



**Election Management and  
Observation in Southern  
Africa:  
A Comparative Review of  
Existing Norms, Principles and  
Guidelines for Democratic  
Elections**

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**Introduction**

The political landscape of Southern Africa has been transformed primarily by three major factors since the 1990s. These are the demise of the Cold War; the collapse of apartheid; and civil society agitation for political liberalisation or pluralism. The combination of these three factors propelled states in Africa in general and Southern Africa in particular to deliberately and systematically steer their political systems away from centralised one-party, one-person or military regimes of the 1960s-1980s towards fairly decentralised multiparty democratic regimes. Today, a majority of Southern African states that comprise the Southern African Development Community (SADC) have jettisoned authoritarian governance systems of the mono-party and military varieties more and more in favour of democratic governance marked, in the main, by multiparty competition for the control of state power and composition of government. The most glaring aspect of this transformative process since the early 1990s has surely been the institutionalised practice of the holding of regular multiparty elections. This has now become part and parcel of the

current political culture of SADC member states.

In general, SADC member states have embraced the culture of regular multiparty elections. Two points are worth considering at the onset, if only to help set the stage for subsequent discussions. First, in and of themselves, elections are not necessarily tantamount to democratic governance. Thus, institutionalisation of the political culture of regular elections does not amount to institutionalisation of democracy as such. It is in this connection that it is therefore easy for a country to hold regular elections even if its democratic institutions are either weak or dysfunctional.

Yet, on the other hand, it is not possible to have a working, vibrant and institutionalised democracy without regular multiparty elections that to a considerable extent are perceived by both actors and observers alike as genuine, legitimate and acceptable (or what others would refer to as free and fair). Second, the primary value (or lack thereof) of elections to a working, vibrant and institutionalised democracy is often judged by the extent to which they help countries to manage their political conflicts constructively and achieve political stability (or whether conversely, they exacerbate conflict and perpetuate political instability). Ideally, *ceteris paribus*, an election is supposed to help reduce rather than induce violent political conflicts and instability. It is thus behind the backdrop of the value of elections to democratisation and political stability that various initiatives aimed at adoption of best practices in election management and observation in the SADC region have emerged since the recent past. The four main ones are:

- The SADC-Parliamentary Forum Norms and Standards for Elections in the SADC region (2001);

- The African Union Principles and Guidelines Governing Democratic Elections (2002);
- The EISA/Electoral Commissions Forum (ECF) Principles for Election Management, Monitoring and Observation in the SADC Region (2003); and
- The SADC Principles and Guidelines Governing Democratic Elections (2004).

This paper aims to explore critical comparative insights of the value of these instruments whose main thrust is to establish a code of ethics for ensuring best practice in election management and observation in Africa in general and Southern Africa in particular.

The paper, therefore, represents a modest attempt to provide an analytic and practical review of the way in which the AU, SADC-PF, EISA/ECF and SADC election observation adds value to democratisation and management of election-related disputes. This article attempts to answer the following critical questions in regard to election observation in the SADC region:

- (a) What is the principal essence of election observation?
- (b) What is the main substance of the existing election management/observation instruments?
- (c) How do they relate to each other both in concept and practice?
- (d) How have the observer missions been coordinated with a view to achieving a common goal of the constructive management of election-related conflict through observation?
- (e) What are the contextual and explanatory factors behind the development of various election instruments yet addressing one single goal: violence-free elections?
- (f) Is there any need, at all, for deliberate efforts to merge and

consolidate these instruments into one single document especially the SADC-PF and the SADC instruments?

### **The Principal Essence and Value of Election Observation in SADC**

Election observation refers to information gathering or fact-finding aimed at reaching an informed judgement about the credibility, legitimacy and acceptability of the electoral process and its outcome (PEMMO, 2003:30). It has become a common feature of the democratic process in the SADC region today. It could also be perceived as some form of external peer review of each one of the SADC member states on each other's democratic process.

This, of course, does not suggest that democracy can be reduced to elections alone. Undoubtedly, elections constitute one of the most important ingredients of democratic governance the world over. Although elections, in and of themselves, do not constitute democracy as such, they are considered one of the KEY principal pillars of a working democracy in any given country. Key functions of elections in entrenching democratic governance include, *inter alia*, providing a DEMOCRATIC opportunity to citizens to choose their leaders at both national and local level and in that way providing the necessary legitimacy to the governance process. In this way, as a rule, elections are supposed to ensure credibility of the governance process/institutions and, by extension, political stability so crucial for socio-economic development.

