



International Foundation
for Electoral Systems

Elections in Zambia

2021 General Elections

Frequently Asked Questions

Africa

International Foundation for Electoral Systems

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Frequently Asked Questions

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When is Election Day?

Zambia's elections for president, members of the National Assembly, mayors, and council chairpersons and counselors will be held on August 12, 2021. As specified in the constitution, elections in Zambia are held every five years on the second Thursday of August.

What are citizens voting for on Election Day?

Registered Zambian voters will have the opportunity to choose from 16 presidential candidates from the following parties: Patriotic Front, United Party for National Development, Third Liberation Movement, Socialist Party, Party of National Unity and Progress, United National Independent Party, United Prosperous and Peaceful Zambia, Movement for Multiparty Democracy, Economic Progress, Democratic Party, Leadership Movement, Zambia United for Sustainable Development, National Restoration Party, New Heritage Party, People's Alliance for Change and Economic Freedom Fighters.

In addition, 810 candidates are running for 156 of the 167 seats of the National Assembly that are elected by direct vote.¹ At the local level, 420 candidates are contesting for mayoral seats and as municipal council chairpersons. Elections will also be held for 116 district councils and for counselors in over 1,600 wards.

Why are these elections important?

Zambia has long been a regional model of stability and peace, as demonstrated through its history of successful multiparty politics. However, the country's peaceful transitions have been under threat recently. This change can be attributed in part to election-related violence, corruption and rising inequality as political and economic power has become increasingly limited to wealthy elites. This, coupled with high public debt and inflation in the country, has further exacerbated societal unrest and economic discord.²

Zambia's democratic challenges have been compounded by the application of the country's Public Order Act, which is perceived as partisan and limiting freedom of association and speech. Enforcement of the Public Order Act has been backed by force, which has in turn contributed to increased violence from both the state and political party cadres.³ The pre-election period was also marked by a deterioration in press freedom, with several media outlets shut down by order of Zambia's Independent Broadcasting Authority (IBA), diminishing the

¹ One seat is allocated to the vice president who is elected alongside the president on the national ballot. The speaker and first deputy speaker are elected by the members of Parliament. And, per Article 68 (2b) of the Constitutional Amendment Act of 2016, the eight remaining seats of the National Assembly are filled through presidential appointment.

² <https://www.usaid.gov/zambia/democracy-human-rights-and-governance#:~:text=For%20the%20past%2030%20years,threaten%20this%20relative%20historic%20stability.&text=Between%20these%20issues%2C%20there%20are,democratic%20governance%20and%20fiscal%20reforms>

³ <https://issafrica.org/amp/iss-today/can-anyone-stop-zambias-slide-into-authoritarianism>

broadcast of impartial information on the electoral process.⁴ On April 8, 2020, for example, the government closed Prime Television, which was seen as critical of the government.

As with the previous elections, the 2021 elections will take place in a politically charged environment, due in part to the controversy over incumbent President Edgar Lungu's eligibility to run again as a presidential candidate. A president is allowed to serve only two terms in Zambia.⁵ However, on June 11, 2021, the Constitutional Court ruled that Lungu did not complete a full term when he was elected after the death of President Michael Sata in 2015 and thus is eligible to run again.

The 2021 elections offer an opportunity for Zambia to build a stronger and more credible election process in the face of current division and democratic backsliding. Moreover, these elections will be a test of Zambia's democratic institutions, including the Electoral Commission of Zambia, the judiciary and political parties. The elections are an important opportunity for Zambia to renew its obligation to adhere to international norms and standards, including holding free, fair and credible elections.⁶

When is the campaign period?

The campaign period for the Zambian general elections began on May 14, 2021, and will end on August 11.⁷ The Official Nomination Centre opened on May 17 and closed on May 20, 2021, after which the Electoral Commission of Zambia announced that 16 candidates had been cleared to contest for the presidency in the August 12 elections.⁸

Have there been any challenges during the election campaign?

