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Interviewee: Eric Kamwi

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JACKSON: This is November 8th, 2012. I'm here with Mr. Eric Kamwi who is the Commission Secretary at the Electoral Commission of Zambia (ECZ) in Lusaka and also head of the legal department. Mr. Kamwi, thanks for agreeing to sit with me.

KAMWI: *Thank you, Rachel. Welcome to my office and to the legal department.*

JACKSON: Thank you. I was hoping you could first tell me a little more about your background and how you came to be Commission Secretary here.

KAMWI: *I am a lawyer of thirteen years standing so I have been practicing law for the past thirteen years now. I joined the commission in 2001. That was six months before the general election held in that year. Before that I was in private practice with some colleagues. We were running a law firm. I decided to move on. That is how I came to ECZ here. I joined as Assistant Legal Counsel and over the years I moved up until eventually I became Commission Secretary in 2010 which is more like a board secretary—being the custodian of information for the commission, recorder of meetings, convener of meetings—and I give general legal advice concerning elections. Those are the issues that I basically handle in this office.*

JACKSON: Thank you. I was hoping we could start in 2001 and you could tell me about the first decisions that were made to start the Conflict Management Committee system.

KAMWI: *In 2001 there was a general feeling by the Electoral Commission of Zambia that there was a likelihood of violence and conflicts in the coming election. The stakes were so high within the opposition and the ruling party. In that election, we had eleven presidential candidates, out of whom ten were from the opposition, meaning that the competition was very high. The political parties expected change—the voters too. This was perceived in the voting pattern. We had 71% of the voters saying no—they voted for the opposition. The ruling party received only 29%.*

Now because of our electoral system, which is winner-take-all, first-past-the-post, the one that got 29% became the republican president. So before, during, and after elections, there was violence. The commission just had some interaction with the Electoral Commission Forum and also EISA (Electoral Institute for Sustainable Democracy in Africa) in South Africa. They showed the commission a model for resolving conflicts, which was the Conflict Management Committee structure.

So without amending the law, providing for the legal framework, the commission decided to introduce these committees in each of the districts. Now they were still in their infancy, so they didn't work well. They were not known—they didn't work well. It wasn't as expected. But that was the beginning as of 2001. [interruption]

So you want me to go beyond 2001?

JACKSON: I was hoping you could first tell me what were some of the initial challenges with getting the Conflict Management Committees into the districts. What were the reactions then from the political parties?

KAMWI: *The first challenge was acceptance by the stakeholders. These were new structures. They were not known. They were introduced just about three months before the general election and the stakeholders didn't appreciate them. We did*

a bit of sensitization to roll them out to the stakeholders. Then the other issue was the material for the conflict managers themselves.

We did manage to assemble a group of people per district, put them together, and train them. Now we didn't have local material as such. We relied on material developed by the South African EISA, or what was then the Electoral Institute of Southern Africa. It was not that helpful here in our country with its diverse culture. Those were the basic issues.

Then the powers—there was no legal framework upon which these committees were based. So they couldn't—they didn't have powers as such. They were merely advisory, community initiatives. They couldn't stretch themselves in terms of giving—in short, they had no teeth to bite.

JACKSON: So how did you first get the legal framework passed in the 2006 Electoral Act?

KAMWI: *With experience from the 2001 elections, stakeholders started buying into the process, into conflict management. Then we had an opportunity to review our Electoral Act. In 2006, the Zambian Electoral Act was repealed and a new one was put in place. Among the new features of the new act was conflict management, whereby the law now empowered the commission to establish Conflict Management Committees with the purpose of resolving electoral disputes and managing conflict. So the legal framework was established at that moment.*

Then the committees were given the means by which to resolve the disputes by using mediation. It became a little clearer in 2006. We also rolled out a sensitization campaign. Between 2001 and 2006, we had five years in which to do all the groundwork, in terms of the legal framework, the sensitization, and then the material development. We embarked on developing our own local material.

