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COMPARATIVE ANALYSIS OF ELECTORAL MANAGEMENT BODIES IN TANZANIA, KENYA, AND SOUTH AFRICA:

**Their Strengths, Weaknesses, and Contributions
to Electoral Democracy**



TANZANIA



KENYA



SOUTH AFRICA

Authors:

Rev. Fr. Dr. Charles H. Kitima (PhD)

Mr. Uzima Justin Milele

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Authors:

Rev. Fr. Dr. Charles H. Kitima (PhD)

Mr. Uzima Justin Milele

**Catholic Secretariat
Tanzania Episcopal Conference (TEC)**

Kurasini Centre, Temeke

P.O Box 2133, Dar es Salaam, Tanzania

Tel: +255 22 2851075-7-8 / +255 22 2850047 / +255 22 2850017

Email: info@tec.or.tz

Website: www.tec.co.tz

Konrad-Adenauer-Stiftung (KAS)

Foundation Office - Tanzania

Ismani Street, Upanga

P.O. Box 6992, Dar es Salaam, Tanzania

Tel: +255 22 2153174

Website: www.kas.de/tanzania

Email: info.Tanzania@kas.de

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List of Abbreviations

- AAEA** Association of African Election Authorities (AAEA) is a platform that unites the heads of Election Management Bodies across the African continent to engage in dialogue, share experiences, establish standards, and exchange lessons and best practices in election management. The initiative was first proposed in Zimbabwe in November 1994 and was formally established in Eritrea in 1997. Currently, It has 45 members, including the Electoral Commission of Tanzania. Its secretariat is hosted by the Electoral Commission of Ghana (ECG).
- ACT-Wazalendo** Alliance for Change and Transparency-Wazalendo (the youngest and fastest growing opposition party in Tanzania. It is part of the government of national unity in Zanzibar)
- AMNUT** All-Muslim National Union of Tanganyika-AMNUT (a party established in July, 1959 in Tanganyika, but it was later banned in 1965)
- ANC** African National Congress, a South African nationalist political party that played a central role in ending apartheid and has been the ruling party in South Africa since 1994.
- ANC** African National Congress-ANC (established in June, 1958 in Tanganyika, but it was later banned in 1965)
- ASP** Afro-Shirazi Party (a nationalist party established on 5th February, 1957 in Zanzibar, merged with TANU in 1977 to form CCM)

AU	African Union (a regional body for African countries focused on promoting unity and development across the continent)
BAKWATA	Baraza Kuu la Waislam Tanzania/ The National Muslim Council of Tanzania
CCM	Chama cha Mapinduzi (the revolutionary state party-a governing party in Tanzania formed as merger of two political parties; TANU based in Tanganyika and ASP from Zanzibar on 5 th February, 1977)
CCT	Christian Council of Tanzania (a religious umbrella organization for protestants in Tanzania)
CHADEMA	Chama cha Demokrasia na Maendeleo, (the party for democracy and development-the main opposition party in Tanzania)
CSOs	Civil Society Organisations (non-governmental and not-for-profit organisations)
CUF	Civic United Front, (the opposition party in Tanzania)
EAC	East African Community (a sub-regional body for East African Countries).
ECOWAS	Economic Community of West African States (a sub-regional body for West African countries).
EISA	Electoral Institute and Sustainable Democracy in Africa, an election and democracy NGO based in South Africa
EU	European Union (a political and economic union of European countries aimed at fostering integration and cooperation.

FBOs	FBOs Faith Based Organisations (are groups, denominations, or institutions guided and influenced by specific belief systems, such as Christianity, Islam, Bahá'í, Judaism, Hinduism, or traditional spiritual practices.)
GPI	Global Peace Index (a report on the state of global peace, released every year).
GSoD	Global State of Democracy (a democracy index released annually).
IEBC	Independent Electoral and Boundaries Commission, (the electoral management body for the Republic of Kenya)
IEC	Electoral Commission of South Africa
INEC	Independent National Electoral Commission for the United Republic of Tanzania. It is a newly established electoral body to replace the old NEC, which came into force from 7 th March, 2024.
International IDEA	The International Institute for Democracy and Electoral Assistance
KANU	Kenya African National Union, a nationalist party in Kenya, founded in 1960 and in power from 1963 to 2002.
KAS	Konrad Adenauer Stiftung, a German Political Foundation with its headquarters are in Berlin, represented internationally through 111 offices across 80 countries
MCP	Malawi Congress Party, the Malawian nationalist party formed in 1959, which was in power from 1963 to 1994

NCCR-MAGEUZI	National Convention for Construction and Reform-Mageuzi (an opposition party in Tanzania)
NEC	National Electoral Commission for Tanzania, the old electoral body replaced by INEC in March, 2024
NGOs	Non-Governmental Organizations (not-for-profit, non-state actors with formal leadership structures, results oriented and with designed interventions guided their objectives)
ORPP	Office of the Registrar of Political Parties in Tanzania, (a public institution mainly responsible for the registration of political parties in Tanzania)
REDET	Research and Education for Democracy in Tanzania (a unit under the Department of Political Science and Public Administration at the University of Dar es Salaam. Its main purpose is to conduct researches on democracy, promote democratic governance in Tanzania and provide civic education to citizens)
SADC	Southern African Development Community (a sub-regional body for Southern African countries, although it also includes other countries)
TAA	Tanganyika African Association (a political organization formed in 1929 in Tanganyika, it was later transformed into a national political party known as TANU for demanding freedom)
TANU	Tanganyika African National Union, a nationalist party in Tanzania, formed in 1954. TANU later merged with the Afro-Shirazi Party (ASP) to form CCM in 1977.

- TCD** Tanzania Centre for Democracy (TCD) is a non-governmental organization (NGO) founded by parliamentary political parties on July 5, 2005, and officially registered in 2006. It was established to serve as a cross-party platform for parliamentary parties to collaborate in building and strengthening a culture of multiparty democracy through dialogue, consultation, strategizing, and implementing an agenda for democratic development.
- TEC** Tanzania Episcopal Conference, (the Assembly of Catholic Bishops in Tanzania)
- TEMCO** Tanzania Election Monitoring Committee (a consortium under the leadership of REDET established in 1994 by civil society organisations for the purpose of monitoring elections in Tanzania. Despite being accredited for monitoring all the multiparty elections in Tanzania since its establishment, NEC denied it accreditation for monitoring the 2020 general election)
- UN** United Nations (an international organization founded in 1945 after World War II. Its primary purpose is to promote international cooperation, maintain peace and security, and foster friendly relations among nations)
- UNIP** United National Independence Party, a Zambian nationalist party founded in 1959, which held power from 1964 to 1991.
- URT** United Republic of Tanzania
- USA** United States of America (a country located primarily in North America, consisting of 50 states)

- USAID** United States Agency for International Development. (It is the U.S. government agency responsible for administering civilian foreign aid and development assistance. Established in 1961, USAID works to promote sustainable development, alleviate poverty, and advance democracy and good governance in developing countries around the world.)
- UTP** United Tanganyika Party (a party established in February, 1956 in Tanganyika, but it was later banned in 1965)
- ZEC** Zanzibar Electoral Commission (an electoral body mandated for conducting and supervising elections in Zanzibar)

Preface

Articles 3 and 8 of the Constitution of Tanzania clearly outline democratic principles, including, but not limited to, multiparty democracy and the recognition of citizens as the ultimate source of power and authority in establishing government, with the government being accountable to the people.

Since the reintroduction of the multiparty system in 1992, Tanzania has conducted six general elections at regular five-year intervals, from 1995 to 2020. While some irregularities were detected, stakeholders were to some extent satisfied with the way the five elections (from 1995 to 2015) were conducted and supervised.

However, the 2019 local government election and the 2020 general election were marred by widespread irregularities, leading to significant dissatisfaction among stakeholders with the management and outcomes of these elections.

