of the different parties in Unguja and Pemba islands.

2.5 Observation of voting and counting

On 31 October, members of the mission observed the voting and counting of votes at the polling stations. In total, the mission covered 61 polling stations in various districts, and observed the count at eight separate stations.

2.6 Principles for Election Management, Monitoring and Observation (PEMMO) in the SADC Region

The EISA Observer Mission's assessment of the 2010 general elections in Zanzibar was based on the Principles for Election Management, Monitoring and Observation (PEMMO). The principles are benchmarks against which an election can be measured from an objective basis to assess its credibility, transparency and legitimacy. PEMMO was developed by EISA in partnership with the Electoral Commissions Forum of SADC countries, which comprises all the election management bodies in the SADC region. These principles are the result of extensive research and region-wide consultation with electoral stakeholders, including CSOs, and were designed to provide guiding principles for the administration of elections in the region. Using the electoral cycle approach, PEMMO covers the whole electoral process, including the periods before, during and after the poll. Furthermore, PEMMO presents a useful tool for both post-election reviews and electoral reforms. For observers, PEMMO also outlines guidelines on the expected behaviour of observers for the enhanced credibility of election observation.

EISA has used PEMMO to assess elections since 2004, including the 2005 elections in Zanzibar.

3. PRELIMINARY FINDINGS OF THE MISSION

After analysing the legal framework of elections in Zanzibar and the observations made by its different teams deployed on the ground, and basing itself on norms and guidelines contained in the PEMMO, the EISA mission has identified certain issues in the electoral process that need to be highlighted.

3.1 Political tolerance

The mission noted that there has been a significant improvement in levels of political tolerance since the last elections held in Zanzibar in 2005. The agreement between President Amame Abeid Karume, leader of Chama Cha Mapinduzi (CCM) in Zanzibar, and Seif Sharif Hamad, leader of Civic United Front (CUF), contributed significantly to this observable change in political tolerance. The mission noted that beyond the agreement reached, the people of Zanzibar demonstrated a commitment to peaceful and orderly political activities and elections. This was reflected in the manner in which the political campaign and polling process took place, which was without major incidences of political violence and intimidation.

3.2 Political violence and intimidation

Previous elections in Zanzibar have taken place against a background of incidences of politically motivated violence and intimidation. The mission noted with satisfaction that the present elections have not been marred by major acts of violence and political intimidation.

3.3 Broadening space for political competition

The multiparty electoral environment in Zanzibar is currently dominated by the two major political parties (CCM and CUF), which crowds out smaller political parties. These parties claim they did not have a voice in the political agreement reached between the CCM and CUF in 2009. The citizens of Zanzibar were given the opportunity to express their opinion on this agreement in the 2010 referendum, ensuring that the principles of multipartyism have been upheld.

3.4 Citizen participation in elections

The mission noted with satisfaction strong citizen participation in Zanzibar's elections. The absence of violence and intimidation has contributed to the

electorate being able to exercise their right to vote more freely. This was evidenced by a strong voter turnout in all constituencies and polling centres at which EISA observers were in attendance.

3.5 Counting and results management

The counting of ballot papers was conducted in an open manner in the presence of party agents and international observers, who witnessed the counting process and verified the results at the polling stations where the votes were cast. The ballots for the Zanzibar and Union elections were counted separately and simultaneously, and results were posted outside the polling station immediately after counting. The ZEC and National Electoral Commission (NEC) staff appeared trained and demonstrated efficiency in the discharge of their duties. However, the conditions in the counting process could have been improved by providing more adequate lighting where required.

Polling stations closed at 16h00 on 31 October 2010, and counting began immediately. At most of the polling stations where EISA observed the count, the results were posted outside by 20h00. Expectations were raised for an early announcement of the results. At 13h00 on 1 November 2010, 29 out of 50 constituencies had been announced. Section 42(6) of Electoral Act, No. 11 of 1984 provides that: 'The Presidential election results shall be declared within three days after election day, except when there are election problems in some polling stations, three days after such problems have been resolved.'

EISA believes that the speedy treatment and announcement of results contributed significantly to the credibility and reduction of tension, as well as to the acceptance of results. In the event, the final results for the presidential elections were publicly announced on 1 November 2010 at approximately 21h30, within the prescribed legal framework.

4. AREAS FOR IMPROVEMENT AND RECOMMENDATIONS

EISA applauds various innovations made by the ZEC, including the establishment of a National Results Centre and other measures already mentioned, which contributed to improved election management. EISA also notes with satisfaction the gender mix of the ZEC electoral staff.