We did a semblance—we still didn't finish. The true Zambian material on conflict management was only developed last year before the general election. We started in 2010 and we had our own local material by June 2011.

JACKSON: So when you were trying to get the changes to the new Electoral Act passed, did the commission go to the MPs (Members of Parliament) and ask them to include conflict management? How did that work?

KAMWI: *We were part of the committee that was reviewing the Electoral Act. The government had established what was called an Electoral Reform Technical Committee, which was aimed at overhauling the entire electoral process. The commission was represented by three members and three officers. It was through that committee that we lobbied for the inclusion of mechanisms on conflict management. When the draft bill was taken to Parliament, the members of Parliament also bought into it, so it was passed as a law.*

JACKSON: Who was leading the conflict management effort at that time?

KAMWI: *Who was leading conflict management at that time?*

JACKSON: Yes.

KAMWI: *The commission has been spearheading conflict management. Now in terms of the actual leadership—the day-to-day running—the commission appointed a chairperson, one of the prominent citizens in the country, Mr. Miles Banda. So he*

was the one really heading the Conflict Management Committees. But in terms of overall support, logistics, and information, the commission was the custodian of all that and remains so now.

JACKSON: I was hoping you could tell me a little more about what factors they considered when they appointed Mr. Banda.

KAMWI: *We considered his experience in the civil service. He had a very, very long and distinguished career in the civil service. He rose up to the position of Deputy Secretary of the Cabinet. In our system, we have a cabinet and then there is the Secretary of the Cabinet. This is the person who is the custodian of cabinet information. He convenes cabinet meetings. Mr. Banda was the deputy to that person.*

We felt that if we brought him on board, the committee would benefit from his influence and his experience in managing public affairs.

JACKSON: I see. So then in 2006, those were the first elections where the committee operated under the new legal structure.

KAMWI: Yes.

JACKSON: How do you think the operations went in those elections?

KAMWI: *They were piloted very well because the new legal framework gave them confidence. When you know that you are doing something and the law backs you, you will do it with conviction. But if you are doing something out of a gentlemen's arrangement, you are not likely to be confident in your approach. In 2006, the committees were very confident. They could summon parties to a mediation process. They could compel the attendance of parties to meetings. They helped—by mediation the committees do not make the decision, they only facilitate. They help the parties to arrive at a decision.*

Then we started recording the number of disputes resolved. In 2006, I think we 76 resolved. Then in 2008, we had a presidential election because our head of state died midway in his second term. We also had a good number of cases resolved in 2008. Last year we had 275 resolved. I'm not entirely certain, but the report will show you. I hope you have been given the report.

JACKSON: Yes I have, thank you.

KAMWI: *It will show you how many cases. That also shows that in terms of record keeping, we have improved. After each general election, we get back to the districts and have them send us the number of cases they have resolved. They identify the nature of the complaint and what decision was made. We have all of that information.*

JACKSON: I was hoping you could tell me a little more about how the operations of the committees evolved over those elections.

KAMWI: *I'll go back to 2001. They operated as a gentlemen's agreement. In 2006, the legal framework was introduced that gave the committee some more legal status. They continued in 2008. In 2011, we had our own local material for conflict managers on the ground. We enhanced training. In 2001, the training was not adequate for the conflict managers. In 2006, the training was enhanced. In 2008*

and 2011, the training for the actual conflict managers was efficiently done. We had ample time to train them.

We did monitoring and evaluation for the last election in 2011. The feedback we are getting from the committees is that they feel we need to increase the number of days for the training. We currently spend three days training each district. They feel that we need to at least double the training to six or eight days. This would give them more detail about how to go about it.

JACKSON: Do you think that there are issues where they aren't receiving all the information that they need?