It is for this reason that we need to appreciate the value of election observation for the management of election-related conflicts. We want to submit right at the onset that **the primary value of election**

**observation lies in the extent to which it facilitates constructive management of election-related conflicts.** This is crucial for elections can bring about either political stability or trigger instability in a country with dire consequences for democratic governance. This is so because elections everywhere involve political contestation over state power by various political forces (primarily political parties). Naturally, contestation over state power and government involves high stakes and in consequence, elections become high-stakes contest. Thus, elections are bound to involve a fair amount of conflict among the key political actors at various stages of the process spanning the pre-election phase, the election/polling phase and the post-election phase as it were.

Once an election-related conflict occurs, and depending on the behaviour, perceptions and actions of the belligerents or protagonists, it either escalates or de-escalates and either way there are bound to be considerable impact of such conflicts on democratic governance and political stability. In essence, election-related conflicts cannot be wished away. The challenge, rather, is not to bemoan election-related conflicts, but rather to ensure that appropriate institutional mechanisms and processes are firmly in place to manage these conflicts in a constructive (not destructive) manner

**.This is where the value of election observation undertaken by various institutions including the AU, SADC-PF, EISA, ECF and SADC becomes crucial.**

Table 1, 2 and 3 below, provide a sketchy, if indicative, illustration of potential hot-spots in elections where election observer missions have to focus spotlight during the three phases of an electoral process.

**Table 1: Pre-Election Phase Conflict Mapping**

Actors/ Issues	Boundary Delimitation	Registration	Party Registration	Candidate Nomination
Government	Gerrymandering		Restrictive legislation	
IEC		Registration and Management of the Voter' Roll		
Electoral Staff				
Political Parties				Lack of intra-party democracy
Voters		Lack of civic and voter education		
Security Forces				
Observers/monitors	No observation or monitoring			

**Table 2: Election/polling Phase Conflict Mapping**

Issues/Actors	Election material	Polling stations	Voting	Security of the ballot	Counting & tabulation of results
Government	Delay in supplies				
IEC		Lack of information on Mobile stations			
Electoral staff			Undue influence on assisted voters		
Political parties					Where are the votes counted?
Voters		Lack on information on polling stations			
Security forces				Lack of security of ballot boxes	
Observers/Monitors			Ineffective observation and monitoring		Lack of observation/monitoring of counting/tabulation

**Table 3: Post-Election Phase Conflict Mapping**

Actors/Issues	Announcement of results	Acceptance of results	Declaration by observers	Formation of government
Government				Govt. with minority votes (less than 50%)
IEC	Results delays			
Electoral Staff	Lack of motivation and professionalism			
Political Parties		Losing parties cry foul and denounce results		
Voters		Political polarization as a result of a contest election result		
Security Forces				Politicization and partisan interventions by the security forces
Observers/Monitors			Observers and monitors issue contradictory verdict	

With hindsight, judging by the experience of the recent elections held over the past two years in the SADC region (namely in South Africa (April 2004), Malawi (May 2004), Botswana

(October 2004), Namibia (November 2004) and Mozambique (December 2004), Zimbabwe (March & November 2005), Mauritius (July 2005) and Tanzania (October & December 2005)

election observer missions do make an attempt to cover all the three phases of elections through long-term and medium-term observation approaches with varying degrees of success. A distinctive methodology is the SADC-PF's approach of observing voter registration process in the pre-election phase in order to ensure that this sensitive and often conflict-ridden aspect of the electoral process is undertaken with requisite transparency, accountability and responsiveness by the election management bodies (EMBs). In contrast, the other observer missions do not have a specific mission that observes voter registration. But voter registration becomes one aspect of the broader observation of the pre-election activities including, among others, political campaign, constituency delimitation, nomination of candidates, media access, use of state resources, civic/voter education etc. In a sense, therefore, the SADC-PF approach of observing voter registration is both innovative and unique and surely various other election observer missions could learn useful lessons from such an approach. Observing early stages of an electoral process pays dividend in many ways and one of this is simply that observers are able to develop a fairly comprehensive insight in how the process unfolded and their verdict after the last stages of the process tends to be more credible.