In response to this unacceptable situation, stakeholders used various forums to voice their concerns about these electoral irregularities and offered recommendations to prevent their recurrence in future elections.

The elevation of former Vice President Dr. Samia Suluhu Hassan to the presidency on 19th March 2021 was seen by stakeholders as a potential turning point toward democratic governance in Tanzania. After assuming office, Dr. Samia demonstrated her commitment to addressing unresolved issues around electoral mismanagement, bad governance, and the narrowing of civic and political spaces. She introduced her 4Rs philosophy—reconciliation, resilience, reforms, and rebuilding—to help heal the nation from longstanding political crises.

One key outcome of the 4Rs philosophy has been the enactment of three laws in March, 2024 aimed at enhancing electoral democracy, including the establishment of a new electoral commission, namely the Independent National Electoral Commission (INEC).

Following these legal reforms, stakeholders are now anticipating free, fair, and credible elections in the 2024 local government and 2025 general elections. Should these expectations not be met, the reforms may be seen as a misuse of resources and a disregard for stakeholders' recommendations.

Acknowledgement

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Secondly, TEC expresses gratitude to the electoral management bodies—IEBC in Kenya and IEC in South Africa—for their assistance during data collection in July and August 2023. TEC also thanks IEBC Commission Secretary Mr. Marjan Hussein Marjan, who visited Tanzania to participate in the stakeholders' meeting on 17th November 2023. His candid contributions and reflections on electoral democracy in Africa were received with appreciation.

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CHAPTER ONE

INTRODUCTION AND BACKGROUND TO DEMOCRATISATION PROCESS IN AFRICA

Overview

In the late 1980s and early 1990s, a powerful global movement for democratic change swept across African nations, many of which had established single-party political systems after gaining independence in the 1960s. A majority of newly independent African states banned or abolished opposition parties soon after achieving political freedom. Various reasons were cited to justify single-party rule, among them the belief that colonial rule had not been democratic and that the fragile nature of these young nations—comprised of numerous tribes with diverse languages and cultures—called for a one-party system to maintain national unity. Given these precarious beginnings, post-independence leaders often concentrated power in a few hands or in a single leader, who then ruthlessly suppressed both real and perceived opposition. This authoritarian approach in turn fostered conditions for military coups. Ironically, post-colonial single-party leaders often resembled the very colonial rule they had fought against.

This context helps explain the democratization wave that spread across Africa. While some argue that external forces engineered this agenda, the push for democratization largely stemmed from internal demands for a freer, more competitive political environment. If former colonial powers had once governed undemocratically, why would they suddenly champion democracy? Ultimately, post-colonial

leaders found themselves forced to embrace multiparty systems, caught between external pressures and domestic demands for reform.

Some examples illustrate this shift:

- In Tanzania, the ruling party CCM decided to reintroduce multiparty politics in 1992 during the late President Ali Hassan Mwinyi's administration. This decision was informed and influenced by the 1991 Nyalali Report.
- In Kenya, multiparty politics were introduced in 1991 when the ruling party KANU, led by the late President Daniel Arap Moi, permitted it.
- In Zambia, opposition parties were officially recognized by the ruling UNIP under the late President Kenneth Kaunda.
- In Malawi, multiparty democracy was adopted through a referendum in 1993, during the late President Kamuzu Banda's rule under the Malawi Congress Party (MCP).
- In South Africa, the first multiparty democratic elections were held in 1994, in which the ANC won a majority in the National Assembly, hence assumed the presidency.

Despite adopting multiparty politics, the ruling parties resisted this shift, having enjoyed unchallenged political dominance for years. In single-party systems, elections were mere formalities to rotate a few faces in power, so the introduction of multiparty politics created divisions within ruling parties, splitting them between those opposed to and those in favour of the change. Many of those in favour broke away to form opposition parties, while ruling parties developed strategies to retain power in the new political landscape, sometimes through intimidation, persecution of opposition leaders, and election rigging. This resistance to losing power has led to enduring issues in electoral democracy across Africa, with ruling parties often using undemocratic means to retain control.

Countries where the opposition has succeeded in ousting ruling parties, like Zambia, Kenya, Malawi, and Ghana, have generally become more democratic than those still governed by long-standing incumbent parties, such as Tanzania, Uganda, Rwanda, Burundi, and Mozambique.

Movement Towards Independent Electoral Commissions in Africa

With the adoption of multiparty systems across Africa in the 1990s, the focus shifted toward building robust democratic institutions, particularly independent electoral commissions, to support and sustain democratic governance. However, as many countries reluctantly embraced multiparty politics under external pressure, ruling parties were slow to implement the constitutional and legal reforms necessary to create a truly democratic environment. Political parties were often registered merely to create the appearance of multiparty democracy, but they operated with restricted freedoms to campaign and win elections.

Despite claiming to be democratic, the nationalist ruling parties that remain in power have devolved into authoritarianism. They employ various tactics to interfere with the growth and maturity of multiparty and electoral democracy. In countries where nationalist parties have lost power through democratic means, the political context has improved.

As a result, ruling parties continue to dominate the political landscape and elections, much as they did under the single-party system. While the political framework changed in theory, the practices remained the same—old wine in a new bottle. Ruling parties continue to engage in political intimidation and mistreatment, similar to authoritarian regimes. Despite this, the demand for strong, independent, and capable democratic institutions, particularly electoral commissions, has remained steadfast.

While progress has been slow in some countries, others have made significant strides in strengthening their electoral commissions and

democratic institutions. Notable improvements have been seen in South Africa, Ghana, Zambia, Malawi, Kenya, Mauritius, Senegal, Namibia, and Botswana, where electoral commissions have gained greater independence and capacity to manage free, fair, and credible elections and uphold democratic principles.

It is now time for Tanzania to learn from these growing democracies in Africa and embrace the need for free, fair, and credible elections to promote and sustain peace, social cohesion, and socio-economic development.

Nature and Classification of Electoral Management Bodies in Africa.

Many electoral management bodies (EMBs) in Africa have emerged over the past three decades, following the adoption of multiparty systems. This shift marked a step toward constitutional and legal reforms that led to the establishment of democratic institutions, particularly electoral commissions. These bodies play a critical role in fostering democracy and are essential for maintaining values such as freedom, peace, unity, cohesion, and competitive politics. In Africa, electoral commissions are classified into three major categories: state-controlled, semi-autonomous, and independent electoral commissions.

A: State-Controlled Electoral Commissions

- Function similarly to a single-party system, aligning with the interests of the ruling party.
- Operate with a top-down approach, often favouring the ruling party and government of the day.
- Receive directives from the government, with commissioners appointed by the President, which makes them accountable primarily to the President.
- Utilize civil servants to carry out functions and are restricted in their engagement with other stakeholders.

- Report to a minister appointed by the government, rather than to the parliament.
- Examples include electoral commissions in Tanzania, Burundi, Rwanda, Uganda, Mozambique, Angola, Chad, Cameroon, Equatorial Guinea, etc

B: Semi-Autonomous Electoral Commissions

- Have some independence, allowing them to make certain decisions without top government oversight.
- Are often in a transitional phase, moving toward becoming fully independent commissions.
- Examples include electoral commissions in Malawi and Zambia.

C: Independent Electoral Commissions

- Operate without interference from government bodies.
- Commissioners are appointed through a competitive, merit-based process, with appointments vetted openly and fairly.
- Do not take orders from the government; instead, they function based on their legal mandates.
- Have authority to hire permanent and temporary staff based on merit, maintain independence, and work freely with stakeholders.
- Are funded by the reliable sources of income from national treasury and report to the National Assembly.
- Examples include the IEBC in Kenya, ECG in Ghana, and IEC in South Africa.