KAMWI: *They are receiving that information but I think the challenge is that these are seasonal committees. Once the election is over, they almost hibernate and wait until the next general election. If they are lucky, in between they could have a by-election in their constraints. Whenever there is a by-election, we resuscitate the committees. If a district never has a by-election, it means that the committee members do not meet for five years, during which time you expect them to lose some of their skills and forget some of the techniques they were taught in conflict management. The committees are tied to elections. They are seasonal. I wish there could be something to keep them going, even in between elections. In that way, we would be sharpening their skills much more.*

Then the other issue—that is a challenge now. These committees operate at the district headquarters. Like Lusaka, there are some far-flung areas. There are some wards; there are some polling stations there. The people there may experience conflicts, but they have no opportunity to come to the districts or report to the districts. So communication is a challenge to the committees.

JACKSON: When you were first setting up the system, what made you decide to use the national and the district level? I've heard some people mention that they would like to see a provincial level committee as well.

KAMWI: *We were cognizant of the fact that the national leaders of political parties would be in Lusaka, the capital city. There were certain disputes that would have to be managed at the national level. We felt that the actual elections would be done in the districts on the ground, so we needed to bring it down to the districts where the voters are, where the people are normally engaged, and where you find violence. Under the current arrangement, a province is constructed of districts so provincial committees may not be as effective. In my view, they would just introduce bureaucracy.*

JACKSON: I see. I wanted to ask if there were any particular conflicts that come to mind that you think have been particularly effectively resolved during the elections.

KAMWI: *Effectively resolved, yes. Last year, in 2011, we had cases of vote buying in some rural constituencies that were brought to the attention of the committees. Most of them were resolved. We also had instances during voter registration where some of the candidates got some voters from Lusaka and took them to their home constituencies and had them register there. A few days before elections they were again bussed from Lusaka and taken to Mpulungu, for example, a far-away district, to go and vote. The locals got wind of this information and they almost set fire to those people. It was a real scare. The committee managed to handle that issue very, very well.*

The other complaint I recall very well was in Kasama, where the former ruling party put up blue flags and blue posters to campaign. There was another organization led by a Catholic father, whose symbol was red. He also manufactured posters in red. Wherever there was a blue poster for the former ruling party, he would also put up a red one. So it was blue/red, blue/red, blue/red, all over the town. The ruling party complained to the committee and the committee managed to convince the Catholic priest to remove the red flag and the red campaign material. He did just that and the matter was resolved.

The other challenge I recall were instances where independent candidates were taking advantage of popular political parties to gain an advantage. They were using campaign posters of certain political parties. Somebody is standing as independent; they're not affiliated with any political party. Because they realize that this party is popular in their area they use the campaign material for that party. Agitated candidates also reported that. For the most part, the matters were resolved.

I must also add that there were certainly cases that were not resolved because they were serious in nature. I occasionally saw actual bodily harm: somebody's finger is broken through violence, his arm is twisted and broken through beatings, etc. The committee would see these cases but not resolve them. They would just refer them to the police. These were serious crimes and had to be reported to the State Police. There were issues like that.

Then other committees received verbal complaints. Our guidelines say that every complaint must be in writing. If you want to go to the office of the district director and say that your campaign posters have been destroyed or that your candidates and political party supporters are being harassed, that complaint will not be entertained because it is verbal. So we had cases like that that were turned away.

JACKSON: Would they come back with a written complaint?

KAMWI: *Some would, others would just disappear. The committees' mandate has to be clearly understood. They don't handle every electoral dispute. They just handle those disputes that have a bearing on violence, which can bring about violence: disputes relating to the destruction of campaign posters, destruction of political rallies, use of abusive language during the campaign, abuse of government resources, bribery, and vote buying, etc. The most serious crimes—assault with bodily harm, serious destruction of property, sabotage—the committees do not handle.*

JACKSON: How is the relationship between the committees and the police? Do you find that when they refer cases to the police that those cases are usually handled well?