4.1 Independence of the ZEC

The mission noted that the measures taken to make the ZEC an impartial and credible electoral body should be further consolidated.

4.2 Improving vote counting and management of election results

EISA recommends that mechanisms be considered whereby the electorate are regularly updated by the ZEC on the progress in the tabulation of votes, as this would significantly reduce tension and uncertainty in the post-election period.

4.3 Staff training

EISA recommends that in training its election staff, the ZEC should strive to improve the level of standardisation in its staff practices and procedures, as this would reduce discrepancies in the application of electoral procedures.

4.4 Identifying ZEC officials

EISA recommends that in order to reduce confusion, the ZEC should take particular care to distinguish its own staff from other stakeholders present at the polling stations.

4.5 Civic and voter education

EISA recommends that the ZEC coordinate broad-based, continuous civic and voter education, not exclusively around election periods, in order to ensure that the gains made during the 2010 elections are sustainable.

5. CONCLUSION

Since its arrival in Zanzibar, the EISA mission has noted a general improvement in the conditions for the 2010 presidential, House of Representatives and local government elections. While the elections were not without problems, those problems did not materially impact on Zanzibar's citizens' opportunity to express their political will through the vote. The peaceful climate of the 2010 elections afforded greater space for political competition than has been the case in previous elections. The ZEC also exhibited improved performance in the overall management of the elections. The result of the presidential election has already been announced. EISA eagerly awaits the announcement of the remaining results, which will bring the 2010 elections to a peaceful conclusion.

On behalf of the entire EISA Election Observer Mission, I would like to take this opportunity to extend our gratitude to the people of Zanzibar for the warm welcome and hospitality accorded to the mission.

Yusuf Aboobaker
Head of Mission

NOTES

- 1 Tanzania Election Monitoring Committee, *Interim Statement on the Referendum held in Zanzibar 31 July 2010*. (Released 1 August 2010). Available at http://www.tz.undp.org/ESP/docs/Observer_Reports/TEMCO_INTERIM_STATEMENT_ON_ZANZIBAR_REFERENDUM.pdf
- 2 The Zanzibar Electoral Commission. Available at <http://www.zec.go.tz/> [Accessed 31 November 2010].

ABOUT EISA



EISA is a not-for-profit and non-partisan non-governmental organisation which was established in 1996. Its core business is to provide technical assistance for capacity building of relevant government departments, electoral management bodies, political parties and civil society organisations operating in the democracy and governance fields throughout the SADC region and beyond. Inspired by the various positive developments towards democratic governance in Africa as a whole and the SADC region in particular since the early 1990s, EISA aims to advance democratic values and practices and to enhance the credibility of electoral processes. The ultimate goal is to assist countries in Africa and the SADC region to nurture and consolidate democratic governance. SADC countries have received enormous technical assistance and advice from EISA in building solid institutional foundations for democracy. This includes: electoral system reforms; election monitoring and observation; constructive conflict management; strengthening of parliament and other democratic institutions; strengthening of political parties; capacity building for civil society organisations; deepening democratic local governance; and enhancing the institutional capacity of the election management bodies. EISA was formerly the secretariat of the Electoral Commissions Forum (ECF) composed of electoral commissions in the SADC region and established in 1998. EISA is currently the secretariat of the SADC Election Support Network (ESN) comprising election-related civil society organisations established in 1997.

VISION

An African continent where democratic governance, human rights and citizen participation are upheld in a peaceful environment

MISSION

EISA strives for excellence in the promotion of credible elections, participatory democracy, human rights culture, and the strengthening of governance institutions for the consolidation of democracy in Africa

VALUES AND PRINCIPLES

Key values and principles of governance that EISA believes in include:

- Regular free and fair elections
- Promoting democratic values
- Respect for fundamental human rights
- Due process of law / rule of law
- Constructive management of conflict
- Political tolerance
- Inclusive multiparty democracy
- Popular participation
- Transparency
- Gender equality
- Accountability
- Promoting electoral norms and standards

OBJECTIVES

- To enhance electoral processes to ensure their inclusiveness and legitimacy
- To promote effective citizen participation in democratic processes to strengthen institutional accountability and responsiveness
- To strengthen governance institutions to ensure effective, accessible and sustainable democratic processes
- To promote principles, values and practices that lead to a culture of democracy and human rights
- To create a culture of excellence that leads to consistently high-quality products and services
- To position EISA as a leader that consistently influences policy and practice in the sector