CHAPTER TWO

HISTORICAL BACKGROUND, LEGAL, AND POLITICAL CONTEXTS OF MULTIPARTY AND ELECTORAL DEMOCRACY IN TANZANIA, KENYA, AND SOUTH AFRICA

Early Multiparty System in Tanzania

Tanzania briefly operated a multiparty system from the 1950s until 1965, with parties competing for seats in the Legislative Council of Tanganyika (now Tanzania's Parliament). The country's first three elections were held in 1958, 1960, and 1962, featuring prominent parties such as the Tanganyika African National Union (TANU), United Tanganyika Party (UTP), African National Congress (ANC), and the All-Muslim National Union of Tanganyika (AMNUT). In each of these elections, TANU won by a landslide, thereby securing considerable political legitimacy.

After independence in 1961, three additional political parties were registered:

- People's Convention Party (PCP), established in 1962
- African Independence Movement (AIM), established in 1963
- People's Democratic Party (PDP), established in 1963

NOTE: In 1965, all six parties were unfairly abolished, except for the ruling party, TANU.

The registered political parties in Zanzibar were:

- Zanzibar Nationalist Party (ZNP), formed in 1955;
- Afro-Shirazi Party (ASP) formed in 1957;
- Zanzibar and Pemba People's Party (ZPPP) formed in 1959 and;
- Umma Party formed in 1963.

NOTE: All the three parties were banned immediately after revolution, except the ASP, which led the revolution on 12th January, 1964.

Transition to a Single-Party System

In July 1965, Tanzania's one-party interim constitution formalized single-party rule, with TANU as the ruling party on the mainland and ASP in Zanzibar. In the 1965 general election, TANU's presidential candidate, Mwalimu Julius Nyerere, ran unopposed. Voters were given the option of selecting between a photo of Nyerere and a blank box (shadow) as a protest. During the election, Nyerere received 2,410,903 "YES" votes (96.46%) and 88,600 "NO" votes (3.54%), reflecting some public dissatisfaction with the single-party system. Subsequently, constitutional amendments cemented Tanzania as a one-party state.

Return to Multiparty Democracy

In response to international pressure after the Cold War, Tanzania's second-phase government, under President Ali Mwinyi, formed a commission in 1991 to gather public opinion on reintroducing a multiparty system. Chaired by former Chief Justice Francis Nyalali, the commission presented its findings in 1992, recommending a multiparty system, even though only 21.5% of the sample population supported it. Other recommendations included creating a federal government with three branches (Union, Tanganyika, and Zanzibar) and abolishing 40 laws deemed oppressive to multiparty politics.

In February 1992, the CCM National Conference endorsed the Nyalali Report's recommendations, leading to the disbandment of CCM branches within the armed forces, civil service, and public institutions. The same year, Parliament passed the Political Parties Act, which established the Office of the Registrar of Political Parties to handle party registration.

Several amendments to Tanzania's constitution followed, solidifying the country's identity as a democratic, secular, and multiparty state (Article 3). Tanzania now holds elections at two levels: local government and general elections every five years. In general elections, citizens vote for three types of candidates: the President, members of Parliament representing constituencies, and ward councillors representing wards.

Political Parties in Tanzania

Since the reintroduction of a multiparty system in 1992, Tanzania has been under the same party, CCM, which led the independence movement. Despite a name change from TANU to CCM in 1977, the country has remained under the same party for more than **70 years**. Today, there are 19 fully registered political parties. The number would exceed 20, but some parties were deregistered by the Registrar of Political Parties. For example, in November 2016, three parties—Chama cha Haki na Ustawi (**CHAUSTA**), African Progressive Party of Tanzania (**APPT-Maendeleo**), and **Jahazi Asilia**—were deregistered due to non-compliance, particularly for failing to submit annual financial statements. Tanzania has held six multiparty general elections, each held at five-year intervals, with CCM emerging victorious at all levels. However, the opposition has not conceded these election results.

Table 1: List of Fully Registered Political Parties in Tanzania.

S/N.	Name of the Party	Abbreviation /Acronym	Date of Registration	Registration Number
1.	Chama cha Mapinduzi	CCM	01 st July, 1992	0000001
2.	The Civic United Front (CUF-Chama cha Wananchi)	CUF	21 st January, 1993	0000002
3.	Chama cha Demokrasia na Maendeleo	CHADEMA	21 st January, 1993	0000003
4.	Union for Multiparty Democracy	UMD	21 st January, 1993	0000004
5.	National Convention for Construction and Reform	NCCR - Mageuzi	21 st January, 1993	0000005
6.	National League for Democracy	NLD	21 st January, 1993	0000006
7.	United Peoples' Democratic Party	UPDP	4 th February, 1993	0000008
8.	National Reconstruction Alliance	NRA	8 th February 1993	0000009
9.	African Democratic Alliance Party	ADA - TADEA	5 th April, 1993	00000011
10.	Tanzania Labour Party	TLP	24 th November, 1993	00000012

S/N.	Name of the Party	Abbreviation /Acronym	Date of Registration	Registration Number
11.	United Democratic Party	UDP	24 th March, 1994	00000013
12.	Chama cha Demokrasia Makini	MAKINI	15 th November, 2001	00000053
13.	Democratic Party	DP	7 th June, 2002	00000057
14.	Sauti ya Umma	SAU	17 th February, 2005	00000066
15.	Alliance for African Farmers Party	AAFP	03 rd November, 2009	00000067
16.	Chama cha Kijamii	CCK	27 th January, 2012	00000079
17.	Alliance for Democratic Change	ADC	28 th August, 2012	00000080
18.	Chama cha Ukombozi wa Umma	CHAUMMA	4 th June, 2013	00000081
19.	Alliance for Change and Transparency	ACT - Wazalendo	5 th Mei, 2014	00000083

Source: Office of the Registrar of Political Parties (ORPP) in Tanzania (https://www.orpp.go.tz/publication_categories/list-of-parties)

Hindrances facing Tanzania's Electoral System

- i. Questionable Independence of the Electoral Commission: The autonomy of the electoral commission remains uncertain as commission members of INEC, who supervise, coordinate elections, and announce election results, are appointed by the President, who also leads the ruling party and is a candidate. Additionally, returning officers are senior civil servants appointed by the President, and many are affiliated with the ruling party, affecting the commission's impartiality.
- ii. Executive Powers in the Constitution: The Constitution, which originated from a single-party system, grants substantial power to the President. Despite 14 amendments since 1977, it does not adequately promote a competitive multiparty democracy.
- iii. Low Confidence in the Electoral Commission: Voters and candidates lack confidence in challenging decisions made by the Electoral Commission, particularly regarding disputed results because they believe that it won't any good outcome.
- iv. Weak Public Institutions: The absence of strong, independent public institutions hampers the development and sustainability of democracy.
- v. Voter Apathy Among Youth: Youth apathy contributes to low voter turnout.
- vi. Weak Civil Society Organizations: Civil society organizations are generally weak, limiting their ability to hold the government accountable and raise citizen awareness about electoral justice and democratic governance.
- vii. Election Rigging Allegations: There are serious allegations that the Electoral Commission rigs election results in favour of the ruling party.
- viii. Mistreatment of Opposition Candidates: Opposition candidates are sometimes mistreated or unlawfully disqualified.

- ix. Limited Transparency in Vote Counting: Opposition party agents are often not allowed to observe vote counting on election day.
- x. Unequal Political Landscape: The ruling party has advantages in resources and support, leading to an unbalanced political environment.
- xi. State Apparatus Used for Intimidation: State apparatus, particularly the police, are used to intimidate, arrest, and harass opposition candidates, especially around election campaigns.
- xii. Funding Constraints for Opposition Parties: Limited financial support hampers the activities of opposition parties, with the ruling party receiving the largest share of government subsidies due to its majority in parliamentary and local government seats.
- xiii. Media Bias: State-owned media fail to provide equal airtime and space for all candidates during elections.
- xiv. Opposition Boycotts: Opposition parties occasionally refuse to participate in elections, citing a lack of legal grounds.
- xv. Long-Established Ruling Party: The ruling party's longstanding history allows it continued access to state resources.
- xvi. Fear of losing power has led the ruling party to fall into the trap of using illegal, undemocratic and inhuman means of retaining power.