KAMWI: *Yes, yes. The relationship is good because a good number of police officers sit on the national committee and also on the district committees. Some cases that are referred to the police are investigated and taken to court. The offender is convicted, jailed, or fined. For other cases, there appear to be some political influence and the police are unduly influenced and they slow the prosecution or abandon the investigation all together.*

I recall in 2008, we had some citizens who issued very, very alarming statements. They said they impounded a truck containing marked ballot papers. They also discovered rigging equipment by ECZ. These allegations were given prominence by the private media. They really alarmed the people. Of course, the

police moved in to arrest those people. After the election, the police were instructed to abandon that issue and they just forgot about those investigations.

JACKSON: I wanted to ask you about the funding for the committees. I understand that there are budgetary issues with allowing them to sit as much as they need to. I just want to understand better how they're funded.

KAMWI: *Yes, the committees are funded through budgetary allocations by the commission. Right now, today, we have a by-election taking place in one of the constituencies. When we did the budget for that by-election we included a component for conflict management. Part of the funds that we asked for from the treasury included a provision for conflict management. They are funded through the commission and budgetary allocations obtained from the treasury. There are also some funding mechanisms with the UNDP (United Nations Development Program), but all that comes under the auspices of ECZ, the Commission.*

JACKSON: Is it difficult to get sufficient funding for the committees?

KAMWI: *It can never be sufficient. I believe that funding can never be sufficient, but it can be adequate. I will say that in 2001, funding was not adequate. In 2006, it was again inadequate, but starting in 2008 and 2011, there was an improvement in funding through the commission, the treasury, and the UNDP basket funding. The UNDP provided funds for the training of the district and national committees and the development of training material, while the commission provided the funds for the actual sittings of the committee. Now that the campaign has started, the committees are being trained and they have the material. Now it is up to them to do the actual work. ECZ provided the funds for that and the monitoring and the evaluation came from the commission.*

Of course we would like to have more funds so that we could take on logistical support. From the evaluations we have done, we have learned that most of the committees are agitating for transport—they want to have transport. They are marooned in their committee offices. They don't even have sufficient buildings from which to operate. They rely on the council offices.

JACKSON: I see. Was it the UNDP help that made it easier in 2008 and 2011 to fund the committees? Were the UNDP funds new in 2008?

KAMWI: *In 2008, there was no UNDP funding.*

JACKSON: It was just in 2011?

KAMWI: *Yes. It was just in 2011.*

JACKSON: I wanted to ask, do you think the committees are making a difference in terms of political tension between the parties during the elections?

KAMWI: *They are making a difference. For one thing, these committees are the first point of contact for an aggrieved person. The mere fact that somebody has somewhere to report and complain to minimizes the tension in that person. When the committee eventually calls the offender to a meeting and they debate on the subject, the tension minimizes even more. It gives a lot of relief to the complainant. The committees diffuse a lot of tension in the districts where two parties are competing against each other, almost in arms. The committee sits them down, they discuss, and they continue to campaign in harmony. These are essentially peace committees. That is why we don't expect them to issue harsh*

judgments and decisions like the courts do—fining, imprisoning—none of that. They are peace committees; they are meant to harmonize and to bring parties together so that they can appreciate one another.

So, without doubt in my mind, they have been effective. They have achieved their purpose.

JACKSON: Have you seen violations of the code of conduct go down since you started using the committees or is it just that they are resolved more effectively.

KAMWI: *Violations of the code of conduct have unfortunately not reduced, especially on the part of the ruling party of government, which normally takes advantage of its incumbency. It abuses state resources in violation of the code of conduct. But what is important is that the committees have money to expose most of the violations—to expose and put a stop to them. Near Lusaka there is a district called Chongwe District. The government distributed thousands of relief maize during the campaign period.*

JACKSON: Was this in 2011?

KAMWI: *Yes, in 2011. One of the candidates took the matter to the district committee in Chongwe. The ruling party of the government was called and the committee issued a decision that the government had to stop. The ruling party had to stop issuing the relief maize to the people. The matter was referred to ECZ for further consideration.*

We spoke to the concerned and we really felt that there was no need to distribute maize during the campaign and we put a full stop to it. And they did stop. So yes, there are violations of the code of conduct, but I think the committees are also becoming more visible and more active in addressing violations and making sure that the code is observed and enforced.