**Context and Comparisons of  
the Existing Election  
Observation Instruments and  
Approaches**

SADC countries are State Parties to various declarations of the United Nations committing member states to democratic governance, respect and observance of human rights as enshrined in the 1949 Universal Declaration of Human Rights. The collapse of the ideological bipolarity

that was marked by the superpower rivalry between the United States and the then Soviet Union enhanced the impetus by various UN agencies to promote democracy and human rights world-wide (see the UNDP Human Development Report, 2002). In 1994, the UN Centre for Human Rights based in Geneva, Switzerland, produced an important handbook on democratic elections entitled "*Human Rights and Elections: A Handbook on the Legal, Technical and Human Rights Aspects of Elections*". This handbook is meant to assist the UN provide technical assistance to member states during elections, but it is also an important guide on how best to manage and run credible elections. The authors of the handbook justify it thus:

*Taking part in the conduct of public affairs is a basic human rights increasingly prized by people throughout the world. Humankind, at different times in its history and with varying degrees of success, has sought ways of involving individuals in community decisions. Today, taking part in government is recognized as a basic human right in every region of the world (UN, 1994:1).*

The UN handbook on human rights and elections covers the following issues in some detail:

- United Nations Involvement in Elections: An Overview
- United Nations Human Rights Standards Regarding Elections in General;
- International Criteria Reviewed in Detail:
  - Free elections
  - Fair elections
  - Periodicity and the electoral time-frame
  - Genuine elections

- Other requirements (the role of police and the role of observers)
- Common Elements of Electoral Laws and Procedures (UN, 1994).

Additionally, various continental and regional inter-state supranational institutions have been seized with noble endeavours towards some common principles and measurement of performance by state-parties in regard to democracy and, in particular, elections. The democracy and governance declaration of the New Partnership for Africa's Development (NEPAD), its twin initiative, the African Peer Review Mechanism (APRM), and the establishment of the Pan-African Parliament (PAP) are examples of such endeavours. The idea behind these initiatives is surely to strive towards the nurturing and consolidation of the continent's nascent democratic governance and strive towards political stability.

It is precisely in pursuit of democratic consolidation and political stability that, during its 38<sup>th</sup> Ordinary Session of the Assembly of Heads of State and Government held in Durban, South Africa in July 2002, the OAU/AU adopted the Declaration on the Principles Governing Democratic Elections in Africa. This initiative clearly set the stage for continental and regional efforts towards acceptable, credible and legitimate elections conducted on the basis of a level playing field and with minimum incidence of, especially violent, conflict. The AU Declaration, among other things, commits member states to the following important principles:

- Democratic elections are the basis of the authority of any representative government;
- Regular elections constitute a key of the democratisation process and therefore are

essential for good governance, the rule of law, and the maintenance and promotion of peace, security, stability and development;

- The holding of democratic elections is an important dimension in conflict management and resolution; and
- Democratic elections should be conducted:
  - Freely and fairly;
  - Under democratic constitutions and in compliance with supportive legal institutions;
  - Under a system of separation of powers that ensures, in particular, the independence of the Judiciary;
  - At regular intervals, as provided for in National Constitutions; and
  - By impartial, all-inclusive competent accountable electoral institutions staffed by well-trained personnel and equipped with adequate logistics

Besides enunciating the principles, the declaration provides guidelines on (a) responsibilities of the Member States; (b) Elections: rights and obligations; (c) Election Observation and Monitoring by the OAU/AU; and (d) Role and Mandate of the General Secretariat. With specific reference to AU's involvement in elections, a different set of guidelines for AU election observation and monitoring has been developed and was also adopted during the Durban Summit of 2002 (OAU/AU, 2002). In a word, the AU has developed its principles governing democratic elections and a

separate set of guidelines for election observation and monitoring and both declarations were adopted during the 2002 OAU/AU Summit in Durban, South Africa. The AU embraces the ideas that, at all times, elections have to add enormous value to a vibrant democracy and not *vice-versa*. This idea then challenges our countries to constantly review their electoral processes with a view to ensuring that elections do exactly that, building firm foundations for a working democracy devoid of violent conflict. It is within this broader global and continental context that we can contextualise the principal essence of the various election observation instruments in Africa. For instance, given that 53 AU member states are State Parties of the UN, a plausible argument can be made that the 2002 AU Principles are indirectly linked to the UN Human Rights and Elections guidelines. By extension, the 2004 SADC Principles are also a deliberate attempt by the regional states to translate the AU commitments into a regional initiative for Southern Africa.