Kenya's Democratization Context

Having experienced a single-party system for a long time, Kenya has faced challenges in establishing democratic governance, constitutionalism, and an independent electoral system. The Kenya African National Union (KANU) ruled for 40 years, from 1963 to 2002. Like many nationalist political parties, KANU claimed credit as the founder of independence and portrayed itself as the guardian of peace and unity, which sometimes led to authoritarianism and human rights violations.

Kenya's journey towards reform was particularly challenging during the presidency of Daniel Arap Moi (1978–2002), which centralized power and discouraged citizen participation. While the multiparty status was reinstated in 1991, it took Kenyans 39 years to democratically remove KANU from power.

The 2002 general election marked a turning point when President Mwai Kibaki won the presidency as an opposition candidate, ending KANU's rule. This victory symbolized hope for democracy, leading to greater debate and demand for constitutional and electoral reform. However, reforms were slow, and after a disputed 2007 election, which resulted in widespread violence, reform became inevitable. Over 1,000 people lost their lives in post-election violence, prompting both national and international intervention to restore peace.

Measures taken to Establish an Independent and Democratic Electoral System in Kenya

- i. Independent Review Commission (IREC): Formed to investigate the 2007 General Elections, particularly the presidential election. Chaired by Justice Johann Kriegler, the commission recommended a revised legal framework and a more independent electoral commission.
- ii. Criminal Investigations of Political Figures: Key figures involved in post-election violence were investigated by the International Criminal Court (ICC).

- iii. Public Awareness: Efforts were made to raise awareness among the public about constitutional and electoral commission weaknesses.
- iv. Political Coalitions: Political parties formed coalitions to increase their effectiveness during elections.
- v. Unified Agenda Among Stakeholders: Civil society, religious organizations, and the media worked together to advocate for a new constitution and an independent electoral body.
- vi. Learning from Other African Nations: Kenya drew lessons from other African countries that had progressed in democratization.
- vii. Constitutional Reform: The 2010 Kenyan Constitution was written with input from various stakeholders.
- viii. Establishment of IEBC in 2011: An independent electoral body was formed to manage elections impartially.

South Africa's Democratization Context

South Africa endured nearly 50 years of apartheid and authoritarian rule from 1948 to 1994, during which racial discrimination and inequality were legally enforced. The apartheid regime violated fundamental freedoms and human rights, and the political system oppressed black South Africans and other marginalized groups. Despite this brutal regime, the demand for freedom and democratic governance persisted, led by figures like Nelson Mandela, who was imprisoned for 27 years. Tanzania's President Julius Nyerere, among other African leaders, provided support to liberation movements, offering asylum and training camps.

Democratization Process in South Africa

- i. Liberation Movements: These groups were formed to challenge apartheid and promote democracy.
- ii. Formation of Armed Wings: Armed wings of liberation movements fought for freedom both within and outside South Africa.
- iii. International Pressure: The international community pressured the apartheid regime through sanctions and other measures.
- iv. Peaceful Negotiations: Nelson Mandela and President Frederik Willem de Klerk engaged in peaceful negotiations from 1989 to 1994, eventually ending apartheid.
- v. Release of Nelson Mandela: Mandela was freed in 1990, setting the stage for democratic reform.
- vi. Formation of an Independent Electoral Commission: In 1993, an electoral commission was created to manage the country's first democratic elections.
- vii. New Constitution: South Africa's new Constitution included a Bill of Rights and democratic principles.

- viii. Election of Nelson Mandela: Mandela was elected as South Africa's first black President in 1994, laying a foundation for inclusive governance.
- ix. Truth and Reconciliation Commission: The TRC, chaired by Archbishop Desmond Tutu, addressed human rights abuses, promoting national healing.

Challenges Facing South Africa's Electoral System

- i. Voter Apathy: There is significant voter apathy, particularly low participation among youth, which impacts overall voter turnout and reflects disinterest or disillusionment with the political process.
- ii. Declining Voter Turnout: South Africa has seen a decrease in voter turnout in parliamentary elections, from **73.48%** in 2014 to **66.05%** in 2019. This decline suggests growing voter dissatisfaction or disengagement from the political system.
- iii. Widening Socioeconomic Gap: The increasing economic inequality in South Africa has a negative impact on the strength of multiparty democracy. For many voters, elections appear ineffective in addressing their economic challenges, contributing to voter apathy.

NOTE: These challenges underscore the need for continued efforts to engage citizens, especially the youth, and to address socioeconomic inequalities that influence voter perceptions and participation in South Africa's electoral system.

CHAPTER THREE

COMPARATIVE ANALYSIS OF ELECTORAL COMMISSIONS IN TANZANIA, KENYA, & SOUTH AFRICA

All three electoral commissions—INEC, IEBC, and IEC—are well established within their respective countries' legal frameworks, particularly through national constitutions and parliamentary acts. The commissions are recognized as autonomous public institutions that do not receive directives, orders, or instructions from any government agency, political party, or any persons.

Table 2: Legal Establishments of INEC, IEBC and IEC.

INEC-Tanzania	IEBC-Kenya	IEC-South Africa
Constitution of Tanzania of 1977 Article 74. (1) There shall be an Electoral Commission of the United Republic which shall consist of the following members to be appointed by the President:	Constitution of the Republic of Kenya of 2010 Article 88. (1) There is established the Independent Electoral and Boundaries Commission. Article 81. The electoral system shall comply with the following principles—	Constitution of the Republic of South Africa of 1996 Article 181. (1) The following state institutions strengthen constitutional democracy in the Republic of South Africa:

INEC-Tanzania	IEBC-Kenya	IEC-South Africa
<p>Article 74</p> <p>(7) For the better carrying out of its functions, the Electoral Commission shall be an autonomous department, and its chief executive shall be the Director of Elections, who shall be appointed and shall discharge duties in accordance with a law enacted by Parliament.</p> <p>(11) In discharging its functions in accordance with the provisions of this Constitution, the Electoral Commission shall not be obliged to comply with orders or directions of any person or any government department or the views of any political party.</p>	<p>(e) free and fair elections, which are— (i) by secret ballot; (ii) free from violence, intimidation, improper influence or corruption; (iii) conducted by an independent body;</p> <p>(iv) transparent; and</p> <p>(v) administered in an impartial, neutral, efficient, accurate and accountable manner.</p> <p>Section 26 of the Independent Electoral and Boundaries Commission Act, No. 9 of 2011 states that except as provided in the Constitution, the Commission shall, in the performance of its functions, not be subject to the direction or control of any person or authority but shall observe the principle of public participation and the requirement for consultation with stakeholders.</p>	<p>(f) The Electoral Commission.</p> <p>(2) These institutions are independent, and subject only to the Constitution and the law, and they must be impartial and must exercise their powers and perform their functions without fear, favour or prejudice.</p> <p>(3) Other organs of state, through legislative and other measures, must assist and protect these institutions to ensure the independence, impartiality, dignity and effectiveness of these institutions.</p> <p>(4) No person or organ of state may interfere with the functioning of these institutions.</p>

INEC-Tanzania	IEBC-Kenya	IEC-South Africa
<p>(12) No court shall have power to inquire into anything done by the Electoral Commission in the discharge of its functions in accordance with the provisions of this Constitution.</p>		<p>(5) These institutions are accountable to the National Assembly, and must report on their activities and the performance of their functions to the Assembly at least once a year</p> <p>Other reference: Electoral Commission Act 51 of 1996</p> <p>Section 3. (1) There is an Electoral Commission for the Republic, which is, independent and subject only to the Constitution and the law, (2) The Commission shall be impartial and shall exercise its powers and perform its functions without fear, favour or prejudice</p>

Structure and Composition of the Commissions in Tanzania, Kenya, and South Africa.