JACKSON: I wanted to ask if it was initially difficult to get the political parties to bring their disputes to the committees or to get them on board with the committees?

KAMWI: *Yes, it was difficult initially because some felt that they would be wasting their time. These committees are toothless. In 2001, the committees would just bring someone, like the parties, to a discussion, and very little would come out of it. So most of the parties shunned the committees until over time—beginning in 2006—the parties themselves started bringing complaints. Even some high-ranking presidential candidates complained.*

The ruling party once complained through the committees. The current president, when he was in the opposition, he complained against the then ruling party. We called them to a meeting and the president was ordered to stop the distribution of—he was giving sugar to some old women under the pretense of being generous but he was actually campaigning. He was ordered to stop and he did.

JACKSON: This was in 2006?

KAMWI: *In 2008.*

JACKSON: What do you think made the difference? What was the change that made them start bringing their complaints?

KAMWI: *One of the changes was the introduction of the legal framework. A second change was the sensitization by ECZ. When we introduced the legal framework, we gave the committees a bit of power. Then we reached out to the political parties through civil society organizations. We made conflict management part of the syllabus for voter education so that when the voter education facilitators go out, conflict management is one of the topics they cover. They encourage voters and political parties to bring their disputes to the committees. I would give good grounds for that change.*

JACKSON: Outside of the members who sit on the committees, the political parties themselves, do you think there is a good level of awareness among the average voters about the Conflict Management Committees?

KAMWI: *Outside of the political parties?*

JACKSON: Yes.

KAMWI: *And the civil society organizations who sit on the committees? There is because we have cases where individual voters have complained to the committees. Or a victim of violence will approach the committee. That shows that the information is not just held by the parties and the civil society organizations, but that it does trickle down to the private citizens as well.*

JACKSON: I see.

KAMWI: *These committees are first aid instruments for relief. Under the legal framework, all disputes arising from elections are only handled by the High Court but that has to be after the elections. When you are observing bribery, vote buying, and violence, you generally cannot go to the High Court to petition the results because the election is not yet done. You only go to the High Court after the elections.*

One of the grounds for challenge is that you can say there was violence in this election or bribery in that election. Therefore, this person was not really elected. Now these committees are on the spot and they offer on-the-spot solutions. You are aggrieved? Immediately you rush to them. You deliberate and the solution is found. You don't have to wait for the results and petition after the election.

JACKSON: And do you think having the committees able to handle disputes as they're happening has made your work running the elections easier?

KAMWI: *Yes, a lot easier. A lot easier because when we receive calls from stakeholders reporting some occurrences, we tell them, "Okay, which district are you calling from?" "Okay, I'm from Chongwe District." "Can you please go to Chongwe District Conflict Management Committee and report your complaint there? You can give us a copy of your letter." They will do that.*

When there is violence in an election, voters tend to stay away from voting. That brings about voter apathy. So that is how it is helping. The more we manage violence, the better the voter turnout because we are creating an environment for the voters to leave their homes safely, to cast their vote, and also to return home safely. If they are scared that along the way some cutters might hijack them, then they are likely to protect themselves and stay at home.

The committees are really helping out because they are cleaning up the process and making it pure and easier to administer.

JACKSON: I wanted to ask about your training system. How do you recruit trainers to go out into the districts?

KAMWI: *First, we have the National Committee. Some of the members of the National Committee are trainers. We retrain those trainers every election. We retrain them over a period of one week. Then we send them to the districts to do the actual training of the district conflict managers. We don't have people on the outside who say, "Oh, please let me apply! Am I able to be a trainer?" No, we look within the National Committee. We have about 18 to 25 trainers.*

The challenge we have is that these are not full time people on the ECZ payroll. They have their own jobs. Some of them get transferred. Others leave those organizations because membership to the National Committee and the District Committee is not done by individual, but by organization. Organizations send individuals to represent them on the committee.