#### **SADC-PF Norms and Standards for Elections in the SADC Region**

The SADC-Parliamentary Forum has developed Norms and Standards for Elections in the SADC Region since 2001 and has used these guidelines to observe all elections in the region since that time. The SADC-PF norms and standards for elections cover the following areas (a) Elections and the individual rights; (b) Elections and the government; (c) and Fostering transparency and integrity in the electoral process. The first section on elections and individual rights covers rights of citizens in electing their government of choice; voting and secrecy and freedom of association and expression. The second section on elections and government covers the following areas:

- Commitment to pluralism and multiparty democracy;
- Date of elections;
- Misuse of public resources and funding of political activities;
- Government, political parties, NGOs and the Media; and
- Electoral Commissions (SADC-PF, 2001)

A much more extensive coverage is devoted to the third section on fostering transparency and integrity of the electoral process and the section covers the following areas:

- Registration of voters
- Voter education
- Boundary delimitation commissions
- Nomination process
- Election campaign
- Funding of political campaign
- Role of the courts
- The Electoral Commissions and the Media
- Polling Stations
- Ballot Boxes
- Counting of Votes
- Acceptance of Election Results
- Managing Post Election Conflicts
- Role of observers
- Role of the SADC Parliamentary Forum in Election Observation
- Code of Conduct for the Forum's Regional observers
- Reform of Electoral Laws (SADC-PF, 2001)

As with the AU, the SADC-PF has also developed a separate comprehensive guide for election observation by its own observers comprised primarily of members of parliament covering (a) the Political Context; (b) the Observation Framework; (c) Mission Preparation; (d) In-Country Orientation; (e) The Pre-Election Period; (f) The Voting and the Count; and (g) The Post-Election Period (SADC-PF, 2001).

Evidently, the SADC-PF guide on election observation is more comprehensive than its election norms and standards and in fact it is by far the most detailed guideline on election observation in the whole region from which a number of other institutions could learn important lessons on monitoring and observation of elections. SADC-PF has used its norms and standards and election observation guide in all elections held in the SADC region since 1999. The forum recognises the significance of election observation in the promotion and institutionalisation of multi-party democracy in the region. Thus far, the Forum has observed 15 general elections in 10 SADC member states namely Namibia (1999), Mozambique (1999), Mauritius (2000), Tanzania (2000), Zimbabwe parliamentary elections (2000), Zambia (2001), Lesotho (2002) Zimbabwe presidential elections (2002). In 2004, the SADC-PF observed all the five (5) elections in South Africa (April), Malawi (May), Botswana (October), Namibia (November) and Mozambique (December). In 2005, the SADC-PF observed elections in Mauritius (July), Tanzania (October & December). It is anticipated that the Forum will observe forthcoming elections in 2006 in the Democratic Republic of Congo (DRC) in July and Zambia in November. In total, about 200 Members of Parliament (MPs) from almost all SADC parliaments have taken active part in this election observation missions with technical and administrative backstopping of about 100 parliamentary staff.

**EISA/ECF Principles for Election Management, Monitoring and Observation (PEMMO)**

Since 2000, the EISA, jointly with the Electoral Commissions Forum (ECF) of SADC, also developed another complementary instrument known as

the Principles for Election Management, Monitoring and Observation in the SADC Region (herein after referred to as PEMMO). This regional election management and observation instrument was finally adopted at a regional conference convened in Benoni, South Africa in November 2003. In order to expand its utility throughout the region in terms of best electoral practices, PEMMO is now available in four languages namely Swahili, English, French and Portuguese. EISA has also used these principles in observing all the five general elections in the SADC region in 2004 in the following countries South Africa (April), Malawi (May), Botswana (October), Namibia (November) and Mozambique (December). EISA has also observed the following elections in 2005: Mauritius (July) and Tanzania (October & December). EISA will observe forthcoming elections in 2006 in the Democratic Republic of Congo (DRC) in July and Zambia in November. EISA observation missions are coordinated by its own staff forming a secretariat and comprise electoral commissions, civil society organisations, political parties, academics, political parties, members of parliament and faith-based organisations etc. Like the SADC-PF, EISA did not observe the elections in Zimbabwe in March 2005. Be that as it may, the Electoral Commissions Forum (ECF) was invited to observe the poll with logistical backstopping from EISA.