The structure and composition of the three electoral management bodies—INEC, IEBC, and IEC—are similar, as they all consist of the oversight and governing organ—the Commission and the Secretariat responsible for day to day performance of the functions of the Commission. The Secretariats, which consist of the permanent staff of all the commissions, are extended from the national level to the local level, except for the INEC Secretariat, which is confined to the national level only. This makes the INEC Secretariat resemble a central body without a presence on the ground where elections are conducted.

The Chief Executive Officers (CEOs) of IEBC and IEC are appointed by their respective commissions through an open and competitive process, unlike the CEO of INEC. Both IEBC and IEC recruit their permanent staff based on merit. In contrast, the staff of INEC, including its CEO, are recruited from senior civil servants, with the CEO appointed by the President from among these senior civil servants. Therefore, it is likely that the Director of Elections at INEC may be loyal to the appointing authority—the President. This situation raises concerns about the independence and integrity of INEC.

Table 3: Structure and Composition of INEC, IEBC and IEC.

INEC-Tanzania	IEBC-Kenya	IEC-South Africa
<p>The Commission is composed of the Commission with seven members and the Secretariat.</p>	<p>The Commission is composed of the Commission with 7 commissioners and the Secretariat</p>	<p>The Commission composed of the Commission with 5 commissioners and the Secretariat</p>
<p>The Commission consists of</p> <ul style="list-style-type: none"> ✓ A Chairman ✓ A Vice-Chairman ✓ 5 other Members 	<p>The Commission consists of</p> <ul style="list-style-type: none"> ✓ A Chairperson ✓ 6 other Commissioners 	<p>The Commission consists of</p> <ul style="list-style-type: none"> ✓ A Chairperson ✓ A Vice-Chairperson ✓ 3 other Commissioners
<p>The Secretariat of the Commission operates only at the national level and is headed by the Director of Elections, supported by a few other staff members.</p>	<p>The Secretariat of the Commission is headed by the Commission Secretary/CEO at the national level.</p> <p>The Secretariat is extended to the county and constituency levels.</p>	<p>The Secretariat of the Commission is headed by the Chief Electoral Officer at the national level.</p> <p>The Secretariat is extended to the provincial, regional, and local levels.</p>
<p>Sources: Article 74 (1) and (2) of the Constitution of Tanzania of 1977, and Sections 5, 19 (4), and 20 (1-2) of the Law of the Independent National Electoral Commission, Act No. 2 of 2024.</p>	<p>Sources: Articles 88 and 250 of the Constitution of Kenya of 2010, and Sections 5 and 11 of the Independent Electoral and Boundaries Commission Act, No 9 of 2011</p>	<p>Sources: Article 191 of the Constitution of the Republic of South Africa, 1996, and Sections 6, 8 and 12 of the Electoral Commission Act 51 of 1996</p>

Appointment Process for Commissioners/Members of the Commission in Tanzania, Kenya, and South Africa.

An electoral body is a crucial institution for safeguarding peace, stability, national cohesion, and accountable governance. Therefore, its governing body-the Commission must be appointed through a transparent, fair, competitive, and rigorous vetting process conducted by independent institutions to ensure the integrity, qualifications, and capability of its members. In Kenya and South Africa, the appointment process for commission members is carefully structured to uphold these standards. However, in Tanzania, the process appears shorter and heavily influenced by the executive branch-the President. This due to the fact that, the Interview Committee responsible for selecting commission members is formed by the President, with committee members taking their oaths before the President. Everything starts and ends to the President. For having an independent Commission, the President was not supposed to be the initiator of the process of appointing Commission members neither the determinant of the composition of the Interview Committee. In this context, the Interview Committee is accountable to the President because he/she is the one who forms it rather than any independent institution or the general public, and its members are civil servants.

Table 4: Appointment Process of Commissioners/Members of the Commission in INEC, IEBC and IEC.

INEC-Tanzania	IEBC-Kenya	IEC-South Africa
<ul style="list-style-type: none"> • The Commission consists of 7 members. • The Chairperson and Vice Chairperson of the Commission are appointed by the President of the United Republic of Tanzania from two names proposed by the Interview Committee. • The remaining five members/ commissioners are selected through an interview conducted by the Interview Committee. • The Interview Committee prepares a list of 9 candidates from which the President appoints 5 members. 	<p>The Commission has 7 Commissioners, all appointed through a competitive selection process as follows:</p> <ul style="list-style-type: none"> • A Selection Panel of seven members is appointed. • A public announcement of the commissioner vacancies is made for all qualified Kenyans. • Interested candidates submit their applications to the Selection Panel. • All applicants are interviewed by the Panel. • Shortlisted candidates are submitted to the National Assembly for vetting. • Vetted candidates are then forwarded to the President for appointment. 	<p>The Commission has 5 Commissioners, all appointed through a competitive application process as follows:</p> <ul style="list-style-type: none"> • A Selection Panel is appointed, chaired by the President of the Constitutional Court of the Republic of South Africa and composed of members from public institutions responsible for strengthening electoral democracy, as outlined in Articles 181-194 of the Constitution. • A public announcement of the commissioner vacancies is made to all qualified South African citizens.

INEC-Tanzania	IEBC-Kenya	IEC-South Africa
	<ul style="list-style-type: none"> Appointed commissioners take an oath before commencing their official duties and responsibilities. 	<ul style="list-style-type: none"> Interested candidates submit their applications to the Selection Panel. All applicants are interviewed by the Panel. Shortlisted candidates are submitted to the Committee of the National Assembly for vetting. Vetted candidates are then forwarded to the President for appointment. Appointed commissioners take an oath before beginning their official duties and responsibilities.
<p>Sources: Article 74 (1) & (2) of the Constitution of Tanzania of 1977; Sections 5, 9 (7), and 9 (8) of the Law of the Independent National Electoral Commission, Act No. 2 of 2024.</p>	<p>Sources: Section 35 of the Independent Electoral and Boundaries Commission Act, No. 9 of 2011, First Schedule: Procedure for Appointment of Chairperson and Members of the Commission.</p>	<p>Sources: Article 191(1) of the Constitution of the Republic of South Africa, 1996, Sections 6 and 8 of the Electoral Commission Act 51 of 1996.</p>

Terms of Office for Electoral Commissioners/Commission Members in Tanzania, Kenya, and South Africa

Table 5: Terms of Office for Commissioners/Commission Members for INEC, IEBC and IEC.

INEC-Tanzania	IEBC-Kenya	IEC-South Africa
5 years only	6 years only	7 years with an opportunity for reappointment.
<p><i>Constitution, Article 74 (4) Subject to the other provisions of this Article, a member of the Electoral Commission shall cease to be a member whenever any of the following occurs - (a) upon the expiration of five years since his appointment;</i></p> <p><i>Other reference: Section 8(1) of the Law of the Independent National Electoral Commission, Act No. 2 of 2024</i></p>	<p><i>Reference: Independent Electoral and Boundaries Commission Act, No 9 of 2011</i></p> <p><i>Section (1) The members of the Commission shall be appointed for a single term of six years and shall not be eligible for re-appointment.</i></p> <p><i>(2) The members of the Commission shall serve on a full-time basis.</i></p>	<p><i>Reference: Electoral Commission Act 51 of 1996</i></p> <p><i>Section 7(1) The term of office of a member of the Commission is seven years unless-(c) the President, on the recommendation of the National Assembly, extends the member's term of office for a specified period</i></p>

Recruitment Process for Permanent of Staff of the Electoral Commissions in Tanzania, Kenya, and South Africa.