If those organizations separate with the individual, then you can't maintain the individual because the organization will send another person. That means that you have to retrain that person. There are trainers who come and go—just like that. But that is what we do. Members of the National Committee form the group of trainers and they roll out to the districts to train.

JACKSON: Do you find that with the large number of districts you have—I understand it is in the 80s now—

KAMWI: Yes, almost 90. It is 89.

JACKSON: That is a lot. Is it difficult to get the same level of training to every district within the timeframe?

KAMWI: *No, the content is the same but, as you know, the trainers are different. They vary in personal skills. You might be a better trainer than myself. Another person might be better than both you and myself in training. So that district, trained by that person, may have more knowledge depending on the ability of the trainer. We have received feedback about some trainers who the districts request for the next time: "When you do another training please bring those same people, we want them here." "Why?" "Because they trained very well." But perhaps other trainers do not do such a good job. The material and the duration are the same, but the human factor is there.*

JACKSON: Of course. Always.

KAMWI: Always.

JACKSON: I understand that while the National Chair of the committee is appointed, in the districts, the chairs of the District Conflict Management Committees are elected. Do you find that there are any issues where people who are not neutral are elected in certain districts?

KAMWI: Yes. *What we have decided is that a member of a political party should not be a chairperson of a committee.*

JACKSON: I see.

KAMWI: *One of the things we are toying with is the composition of the committees. They are composed of political parties in the majority. Every registered political party is a member. So there are the political party representatives. Then we have the Zambian Police, the Anti-Corruption Commission, and civil society organizations. The bulk of the committee is made up of partisan politicians. When you elect one to be a chair, you expect them to promote their own interests. So we have issued guidelines that a politician should not chair these committees.*

JACKSON: Okay.

KAMWI: *Of course the members do elect—the commission appoints the chair for the National Committee and the members appoint the vice chair from amongst themselves. In the districts, the municipal authority appoints the chairperson for the district and the members appoint their vice chair with the guidelines in mind that it cannot be a politician. Before, we had magistrates being part of the committees and due to their experience in dispute resolution, most committees invariably elected magistrates to be chairpersons. That presented a conflict of interest because some of the disputes coming before the committees could eventually end up in the courts presided over by the same magistrate. So we said, “No, no, no, please wait a minute.” We consulted with the judiciary and we agreed that no magistrate could be a member of conflict management.*

JACKSON: When was this?

KAMWI: *That was in 2006 and they were all withdrawn.*

JACKSON: I see.

KAMWI: *Now we are having a challenge because some of the police officers are saying, “Look, the way we are trained is to arrest an offender. But when you put us in conflict management, we are seated in a mediation session and somebody is admitting that they bribed voters and we are there just looking and listening to that person. As police, we feel we are not doing a good job. To us, the moment we hear that somebody bribed voters, we want to arrest him.” So that is an argument from the police. I don’t know how we will handle it. It is a policy issue. We will see how the commission decides it.*

JACKSON: So right now if they hear someone say that in a mediation session they don’t—

KAMWI: *They don’t come in and arrest. They can be in the same room and in a session where someone is confessing, “Yes, I did this, I’m sorry, I did that.”*

JACKSON: I can see how that would cause problems.

KAMWI: Yes.

JACKSON: I understand that the legal department serves as the secretariat for the National Committee.

KAMWI: Yes.

JACKSON: But you also have lots of other responsibilities during the election.

KAMWI: Yes.

JACKSON: Are there any issues with not being able to be full time secretariat during the election?