The PEMMO, like the SADC-PF instrument mentioned earlier, outlines problems facing SADC countries in elections and offers best practices for improvements to be introduced. PEMMO covers a wide gamut of the electoral process as follows: (a) the institutional framework; (b) pre-election phase processes; (c) election phase processes; (d) post-election

phase processes; and (e) election observation and monitoring.

The institutional framework covers the following areas: constitutional and legal framework; electoral systems; election management body; and conflict management (EISA/ECF, 2003). The section on the pre-election phase covers challenges and best practices around, among others, constituency delimitation, voter registration, registration of political parties, candidate nomination process, political campaign process, media access, use of public resources, political violence and intimidation, role of security forces, political party finance; and Civic and voter education (EISA/ECF, 2003)

Regarding the election phase, PEMMO deals with polling stations, secrecy of the ballot, ballot papers, ballot boxes and election materials, and counting. The fourth section on post-election phase outlines problems and offers best practices around announcement of overall results, acceptance of results, post-election review and post-election disputes. The fifth and last section covers election monitoring and observation.

Overall, the EISA/ECF PEMMO is surely the most technically robust election management instrument in the region compared to the other existing instruments. Like the SADC-PF norms and standards and the SADC principles, the PEMMO is aimed at ensuring a distinctive contribution of civil society and election management bodies to democracy building and consolidation in the region. Specifically, PEMMO is meant to achieve the following, among others:

- standardise election management systems in the SADC region;
- promote democratic culture and practice in between elections;

suggest best election management and observation practices;

- provide technical nuts and bolts for electoral audits and electoral reforms in the region; and
- encourage peer review by electoral management bodies with a view to ensure procedural certainty, predictability of rules of the game) and substantive uncertainty (secrecy of the vote and its outcome) in electoral contests.

It is worth noting that the AU principles constitute an important commitment towards democratic governance in the continent in line with the NEPAD Declaration on Democracy adopted during the Summit of Heads of State and Government in Durban, South Africa in 2002 and the African Peer Review Mechanism (APRM) now underway in a number of African states. The SADC principles constitute an important initiative which commits governments to legitimate and credible elections within the framework of the AU declarations and protocols. Whereas the SADC-PF initiative is essentially a valuable contribution of parliamentarians in the whole process of levelling the political playing field in the region, the PEMMO is principally a noble initiative by both civil society and electoral commissions towards the same end goal: democratic consolidation and political stability. The major complementary areas between the three southern Africa election instruments lie in the following:

- SADC principles provide a public commitment by governments for striving towards best election management and observation to

which civil society and other non-state actors are better able to hold them accountable and the principles define clearly the obligations and responsibilities of governments of countries holding elections;

- The SADC-PF has a more comprehensive election observation guide and this guide provides a crucial political lobby for a level political playing field during elections;
- The EISA/ECF has a more comprehensive election management guide and this guide provides a crucial technical know-how for election management and it also provides a reliable guide for electoral reforms.

Thus, the three taken together present a comprehensive guide for commitment to legitimate and credible elections (SADC principles), best practices in election management and reform (PEMMO) and election observation and political lobby for reforms (SADC-PF norms and standards).

### **SADC Principles and Guidelines Governing Democratic Elections**

The SADC principles and guidelines have five main components:

- Principles for Conducting Democratic Elections;
- Mandate and Constitution of SADC Observers Mission (SEOMs)
- Guidelines for the Observation of Elections;
- Rights and responsibilities of SADC Election Observers; and
- Responsibilities of the Member States holding Elections

The Principles and Guidelines commit SADC member states to the following best practices:

- Full participation of the citizens in the political process;
  - Freedom of association;
- Political tolerance;
- Regular intervals for elections as provided for by the respective National Constitutions;
  - Equal opportunity for all political parties to access the state media;
  - Equal opportunity to exercise the right to vote and be voted for;
  - Independence of the judiciary and impartiality of the electoral institutions;
  - Voter education;
  - Acceptance and respect of the election results by political parties proclaimed to have been free and fair by competent National Authorities in accordance with the law of the land; and
  - Challenge of the election results as provided for in the law of the land (SADC, 2004).