INEC faces challenges in performing its core functions, particularly voter registration and election management, due to insufficient human resources at lower levels. It relies on civil servants, whereas the IEBC and IEC have permanent staff at various levels to carry out their core functions. Additionally, both IEBC and IEC have the authority to recruit both permanent and temporary staff when needed, especially during voter registration and elections. The quality and quantity of staff and resources significantly impact the independence and effectiveness of the Commission’s services.

Table 6: Recruitment Process of Permanent Staff of INEC, IEBC and IEC.

INEC-Tanzania	IEBC-Kenya	IEC-South Africa
<ul style="list-style-type: none"> • The Commission has staff only at the national secretariat. • The Secretariat is composed of 6 departments, 1 Zanzibar office, and 3 sections. • The Director of Elections, who is the chief executive officer of the Commission, is the head of the National Secretariat. 	<ul style="list-style-type: none"> • The Commission has qualified and experienced permanent staff at the national, county, and constituency levels. • The Commission recruits both permanent and temporary staff through an open and competitive process. 	<ul style="list-style-type: none"> • The Commission has qualified and experienced permanent staff at the national, provincial, regional, and local levels. • The Commission recruits both permanent and temporary staff through an open and competitive process.

INEC-Tanzania	IEBC-Kenya	IEC-South Africa
<ul style="list-style-type: none"> • The Director of Elections is appointed by the President and takes an oath before the President. • The National Secretariat of the Commission consists of civil servants only. • The Commission does not have offices at lower levels; instead, it appoints civil servants such as City Directors, Municipal Directors, Town Directors, District Executive Directors, and other senior civil servants to supervise and coordinate elections. 	<ul style="list-style-type: none"> • All staff, including the Commission Secretary/CEO, are recruited by the Commission through an open, transparent, and competitive process. 	<ul style="list-style-type: none"> • All staff, including the Chief Electoral Officer, are recruited by the Commission through an open, transparent, and competitive process.
<p>Sources: Article 74 (7) of the Constitution of the United Republic of Tanzania; Sections 17, 18, 19, and 20 of the Law of the Independent National Electoral Commission, Act No. 2 of 2024</p>	<p>Source: Section 11(1) & (2) of the Independent Electoral and Boundaries Commission Act, No. 9 of 2011.</p>	<p>Source: Sections 5(2) and 12(1)-(6) of the Electoral Commission Act 51 of 1996.</p>

Core functions of the Electoral Commissions in Tanzania, Kenya, and South Africa as outlined by their legal frameworks.

The core functions of the three electoral bodies are nearly identical, but INEC does not have the mandate to conduct referendums or recruit its permanent staff, unlike the IEBC and the IEC.

Table 7: Core functions of INEC, IEBC and IEC.

INEC-Tanzania	IEBC-Kenya	IEC-South Africa
<ul style="list-style-type: none"> • Voter registration • Voter education • Nomination of candidates • Conducting, supervising, and coordinating elections for the President, Members of Parliament, and Councillors • Delimitation of constituency and ward boundaries • Settlement of electoral disputes • Declaration/ announcement of election results 	<ul style="list-style-type: none"> • Recruitment of staff, both permanent and temporary • Voter registration • Voter education • Settlement of electoral disputes • Conducting, supervising, and coordinating referenda and elections for the Presidency, Governor, Senators, Women Representatives, Members of the National Assembly (MNAs), and Members of the County Assembly (MCAs) 	<ul style="list-style-type: none"> • Recruitment of staff, either permanent or temporary • Conducting and supervising elections for national, provincial, and municipal legislative bodies • Voter registration • Voter education • Settlement of electoral disputes • Announcement of election results

INEC-Tanzania	IEBC-Kenya	IEC-South Africa
<p>Note: The mandate of INEC does not cover referendums or the recruitment of its permanent staff, and it requires approval from the President of Tanzania for the demarcation of constituency boundaries.</p>	<ul style="list-style-type: none"> • Responsible for conducting and supervising elections for any elective body or office established by the Constitution • Registration of candidates for elections, including both political party and independent candidates • Announcement of election results 	
<p>Sources: Articles 74 (6), 75, and 78 of the Constitution of Tanzania (1977); Section 10 (1)(a-k) of the Law of the Independent National Electoral Commission, Act No. 2 of 2024</p>	<p>Sources: Articles 82, 83, 84, 85, 86, 87, 88 (4), (5), 89 (2), (3), (8) of the Constitution of Kenya, 2010; Section 4 of the Independent Electoral and Boundaries Commission Act, No. 9 of 2011</p>	<p>Sources: Article 190 (1)(2) of the Constitution of the Republic of South Africa; Section 5 of the Electoral Commission Act 51 of 1996.</p>

Visibility and Decentralization of Electoral Commissions in Tanzania, Kenya, and South Africa

The number of permanent staff in the electoral commissions (NEC, IEBC, and IEC) reflects their independence and capacity to carry out core functions and operations. Comparatively, the NEC has the fewest staff, which makes it heavily reliant on civil servants. This raises concerns about its autonomy and effectiveness.

Table 8: Visibility and Decentralization of INEC, IEBC and IEC.

Levels	Electoral Commissions		
	INEC in Tanzania	IEBC in Kenya	IEC in South Africa
Level One	The National Secretariat is headed by the Director of Elections/CEO	The National Secretariat is headed by the Commission Secretary/CEO	The National Secretariat is headed by Chief Electoral Officer (CEO)
Level Two	-	-	Permanent Commission Staff at the Provisional level
Level Three	-	Permanent Commission Staff at the Country level	Permanent Commission Staff at the Regional level
Level Four	-	Permanent Commission Staff at the Constituency level	Permanent Commission Staff at the Local level
Number of the permanent staff of the commission as of December, 2023	More than 10 staff	More than 900 staff	More than 1000 staff

Source: Available and shared data, 2023 and 2024

Complaints regarding the Integrity, Capacity and Impartiality of the Electoral Commissions in Tanzania, Kenya, and South Africa.

The increase in complaints from stakeholders indicates dissatisfaction with the overall performance and management of elections by INEC (formerly NEC). This highlights the need for comprehensive reforms in the Commission’s legal framework and practices for conducting and supervising elections.

Table 9: Complaint rate regarding INEC, IEBC, and IEC.

Independent National Electoral Commission (INEC), Tanzania	Independent Electoral and Boundaries Commission (IEBC), Kenya	Electoral Commission of South Africa (IEC)
HIGH	LOW	NEGLIGIBLE
<ul style="list-style-type: none"> • Voters, opposition parties, civil society organizations (CSOs), and other important stakeholders express doubts about the Commission’s capacity, integrity, and independence. • Many stakeholders believe that the Commission operates in favour of the ruling party. 	<ul style="list-style-type: none"> • In Kenya, the general election includes six elective positions: the president, governor, senator, women representative, member of the national assembly (MNA), and member of the county assembly (MCA). 	<ul style="list-style-type: none"> • There are no significant complaints regarding the Commission’s capacity, integrity, or independence in conducting and overseeing free, fair, and credible elections.

HIGH	LOW	NEGLIGIBLE
<ul style="list-style-type: none"> • The Commission faces accusations of bias during elections, particularly during the nomination process, where opposition candidates are allegedly disqualified without legal grounds. • The situation worsened during the 2020 general election, when nearly all opposition candidates lost, even in traditional opposition strongholds. • Opposition party agents were reportedly denied fair access to polling stations. • The final presidential election results announced by the Commission cannot be legally challenged, even in a court of law. • The opposition has consistently refused to concede defeat in elections 	<ul style="list-style-type: none"> • Experience shows that election results are generally conceded in five of these positions, with the presidency being the main exception. • The electo rate and candidates generally have confidence in the Commission. • There are few significant complaints from voters or candidates about election rigging at lower levels. • The Commission demonstrates both capacity and transparency in its operations, with high levels of stakeholder involvement throughout the election cycle and processes. • Party agents, election observers, and monitors are granted access to participate in the electoral processes 	<ul style="list-style-type: none"> • Voters, candidates, and other stakeholders have confidence in the system used by the Commission for voter registration, vote counting, and the announcement of election results.