In mid-June 2021, the Electoral Commission of Zambia (ECZ) suspended the campaigns of the ruling party (Patriotic Front) and the main opposition party (United Party for National Development) in the districts of Lusaka, Mpulungu, Nakonde and Namwala due to continued political violence.⁹ The ECZ modified the ruling on June 28, lifting campaign restrictions in three districts and revising the suspension of in-person campaigning in Lusaka.¹⁰ Despite the violence, the government and the ECZ repeatedly assured stakeholders that they are determined to deliver free, fair and credible elections in 2021.

⁴ <https://globalvoices.org/2016/08/24/independent-tv-station-and-two-community-radio-stations-suspended-amid-disputed-elections-in-zambia/#>

⁵ Term limits are defined by Article 106(6) of the Constitutional Amendment Act of 2016.

⁶ These include the African Charter on Democracy, Elections and Governance; the Southern African Development Community Principles and Guidelines Governing Democratic Elections; and the International Covenant on Civil and Political Rights.

⁷ <https://www.elections.org.zm/2021/02/26/2021-general-election-calendar/>

⁸ <https://www.elections.org.zm/2021/05/20/ecz-chairperson-justice-esau-e-chulu-closes-2021-general-election-nomination-centre>

⁹ <https://www.elections.org.zm/2021/06/15/speech-by-the-chief-electoral-officer-mr-kryticous-patrick-nshindano-during-a-media-briefing-held-on-tuesday-15th-june-2021-held-at-elections-house/>

¹⁰ <https://www.elections.org.zm/2021/06/28/speech-by-the-chief-electoral-officer-mr-kryticous-patrick-nshindano-during-a-virtual-briefing-held-on-tuesday-28th-june-2021-held-at-elections-house/>

The COVID-19 pandemic has affected the rollout of traditional campaigns, including the ECZ's decision to suspend road shows and political rallies and to limit door-to-door campaign activities to a maximum of three people. This decision followed a report from the technical committee advising on the escalating COVID-19 situation in the country. Following the report's release, the ECZ held a political party consultative forum that endorsed recommendations to suspend political campaigns. The decision is to be reviewed once the COVID-19 situation in Zambia improves.

What is the electoral system?

All seats are elected through the first-past-the-post system, with the exception of the president and vice president, who are elected by simple majority. The winning presidential candidate and his or her running mate must receive more than 50 percent of the valid votes cast (50 percent plus one).¹¹ If no presidential candidate receives more than 50 percent of valid votes, a second round must be held within 37 days of the first election.¹² Only the two candidates receiving the highest number of valid votes cast will be candidates in the second-round election.¹³

What is the legal framework governing these elections?

The overarching national principles that govern Zambian elections are contained in the country's constitution, including Part III, Bill of Rights, and Part V, Electoral System and Process. Article 45 outlines assurances that the electoral process must uphold, including the free exercise of political rights; universal suffrage; fair representation; free, fair and peaceful elections; and independence of the electoral process.

Other legislation that governs the Electoral Commission of Zambia and the elections includes:¹⁴

- Electoral Process Act No. 35 2016 (this act also contains the Electoral Code of Conduct in the schedule section);
- Electoral Commission Act No. 25 of 2016 and Electoral Commission Act (amendment) Act No. 5 of 2019; and
- Referendum Amendment Act No. 25 of 2015.

Various statutory instruments regulate the electoral process, such as:

- Electoral (General) Regulations;
- Electoral (Registration of Voters) Regulations 2020;
- Electoral Process (Voter Education) Regulations 2021; and
- Electoral Process (Enforcement; Code of Conduct) Regulations 2016 and 2019.

In addition, to protect democratic rights and freedoms, Zambia has ratified the Universal Declaration of Human Rights; International Covenant on Civil and Political Rights; Convention on the Elimination on All Forms of Discrimination Against Women; International Convention on

¹¹ Article 47 of Constitutional Amendment Act of 2016.

¹² Article 101 (3) of Constitutional Amendment Act of 2016.