There are no fundamental differences introduced by SADC to what the SADC-PF norms and others such as EISA/ECF election principles have proposed as best election practices. Equally importantly, the principles are similar to those espoused by the AU. This situation has ignited calls from some observers of the region's political scene for a merger of the three instruments into one unified regional instrument. The problem with these calls is that they fail to appreciate that these three instruments come from diverse and also divergent political forces with often contradictory interests and perspectives in relation to democracy and governance.

SADC-PF represents parliamentarians and could be perceived to be closer to the executive branch of governments, which, to all intents and purposes, is essentially what SADC is. The main problem here is simply this: SADC in essence represents the executive

organs of the member states while SADC-PF represents the legislative organs of the member states. Thus, for sheer purposes of the latter holding the former accountable in the regional governance arena, it may not be prudent, in fact, to have the SADC-PF and SADC election instruments merged together.

### Challenges

One of the major challenges facing SADC today is precisely how to nurture and institutionalise democratic governance on a systematic and sustainable basis. The management of elections forms part of this democracy challenge for the region. This also becomes a challenge for inter-governmental institutions such as SADC and the SADC-PF in regard specifically to ensuring that elections do not necessarily ignite violent conflict which in turn leads to political instability.

Thus, the first major challenge for the key regional institutions (including SADC and SADC-PF) in the medium-to-long term is how to institutionalise their election observation programmes in such a way that they are able to measure actual impact of the observation missions on constructive conflict management and political stability in the SADC region. Secondly, some commentators have tended to perceive the emergence of the SADC principles and guidelines for democratic elections as evidence that all the various regional election observation initiatives ought to be merged together into one consolidated regional instrument.

At close scrutiny, this may not necessarily be the case. In fact, an argument can be canvassed that the fact that there are basically three (3) regional instruments for election observation in the SADC region is a

positive development in that it demonstrates the seriousness with which various democracy stakeholders take the challenge for democratic governance. Thirdly, all things being equal, it may be relatively easy for SADC-PF, EISA/ECF and SADC to begin to harmonise and coordinate their election observation efforts systematically in the near future. Let me hasten to observe that coordination, harmonisation of election observation missions/activities does not necessarily suggest that all these actors will issue common reports and statements as such.

To date, since the Botswana election of October 2004, experience suggests, either at worst, no formal linkages whatsoever exist between and among the SADC-PF, SADC, EISA and domestic election observer missions in the field or, at best, ineffective communication marks the relationship between and among observer missions. How will such a situation be resolved in the future? Fourthly, election observers have tried everything they can within limited resources to try and cover the three phases of elections (and the SADC-PF has gone further to include specific observation of the voter registration process), but the challenge still remains in respect of follow-up of recommended post-election reforms that would have been suggested in election observation reports.

How do observer missions ensure that the recommended reform measures aimed at improving the electoral machinery in a particular country are implemented? In other words, to what extent do observer missions assess the impact of their observation in between elections? Fifthly, an important and critical area on which election observation by various observer missions tend to focus attention is gender equality in the electoral process

and the consequent gender composition of the national assembly as an elected house.

Table 4 below illustrates the global experience with regard to women's representation in parliaments as of 2003. From this table it is clear that Rwanda is doing very well in this regard topping the list with about 49%

of women representation in the legislature. The only two SADC states that are on the global radar screen as good performers in this regard were Mozambique (30%) and South Africa (30%). South Africa has improved on its record since its 2004 election as Table 5 clearly illustrates.

**Table 4: Highest ranking countries in terms of women's representation, 2003**

Rank	Country	% Women
1	Rwanda	48.8
2	Sweden	45.0
3	Denmark	38.0
4	Finland	36.5
5	Norway	36.4
6	Costa Rica	35.1
7	Iceland	34.9
8	Netherlands	34.0
9	Germany	32.2
10	Argentina	30.7
11	Mozambique	30.0
12	South Africa	29.9
13	Seychelles	29.4

Source: International IDEA, 2004:11

Table 5 depicts the current record of gender representation in all the SADC states.