CORE ACTIVITIES

Research

Policy Dialogue

Publications and Documentation

Capacity Building

Election Observation

Technical Assistance

Balloting

OBSERVER MISSION REPORTS

CODE	TITLE
EOR 1	Mauritius Election Observation Mission Report, 2000
EOR 2	SADC Election Support Network Observer Mission's Report, 1999/2000
EOR 3	Tanzania Elections Observer Mission Report, 2001
EOR 4	Tanzania Gender Observer Mission Report, 2001
EOR 5	Zimbabwe Elections Observer Mission Report, 2001
EOR 6	South African Elections Observer Mission Report, Denis Kadima, 1999
EOR 7	Botswana Elections Observer Mission Report, Denis Kadima, 1999
EOR 8	Namibia Elections Report, Tom Lodge, 1999
EOR 9	Mozambique Elections Observer Mission Report, Denis Kadima, 1999
EOR 10	National & Provincial Election Results: South Africa June 1999
EOR 11	Elections in Swaziland, S. Rule, 1998
EOR 12	Lesotho Election, S. Rule, 1998
EOR 13	EISA Observer Mission Report, Zimbabwe Presidential Election 9-11 March, 2002 (P/C)
EOR 14	EISA Observer Mission Report, South Africa National and Provincial Elections 12-14 April 2004
EOR 15	EISA Observer Mission Report: Malawi Parliamentary and Presidential Elections 20 May 2004
EOR 16	EISA Observer Mission Report, Botswana Parliamentary and Local Government Elections 30 October 2004
EOR 17	EISA Observer Mission Report, Mozambique Parliamentary and Presidential Elections 1-2 December 2004
EOR 18	EISA Observer Mission Report, Namibia Presidential and National Assembly Elections 15-16 November 2004
EOR 19	EISA Observer Mission Report, Mauritius National Assembly Elections 3 July 2005
EOR 20	EISA Observer Mission Report, Tanzania Presidential, National Assembly and Local Government Elections 14 December 2005
EOR 21	EISA Observer Mission Report, The 2005 Constitutional Referendum in the DRC/ Le Référendum Constitutionnel en RDC 18-19 December 2005

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- EOR 22 EISA Observer Mission Report, Zanzibar Presidential, House of Representatives and Local Government Elections 30 October 2005
- EOR 23 EISA Observer Mission Report, Zambia Presidential, Parliamentary and Local Government Elections 28 September 2006
- EOR 24 EISA Observer Mission Report, Madagascar Presidential Elections 3 December 2006
- EOR 25 EISA Observer Mission Report, DRC Presidential, Parliamentary and Provincial Elections/Elections Presidentielles, Parlementaires et Provinciales 30 July and 29 October 2006
- EOR 26 EISA Election Observer Mission Report, Lesotho National Assembly Elections 17 February 2007
- EOR 27 EISA Election Observer Mission Report, Madagascar National Assembly Elections 23 September 2007
- EOR 28 EISA Election Observer Mission Report, The Zimbabwe Harmonised Elections of 29 March 2008 Presidential, Parliamentary and Local Government Elections with Postscript on The Presidential Run-off of 27 June 2008 and the Multi-Party Agreement of 15 September 2008
- EOR 29 EISA Election Observer Mission Report, Swaziland House of Assembly Election 19 September 2008
- EOR 30 EISA Election Observer Mission Report, Malawi Presidential and Parliamentary Elections 19 May 2009
- EOR 31 EISA Election Observer Mission Report, Zambia Presidential By-Election 30 October 2008 EOR 31
- EOR 32 EISA Election Observer Mission Report, The Mozambique Presidential, Parliamentary and Provincial Elections of 28 October 2009
- EOR 33 EISA Technical Assessment Team Report, Mauritius National Assembly Elections 5 May 2010
- EOR 34 EISA Technical Observer Team Report, Namibia Presidential and National Assembly Elections 27 and 28 November 2009
- EOR 35 EISA Technical Assessment Team Report, Botswana Parliamentary and Local Government Elections 16 October 2009
- EOR 36 EISA Election Observer Mission Report South Africa, National And Provincial Elections 22 April 2009
- EOR 37 *Mission d'observation de l'élection présidentielle du 27 Juin et du deuxième tour du 07 Novembre 2010 en Guinée*