KAMWI: *We haven't considered that yet. We do get very, very busy during the elections. In the future, we might need that support full time. People just dedicated to—. One of the challenges we are facing right now is that there is no officer dedicated to conflict management. I'm the board secretary. The two ladies there are principally legal advisors and they handle cases in court. In addition to that, they have been given conflict management duties. So conflict management is not their core function. We have been saying, "Why not find someone whose core duty here at the commission is conflict management?" Then they are likely to exercise their mind and to explore as many conflict avenues as possible. Rather than us, who will just do it as a third or a fourth priority. I think, as we move on in the future, that is likely to be the case.*

JACKSON: Was the legal department acting as the secretariat the entire time or was that a change at some point?

KAMWI: *No, for the entire time. What we do is together with the elections—in the beginning, in 2001, we did it together with the elections department. But when there is a tripartite election, our colleagues in elections cannot find time for conflict management. The legal department now spearheads and oversees conflict management. Of course it is with help from the elections department and the public relations department.*

JACKSON: I see.

KAMWI: *They also do that.*

JACKSON: If there were another country that was dealing with lots of tension or conflict during their elections, would you recommend this system to them?

KAMWI: Yes.

JACKSON: What advice would you give them?

KAMWI: *We would recommend this system and advise them first to bring stakeholders on board and gain their trust, and then provide a clear legal framework. In Kenya, for example, these committees are called tribunals and they can fine. When they call parties together somebody is proven guilty, they admit to it, and they are fined 10,000 shillings or some other amount. They also have them in the DRC (Democratic Republic of the Congo). They learned from our model but theirs is much, much lower in quality. They are struggling to get legitimacy; they are not accepted by the stakeholders.*

We would recommend it to our colleagues. They also have the Zambian model in Zimbabwe and they are learning it in Namibia. We want to see how it could work for them. The commissions are very good; they offer on-the-spot solutions. If you are aggrieved, have a complaint, and keep it to yourself, it creates more tension because you have nobody to whom you can report the problem. But if there is somewhere where you can go and complain, and then the offender is compelled to come and discuss with you, it provides immediate relief.

JACKSON: I see.

KAMWI: *You should have it in the US too. What mechanism do you have?*

- JACKSON: To be honest I'm not sure. We have courts, I think, that handle things very quickly.
- KAMWI: *Yes, I've heard about the courts, but what I've noticed about the US is that your attending officers have extra powers to handle disputes, so they can sit as a tribunal.*
- JACKSON: Yes.
- KAMWI: *To sit as a committee and listen to a voter, to listen to whomever has an issue.*
- JACKSON: I don't think we have the mediation aspect as much.
- KAMWI: No.
- JACKSON: Those are all the specific questions I had for you.
- KAMWI: Okay.
- JACKSON: Is there anything we haven't touched on that you think it is important for people to understand?
- KAMWI: *Yes, the prospects for the future. The Zambian constitution is currently being reviewed. One of the areas of focus is the power of the commission. Stakeholders are repeatedly saying they want to see a much stronger Electoral Commission and this is one of the demands of emerging democracies. It is found all over. They want a commission that has "teeth to bite," as they say. They have suggested that the ECZ have powers to disqualify a candidate, to cancel an election, and to disqualify a political party from taking part in an election.*
- If a candidate is complaining that a party came, bribed voters, and was violent, then we could disqualify that party based on evidence. Once ECZ is given that power, we could roll some of those powers to the District Committees. We could give them the power to disqualify a candidate based on evidence or the power to cancel an election following the due process of the law. This would make the committees stronger. I see their prospects as very bright.*
- JACKSON: Do you think their ability to mediate would be compromised if they were gathering evidence?
- KAMWI: *No, mediation would just be part of the mechanism. They would be mediating and trading. It means that the element of arbitration would have to come in there. For you to be able to disqualify means that you have to arbitrate and sit like a court. You hear the evidence. Then you say that enough has been proven against you and we will disqualify you. That would mean expanding their powers and mode of operandi. It wouldn't only be mediation.*
- JACKSON: It sounds like there are exciting things in the future.
- JACKSON: Well, Mr. Kamwi, thank you so much for your time.