Source: Assessment made by election stakeholders during the interviews conducted in year 2023 & 2024.

Criteria for an Independent Electoral Commission

The following are the generally accepted qualities of an independent electoral commission:

i. Legal establishment of the Commission

The commission must be established within a legal framework, particularly through the Constitution and relevant legislation. It must be clearly defined as an independent institution, with authority and powers to execute its functions without interference from the government or state agencies. Its powers and functions should not overlap with those of other government departments.

ii. Clear and Functional Tiers for Effective Internal Accountability

The commission should have two layers of governance. The first layer consists of the commissioners or members, who play an oversight role, while the second layer consists of the staff, recruited based on merit, who handle the day-to-day operations of the commission.

Important qualities of the commissioners/members of the top organ of the commission include:

- They must work on a full-time basis.
- They are recruited through an open, and competitive process.
- They are subject to public scrutiny.
- They must undergo a vetting process by accountability organs such as parliament.
- They must be free from government instructions and directives.
- They serve as the governing body and the final decision-making organ of the commission.

Minimum qualifications for the permanent staff of the commission:

- Staff may work on a full-time or part-time basis.
- They are recruited by the commission itself through an open, accountable, and competitive process.
- Recruitment is based on merit and qualifications, not on their prior positions in public service.
- They are responsible for the effective execution of the commission's functions.
- They must consistently prove to be free from the conflict of interest especially party interests
- They must ensure that the commission's services are open, reliable, visible, and accessible to all stakeholders.

iii. Adherence to the Rule of Law

The commission must operate based on the rule of law. Its decisions and actions must adhere strictly to the constitution, legislation, regulations, policies, and guidelines. The commission must work within the established legal framework and is never expected to act based on convenience or the personal judgment of its commissioners or staff.

iv. Stakeholder Participation in the Decision-Making Process

The commission must actively promote stakeholder participation at all stages of the decision-making process. Its decisions must be informed by the inputs, opinions, perspectives, and suggestions of relevant stakeholders. The commission should consult stakeholders before making major decisions that will affect them.

v. Financial Independence of the Commission

The commission must have a separate budget line that is not subject to fluctuations in government expenditures or revenue collection. The commission's budget should be approved by Parliament and should not be included under the budget of any ministry or state department.

vi. Transparency and Accountability of the Commission

The commission must operate in an open and transparent manner in all its decisions and operations. It must have robust internal and external accountability systems in place. Staff must be held accountable for their actions within the commission, and the commission's systems, processes, and expenditures should be audited by independent firms hired through a competitive process.

vii. Openness to Criticism

Every decision made by the commission must be open to questioning and criticism, either through the commission's decision cycles or through the courts. The commission's decisions and actions must never be considered final and conclusive. They should always be open to challenge by any party dissatisfied with the outcome.

viii. The use of Appropriate, Reliable, and User-Friendly Technology

The electoral commission is supposed to use appropriate, reliable, error-free, user-friendly, and certified technology in its operations, such as for voter registration, vote counting and tallying, result verification, and the announcement of results.

Table 10: Assessment of INEC, IEBC and IEC based on recognized Criteria for Independent Electoral Commissions.

No.	Criteria	INEC-Tanzania	IEBC-Kenya	IEC-South Africa
1.	Legal establishment of the Commission	5	5	5
2.	Having clear and functional structures of the Commission from National to Local level.	1	5	5
3.	Adherence to the rule of law	1	4	4
4.	Stakeholders' participation in decision-making process	1	4	4
5.	Financial freedom of the Commission	1	2	5
6.	Transparency and accountability of the Commission	1	4	4
7.	Open for criticism	1	4	4
8.	The use of friendly, appropriate and competent technology in conducting its operations.	1	4	5
	Maximum: 40 points	12 points	32 points	36 points
	Percentage (100%)	30%	80%	90%

Rating Scale: 1-5 per criterion, whereby 1= poor, 2= fair, 3= good, 4= Very good, 5= excellent

Source: Comparative assessment made by interview participants between year 2023 & 2024.

Lessons from Kenya and South Africa

Wisdom dictates that we learn from those who have gone before us. It is evident that Kenya and South Africa have made significant progress in establishing strong democratic institutions, particularly their electoral commissions. Tanzania can draw valuable lessons from these countries, especially in building a functional, independent electoral commission and other public institutions dedicated to promoting and safeguarding democratic governance and culture.

The following lessons are applicable to Tanzania:

i. Independence of the IEBC and IEC in the management of elections.

The independence of the IEBC and IEC in managing free, fair, and credible elections at all stages is protected by their respective countries' constitutions, legislations, and independent public institutions.

ii. Competitive Appointment Process for Election Commissioners

In Kenya and South Africa, election commissioners apply for their positions, are publicly interviewed by a Selection Panel, and vetted by the National Assembly before the final appointment by the President. The President does not initiate or select commissioners directly, unlike in Tanzania.

iii. Merit-Based Appointments

Commissioners are appointed based on qualifications and experience, free from favouritism, patronage, or party affiliations. This foundation strengthens the Commission's independence and ensures professional and impartial conduct as mandated by the Constitution, legislation, and regulations.

iv. Staff Appointments on Merit

The IEBC and IEC are fully empowered to appoint both permanent and temporary staff based on merits.

v. **Funding Independence**

The IEBC and IEC receive their funds directly from the treasury after approval by the National Assembly.

vi. **Freedom from Government Interference**

The IEBC and IEC do not receive instructions or directives from government officials or agencies.

vii. **Accountability to the National Assembly**

The IEBC and IEC are accountable to the National Assembly, not to any government minister, department, or agency.

viii. **Mandate to Conduct All Elections**

The IEBC and IEC are legally authorized to conduct and supervise general and by-elections at all levels.

ix. **Online Voter Registration**

Both commissions offer an online voter registration platform, allowing voters to register at their convenience.

x. **Commitment to Continuous Improvement**

The IEBC and IEC are “learning commissions” that strengthen and improve systems, regulations, and operations based on stakeholder recommendations and lessons from each election.

xi. **Stakeholder Cooperation**

The IEBC and IEC cooperate openly with domestic and international stakeholders while safeguarding their independence and impartiality.

xii. **Voter Education Accreditation**

Both commissions guarantee accreditation to stakeholders providing voter education.

- xiii. **Ample Time for Voter Registration and Nominations**
Adequate days are allotted for voter registration and candidate nominations.
- xiv. **Access for Party Agents, Media, and Observers**
Party agents, media, and election observers have assured access to polling stations on voting day.
- xv. **Sufficient Election Materials**
Adequate election materials are supplied at all polling stations on voting day.
- xvi. **Minimizing Voter Wait Times**
By establishing enough polling stations, the IEBC and IEC ensure voters spend minimal time in queues.
- xvii. **Legal Grounds for Candidate Disqualification**
Candidates are disqualified only on legal grounds, such as not being registered voters, lacking party endorsement, or failing to pay the nomination fee, not for minor errors.
- xviii. **Adequate Staffing at Polling Stations**
Both commissions deploy sufficient staff to polling stations on voting day.
- xix. **Election Results Sharing**
Party or independent candidate agents may share results posted at polling stations.
- xx. **Limited Police Role**
Police officers are restricted from interfering in the election process on voting day. Their core duty is to ensure security and maintain peace.

xxi. Decentralized Operations

The IEBC and IEC have decentralized structures with staff and offices at lower administrative levels.

xxii. Commitment to Fair and Credible Results

Both commissions are dedicated to delivering free, fair, and credible election outcomes.

xxiii. Transparency in the Electoral Process

The IEBC and IEC maintain transparency across electoral cycles, involving stakeholders and the public in all actions. Information is shared on websites, in the media, and on social networks.

xxiv. Ongoing Capacity Building

Both commissions invest in capacity building through staff training and study trips to improve operations and election management.