¹³ *Ibid.*

¹⁴ <https://www.elections.org.zm/about-ecz/legal-framework/>

All Forms of Racial Discrimination; and International Covenant on Economic, Social and Cultural Rights. The government also ratified the African Charter on Democracy, Elections and Governance and is a signatory to the Southern African Development Community Principles and Guidelines Governing Democratic Elections.

What is the election management body? What are its powers?

The election management body is the Electoral Commission of Zambia (ECZ), established in 1996. As outlined in Article 229 (2) of the Constitutional Amendment Act of 2016, the ECZ is responsible for implementing and conducting electoral processes, including referendums; registering voters; settling minor electoral disputes; regulating the conduct of voters and candidates; accrediting observers; delimiting boundaries; and other prescribed obligations.

The ECZ consists of a chairperson, vice chairperson and up to three commissioners appointed by the president, subject to ratification by the National Assembly. The chairperson and commissioners constitute the policymaking body. The commission appoints a director, who is its chief executive officer and is responsible for the implementation of commission decisions.¹⁵

Who is eligible to run as a candidate?

Article 100 of the Constitutional Amendment Act of 2016 states that a presidential candidate must be a citizen and resident of Zambia, at least 35 years old, a registered voter, have completed grade 12 or equivalent and be fluent in English, the official language. Candidates must also have proof of paid taxes, declare assets and liabilities, pay the required election fees and be supported by at least 100 registered voters in each of the country's 10 provinces.

A person is disqualified from nomination as a candidate for president if he or she holds dual citizenship, is a judge, holds constitutional office, was removed from public office for misconduct or served a prison sentence within the last five years.

Similar criteria are in place for parliamentary candidates; however, there is no residency requirement. Parliamentary candidates must be at least 21 years of age and have support from 15 registered voters within the constituency.¹⁶

Are there reserved seats for women? What is the gender balance within the candidate list?

There are no reserved seats for women in the National Assembly; however, Article 69 of the Constitutional Amendment Act of 2016 allows the president to nominate up to eight persons to enhance gender representation in the National Assembly, and Article 45 states that the electoral system shall ensure gender equity in the National Assembly.

¹⁵ <https://www.elections.org.zm/about-ecz/establishment/composition/>

¹⁶ Article 70 of the Constitutional Amendment Act of 2016.

In this election, there is one female candidate (out of 16) for president, and five female running mates. Data for candidates for the National Assembly, mayoral, chairperson and counselor races have not yet been disaggregated by gender and shared publicly.

Who can vote in these elections?

Voters must be over 18 years old and present a voter registration card and a green national registration card to vote in the general elections. Although incarcerated individuals were previously barred from voting, a landmark 2020 Constitutional Court decision extended the right to vote to citizens who are currently incarcerated. As of December 2020, 11,000 inmates from across the country were registered.¹⁷

How many registered voters are there?

At the time of reporting, there were 7,023,499 registered voters.¹⁸ Of those, 3,751,040 (53.4 percent) are female and 3,272,459 (46.6 percent) are male.¹⁹ A total of 3,035,417 (43.2 percent) registered voters verified their details during a recent voter registration exercise.²⁰

Were there any sensitivities of note in the voter registration process?

The abolition of the Zambian voter registry in 2020 required all citizens to reregister ahead of the 2021 elections. This requirement was previously applicable only to first-time voters; persons who had lost or needed to replace their voter card; and those who wished to change a constituency, ward, district or polling station. The new voter registry was protested in Zambia, with civil society organizations and opposition political parties expressing concerns regarding the short timeframe of 38 days and the possibility that voters might be disenfranchised.²¹ The outcome of voter registration prompted the leader of the main opposition, Hakainde Hichilema, to write to the African Union and Southern African Development Community to point out discrepancies in voter registration numbers.²²

In addition, an audit of the voter register was not conducted after the registration exercise, as occurred in 2016. In a January 25, 2021, press release, the Electoral Commission of Zambia stated that it would not conduct the audit because the voter register was new and that it had addressed the concerns raised by electoral stakeholders. Electoral stakeholders were instead urged to take advantage of the voter verification exercise conducted from February 7 to May 7, 2021.²³