**Table 5: Gender Balance in SADC Parliaments, 2004**

Rank	Country	Lower or Single House				Upper House or Senate			
		Elections	Seats	Women	% W	Elections	Seats	Women	%W
1	South Africa	04 2004	400	131	32.8	---	---	---	---
2	Mozambique	12 1999	250	75	30.0	06 1999	89	17	31.5
3	Namibia	11 2004	104	19	26.4	11 1998	26	2	7.7
4	Tanzania	10 2000	274	61	22.3	---	---	---	---
5	Botswana	10 2004	57	7	12.3	---	---	---	---
6	Angola	09 1992	220	34	15.5	----	----	----	---
7	Lesotho	05 2002	120	14	11.7	N.A.	33	12	36.4
8	Zambia	12 2001	158	19	12.0	---	---	---	---
9	Zimbabwe	06 2000	150	15	10.0	---	---	---	---
10	Malawi	05 2004	185	27		---	---	---	---
11	Mauritius	09 2000	70	4	5.7	---	---	---	---
12	Swaziland	10 2003	65	7	3.1	NA	30	11	19.0
13	DRC	...	500	57	11.4	...	120	3	...

Source: Eisa Database, 2004

What is evident from the table above is that South Africa has already met the 30% representation of women in the legislature in line with the 1997 SADC Declaration on Gender and Development adopted in Blantyre, Malawi. Ironically, Mauritius, one of the longest-enduring stable liberal democracies in the region, happens to be one of the poorest performers in terms of gender representation. Part of the explanation for the poor gender representation in most of the SADC states has to do with the type of electoral system in place and the degree of political commitment to gender equality in the governance realm (IDEA, 2004). It is evident that in those countries operating the proportional representation (PR) electoral system such as South Africa, Namibia and Mozambique, gender representation in parliament is quite impressive but the gender inclusivity of PR in these countries has been enhanced by deliberate political commitment of the political leadership.

This is not the case in countries operating the British-style First-Past-The-Post (FPTP) electoral system, with the clear exception of Tanzania whose legislated quota system has enhanced women's representation in the legislature. In fact, following its 2005 election, Tanzania has been able to achieve the 30% target of women's representation in parliament through its progressive quota system. Having said this, though, it should be noted that increasing the numbers of women in key institutions of governance is inadequate if this remains a simple symbolic gesture without requisite power and authority transferred to those women holding these positions. Additionally, it should also be noted that for women to make inroads to top echelons of governance, they need to also occupy top positions in political parties themselves and this calls for transformations within parties to

inculcate a culture of intra-party democracy.

### **Opportunities**

Firstly, enormous opportunities for the holding of democratic elections have come in the recent past with African states committing themselves to various forms of declarations and democracy assessment instruments. These include the AU Declaration on Elections, Democracy and Governance as well as establishment of the Pan-African Parliament (PAP) and the NEPAD African Peer Review Mechanism (APRM). At the regional level these continental commitments have also taken the form of SADC member states committing themselves to the holding of regular democratic multiparty elections as demonstrated by the SADC declaration on principles governing democratic elections in the region. Secondly, besides the state commitment to legitimate and credible elections, civil society organisations and election management bodies have also expressed their interest in facilitating or promoting best election practices. In this regard, the EISA/ECF PEMMO represents a living testimony to this trend. Thus, given the political commitment by states and initiatives by civil society organisations and the EMBs in relation to smooth and credible electoral processes, an enabling environment for the SADC-PF to institutionalise and systematise its regional election observation programme taking into account lessons of experience since 1999 exists. Thirdly, commitments by African states in general, through the African Union (AU) and Southern African states in particular, through SADC, for gender equality in the governance institutions and processes present an important opportunity. However, making public commitment and signing the Declaration on Equal Gender Representation in Governance

institutions and processes is one thing, making deliberate efforts towards equal gender representation in key governance institutions is quite another. Fourthly, the Strategic Indicative Plan for the Organ (SIPO) adopted by SADC during its recent summit in Mauritius commits member states, *inter alia*, to the establishment of a regional electoral commission, yet SIPO is silent on future prospects for the formal integration of the SADC-PF in its structures. This should open a window for further dialogue between the SADC-PF and SADC itself on the desirability of future integration of this consultative structure into SADC itself in the form of a regional parliament as is the case in West Africa and East Africa.

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