IMPORTANT PHOTOS TAKEN DURING THE STUDY TRIPS TO KENYA AND SOUTH AFRICA BETWEEN JULY AND AUGUST 2023



IEBC CEO Mr. Marjan Hussein Marjan (in the red tie) handing the IEBC strategic plan to Rev. Fr. Dr. Charles Kitima after a meeting with the commission staff at the IEBC headquarters in Anniversary Towers, Nairobi City



IEBC CEO Mr. Marjan Hussein Marjan (in the middle with a red tie) handing important election materials to Rev. Fr. Dr. Charles Kitima after an interview with the commission staff at the IEBC headquarters in Nairobi City



IEBC staff (in red ties) handing election materials to the research team from TEC after the successful interview at the IEBC headquarters in Nairobi.



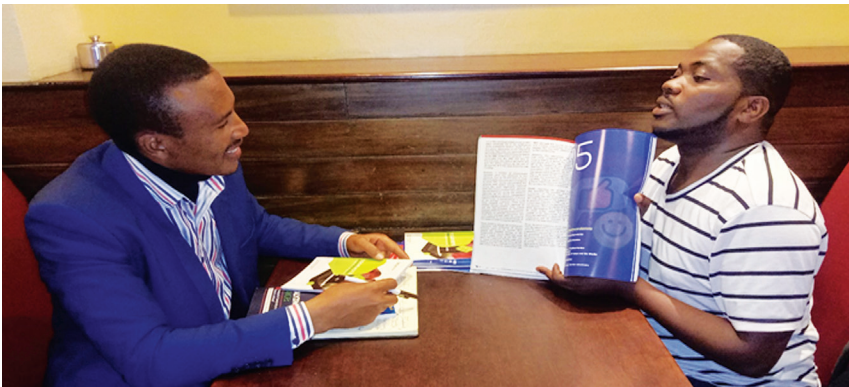
IEBC staff in Nairobi County and the research team from TEC after the successful interview with the commission staff.



Ms. Mary Wangare Macharia, a Kenyan graduate, youth, voter sharing her practical experience regarding the 2022 Kenya general elections. The interview focused on voter registration, voter education, youth participation in elections, nomination, election campaign, preparation of polling stations, staff at the polling stations, availability of election materials at the polling stations, voting procedures during election day, announcement of election results at Ward, Constituency, and County level and post-election phase



Mr. Robertson Kabucho (in a red coat), a Kenyan voter and stakeholder in a CSO, sharing his experiences and insights with the research assistant, Mr. Uzima Justin Milele, regarding the 2022 Kenya general elections. The interview focused on voter registration, voter education, party primaries, nominations, election campaigns, preparation of polling stations, staffing at polling stations, availability of election materials, voting procedures on election day, announcement of election results at the ward, constituency, and county levels, the capacity and independence of the IEBC in supervising elections, and the post-election phase.”



Mr. Kelvin Njenga, a leader of the youth organization (ECJ&P), displaying election materials used during voter education, along with analysis and observation reports from his organization regarding the 2022 General Elections in Kenya.



Mr. Kelvin Njenga (in a white t-shirt), a Kenyan citizen, voter, and Programme Manager at the Ecumenical Centre for Justice and Peace (ECJ&P), who participated in voter education at the national level, sharing his observations, insights, and recommendations regarding the 2022 Kenya General Elections.



A research assistant, Mr. Uzima Justin Milele (in the middle with a note book and pen), interviewing petty traders, famously known as Mama Mboga, who are Kenyan citizens and eligible voters, about their practical experiences during the 2022 Kenya general elections. The interview focused on voter registration, voter education, party primaries, nominations, election campaigns, preparation of polling stations, staffing at polling stations, availability of election materials, voting procedures on election day, announcement of election results at the ward, constituency, and county levels, and the post-election phase.



A research assistant, Mr. Uzima Justin Milele (standing and writing in a notebook), asking questions to motorbike riders (famously known as bodaboda), who are Kenyan citizens and eligible voters, about their practical experiences during the 2022 Kenya general elections. The interview focused on voter registration, voter education, party primaries, nominations, election campaigns, preparation of polling stations, staffing at polling stations, availability of election materials, voting procedures on election day, announcement of election results at the ward, constituency, and county levels, and the post-election phase.



Rev. Fr. Dr. Charles Kitima (in a light blue shirt) welcomes IEBCE CEO Mr. Marjan Hussein Marjan (wearing a skullcap) at the stakeholder report validation meeting held on November 17, 2023, at TEC headquarters in Kurasini, Dar es Salaam.



Dr. Holger Dix (left), KAS Director for the Regional Programme on Political Dialogue for Sub-Saharan Africa, and Rev. Fr. Dr. Charles Kitima (right), the Secretary General of the Tanzania Episcopal Conference (TEC), reflecting critically on the future of multiparty and electoral democracy in South Africa and Africa at large. The photo was taken after an in-depth interview at the KAS Office, 60 Hume Road, Northlands, Johannesburg, in August 2023.



Mr. Thabo Masemula (right), the Provincial Electoral Officer for Gauteng, and Mr. Uzima Justin Milele (left), the research assistant, in a photo taken after a key informant interview on electoral management in South Africa. The photo was taken at the Gauteng Electoral Commission Office, 1st Floor, Old Trafford IV, Isle of Houghton, Parktown, in August 2023.



From left: Dr. Holger Dix (KAS Director), Rev. Fr. Dr. Charles Kitima (TEC Secretary General), Mr. Uzima Justin Milele (Research Assistant), and Mr. Nathan Mukoma (KAS Programme Coordinator). The group photo was taken after the meeting at the KAS Office in Johannesburg in August, 2023.



Discussions and experience-sharing by EISA staff on the management of elections in South Africa. The discussion was led by the team leader, Rev. Fr. Dr. Charles Kitima (in a light blue shirt). The photo was taken at the EISA Head Office, 14 Park Rd, Richmond, Auckland Park, Johannesburg, in August 2023.

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Rev. Fr. Dr. Charles H Kitima (PhD)



Mr. Uzima Justin Milele

With the adoption of multiparty systems across Africa in the 1990s, the focus shifted toward building robust democratic institutions, particularly independent electoral commissions, to support and sustain democratic governance. However, as many countries reluctantly embraced multiparty politics under external pressure, ruling parties were slow to implement the constitutional and legal reforms necessary to create a truly democratic environment. Political parties were often registered merely to create the appearance of multiparty democracy, but they operated with restricted freedoms to campaign and win elections.

Despite claiming to be democratic, the nationalist ruling parties that remain in power have devolved into authoritarianism. They employ various tactics to interfere with the growth and maturity of multiparty and electoral democracy. In countries where nationalist parties have lost power through democratic means, the political context has improved.

As a result, ruling parties continue to dominate the political landscape and elections, much as they did under the single-party system. While the political framework changed in theory, the practices remained the same—old wine in a new bottle. Ruling parties continue to engage in political intimidation and mistreatment, similar to authoritarian regimes. Despite this, the demand for strong, independent, and capable democratic institutions, particularly electoral commissions, has remained steadfast.

While progress has been slow in some countries, others have made significant strides in strengthening their electoral commissions and democratic institutions. Notable improvements have been seen in South Africa, Ghana, Zambia, Malawi, Kenya, Mauritius, Senegal, Namibia, and Botswana, where electoral commissions have gained greater independence and capacity to manage free, fair, and credible elections and uphold democratic principles.

It is now time for Tanzania to learn from these growing democracies in Africa and embrace the need for free, fair, and credible elections to promote and sustain peace, social cohesion, and socio-economic development.