¹⁷ <https://www.africanews.com/2020/12/19/zambia-s-electoral-commission-registers-the-country-s-inmates-to-vote/>

¹⁸ <https://www.elections.org.zm/>

¹⁹ <https://www.elections.org.zm/wp-content/uploads/2021/05/2021-REGISTERED-VOTERS-BY-GENDER.pdf>

²⁰ <http://www.daily-mail.co.zm/final-voters-roll-ready/>

²¹ <https://theconversation.com/why-zambias-upcoming-poll-risks-tipping-the-balance-against-democracy-159730>

²² <https://www.lusakatimes.com/2021/04/01/its-disturbing-and-irrational-for-hh-to-write-to-au-and-sadc-about-the-voters-register-in-zambia/>

²³ <https://www.elections.org.zm/2021/01/25/responses-to-various-stakeholders-views/>

How many polling stations will there be?

The Electoral Commission of Zambia will open 12,152 polling stations, including 90 in prisons across the country. An estimated 73,000 individuals will be deployed to staff polling stations (an anticipated staff of seven people for each station: five trained poll workers, one usher and one police officer).

What technology will be used?

The 2021 elections will see an increased use of technology with an aim to improve record keeping and overall system integrity. The ECZ recently announced the introduction of biometric voter verification systems, noting plans to deploy 26,000 biometric verification kits.²⁴ The kits will be used to enhance the national registration information system utilizing individual photographs for facial recognition and a record of all ten fingerprints for each voter. Some concern has been expressed by civil society observers²⁵ about the capacity of voters and poll-workers alike to operate the new technology, increasing the risk of operator error and voter intimidation. Another cause for apprehension is plans to utilize kits only in larger polling stations instead of a uniform nation-wide roll-out, heightening the possibility of inconsistencies in the regional voting process²⁶.

A Results Transmission System (RTS) will communicate results from each constituency totaling center (156 constituencies) to the National Results Center in Lusaka. Each RTS kit includes a computer, scanner, printer, satellite telephone, cellular telephone and extra battery. As official result forms arrive from each polling station, the results are entered into a computer program and sent to the National Results Center. Before the systematic encryption and transmission of results for each polling station, a scan of the original polling station results forms must be attached. The system has a built-in control to detect errors in aggregation; unless results are entered correctly, transmission is not possible. To ensure all data entry is accurate, it is possible for election monitors and agents of political parties to cross-check results at the polling station and constituency levels. To transmit the information to the National Results Center, a combination of satellite and cell phone service is used. All results are also faxed to the National Results Center to ensure accurate transmission.

What are the campaign expenditure and donation limits?

The Electoral Act (2006) includes no provisions on campaign expenditure and donation limits. While the Societies Act, under which political parties are registered, requires parties to disclose their financial records to the Registrar of Societies, it does not place restrictions on how money is raised or spent.²⁷ The Registrar of Societies is not obliged to disclose records unless it believes it is in the interest of party members to do so. At present, transparency and

²⁴ <https://www.lusakatimes.com/2020/04/02/ecz-awards-16-million-dollar-2021-biometric-voter-registration-contract-to-smartmatic/>

²⁵ [Five things to watch in the Zambian elections - The Mail & Guardian \(mg.co.za\)](#)

²⁶ [Five things to watch in the Zambian elections - The Mail & Guardian \(mg.co.za\)](#)

²⁷ Article 19 of The Societies Act 1958.

accountability for raising and spending funds is almost wholly in the hands of the party structures themselves.²⁸

How is the election management body protecting the elections and voters from COVID-19?

A technical committee was appointed to study modalities for holding the 2021 general elections during the COVID-19 pandemic. Membership of the committee is drawn from various ministries, including Health, Information and Broadcasting, Local Government and Education. Representatives from the Police Service, the Zambia Centre for Inter-Party Dialogue and other organizations participated.²⁹ The committee issued standard operating procedures for numerous elements of the electoral process, including the payment of nomination fees, certification of the Register of Voters, nominations, campaigns, voting and post-election reviews.³⁰

Throughout the electoral process, general protective measures will include the use of thermo scanners to take voters' temperatures, use of face masks and sanitizer (provided to election officials by the Electoral Commission of Zambia), disinfection of electoral equipment, physical distancing of one meter and development of election education materials.³¹

How will Election Day security be ensured?

At least one unarmed police officer will be present at every polling station to maintain law and order, provide security for ballot boxes and accompany the presiding officer to the totaling center where counting takes place.

What provisions are in place to support the equal rights of women, persons with disabilities and other marginalized groups?

There are no quotas to provide for equitable representation of women, persons with disabilities or other marginalized groups, leading to underrepresentation of these groups in Zambian politics.³² A lack of financial means and adequate education often limit the participation of women and people with disabilities from participating as candidates and in politics.³³

²⁸ <https://www.eisa.org/wep/zamparties2.htm>

²⁹ <https://www.elections.org.zm/2021/04/19/the-technical-committee-to-look-at-modalities-of-holding-the-2021-general-election-amid-the-covid-19-pandemic-is-holding-its-third-meeting-running-from-19th-to-20th-april-2021/>

³⁰ <https://www.elections.org.zm/2021/05/07/political-parties-adhere-to-the-guidelines-recommended-by-the-technical-committee-on-covid-19-judge-chulu/>

³¹ https://drive.google.com/file/d/1stDsmhc28EWb4fdNIQyWdCXHDqRJfaBb/view?fbclid=IwAR35-m_g4nDoGU3UZOBH8kkwW5Kjd2ys5RP8nIrljQ2oZf5NPAPhegF2w4ZQ

³² British Council "Encouraging female participation in Zambian politics": <https://www.britishcouncil.org/partner/international-development/news-and-events/march-2018/Women-are-perceived-that-they-should-be-at-home>

³³ Chikwanda Katongo 'Female Political Representation in Zambia: A Study of Four Political Parties' Policies and Perspectives on Party Gender Quotas and Reserved Seats Adoption' (2017): <http://dspace.unza.zm/bitstream/handle/123456789/5268/MAIN%20DOCUMENT.pdf?sequence=1&isAllowed=y>

The Electoral Process Act provides for the traditional form of voting at a polling station on Election Day. Although this is the most widely used method of voting, it can limit access for some voters, including those with disabilities, as there are no specific provisions to ensure equal access for all voters to polling stations. However, people who are unable to vote at a polling station on Election Day due to physical disability are allowed to request a special vote according to Article 48 of the Electoral Process Act of 2016. Voters with disabilities or any others in need of assistance may also be accompanied at a polling station by a friend, relative or the presiding polling officer. Any person providing assistance (apart from a presiding officer) must be at least 18 years old and possess a green national registration card.³⁴

Is out-of-country voting allowed?

Out of country voting is not allowed.

Who can observe during Election Day? How can observers obtain accreditation?

Elections in Zambia are open to observation and monitoring by both international and local organizations. Accreditation is granted by the Electoral Commission of Zambia and allows entry to observe the proceedings at nomination centers, polling stations and totaling centers.³⁵ Observers are issued identity cards that they must display while observing. They are ordinarily drawn from the regional and international community, with domestic observers generally representing civil society. International organizations that have been invited to observe the 2021 elections include the South African Development Community, African Union, European Union, Commonwealth Secretariat, The Carter Center, Common Market for Eastern and Southern Africa and Council of the Great Lakes Region.³⁶ Observer accreditation is ongoing at the time of publication. Domestic civil society organizations that are expected to observe include the Christian Churches Monitoring Group.³⁷

Where are vote counting and tabulation held? When will official results be announced?

Vote counting is conducted at each polling station immediately after the closure of polls. The presiding officer or assistant presiding officer and polling assistants separate the ballots for each election and count the votes in the presence of accredited political party agents, monitors, observers and the media. Unaccredited observers are not permitted to witness the counting at polling stations.³⁸

³⁴ <https://www.elections.org.zm/elections/> and Article 61 of the Electoral Processes Act, 2016

³⁵ <https://www.elections.org.zm/accreditation/>

³⁶ <https://www.lusakatimes.com/2021/06/01/zambia-is-determined-to-hold-a-credible-election-that-will-be-accepted-by-the-people-and-observers-wina/>

³⁷ <https://ccmgzambia.org/>

³⁸ <https://www.elections.org.zm/elections/>

The presiding officer or assistant presiding officer records the votes for each candidate for that polling station or polling stream.³⁹ The accredited political party agents, monitors, observers and media have the option of signing a form formally confirming that the results are accurate and that votes have been counted correctly, and copies of the form are given to each accredited person present at the polling station at the time of counting.

Once polling station totals are confirmed, the results are transported to a totaling center, where the returning officer is responsible for adding up results from all polling stations in a constituency as they are received. The totaling of results is done in front of accredited political party agents, election monitors, observers and the media. When all polling station results have been added, the returning officer declares the winners of National Assembly, mayor or chairperson, and counselor elections. Presidential results are also announced but not declared. Results are then transmitted electronically to the National Results Centre in Lusaka.⁴⁰

The Electoral Commission of Zambia announces the results of the presidential race at the National Results Centre as they are received from the constituencies. Once all presidential results are received from all constituencies, the commission chairperson, who is the presidential election returning officer, declares the candidate who receives more than 50 percent of the valid votes cast during the election as president-elect.⁴¹ Should no candidate receive more than 50 percent of the valid votes, a second round will be held within 37 days of the first election.⁴²

How will the Electoral Commission of Zambia track the status of all polling stations?

The Electoral Commission of Zambia will establish election support centers at the national, provincial, district and constituency levels to monitor logistics and election-related risks to enable it to respond promptly to any challenges related to elections.

At each level, a call center will contact each polling station in its province, district and constituency every two hours to check on the deployment of materials the night before, opening and closing of the station, counting of ballots and arrival of results at the Constituency Totaling Center. Callers will note issues at the polling stations, such as insufficient materials received, poll workers not showing up for a shift or cases of violence. The status of each polling center and any incidents are reported periodically to the National Election Support Center, which will analyze data, track trends and initiate responses to support polling stations.

³⁹ A polling stream is a subdivision of a polling station that has over 950 registered voters to speed up voting. <https://www.elections.org.zm/2018/06/01/press-release-polling-station-stream-allocation-chilanga-parliamentary-and-6-councillor-by-elections/>

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

⁴² Article 101 (3) of the Constitutional Amendment Act of 2016.

How will election disputes be adjudicated?

Candidates may submit an election petition regarding a dispute arising from the elections to a court of law or an election tribunal, depending on what the law requires.⁴³

Disputes regarding presidential elections must be taken to the Constitutional Court within seven days from the date on which first- or second-round election results are declared. The petition is heard within 14 days after it is filed.

Disputes arising from National Assembly elections must be filed in the High Court and heard within 90 days of the filing of the petition.⁴⁴

⁴³ <https://www.elections.org.zm/elections/>

⁴⁴ *Ibid.*

Resources

- [Constitutional Amendment Act of 2016](#)
- [The Electoral Processes Act, 2016](#)
- [The Societies Act, 1958](#)
- [The Electoral Commission of Zambia](#)
- [Electoral Commission of Zambia Standard Operating Procedures Against COVID-19](#)

About IFES in Zambia

Under programming funded by the United States Agency for International Development, the International Foundation for Electoral Systems (IFES) has worked with the Electoral Commission of Zambia (ECZ) to support the capacity building of provincial and district election officers, particularly in conflict management and electoral leadership. As part of this work, IFES supported the delivery of a customized training program to reduce the potential for violence in the 2021 elections. During the 2016 election, IFES supported the ECZ with the integration of election technology into the electoral process and assisted in the establishment of decentralized provincial electoral support centers to feed field operation information into the National Electoral Support Center.

Disclosure

These FAQs reflect decisions made by the Electoral Commission of Zambia as of August 2, 2021, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.

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