



INNOVATIONS FOR SUCCESSFUL SOCIETIES

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CHAUBEY: My name is Varanya Chaubey, I am speaking with Professor Chaligha who is Commissioner of the National Electoral Commission (NEC) at Tanzania. Today is November 20th, 2008. Professor Chaligha I want to thank you for participating in this interview.

CHALIGHA: *You are most welcome.*

CHAUBEY: I'd like to begin by asking you a little bit about your background. Would you describe the positions you hold now?

CHALIGHA: *Currently, I teach full time at the University of Dar es Salaam. I teach local government and administration and human resource management. Also, I am part time commissioner of the National Electoral Commission of Tanzania.*

CHAUBEY: Would you tell me a little bit about how you got involved in your work in the Electoral Commission?

CHALIGHA: *It is a long story but I was once asked to participate. First, I used to monitor elections from the University of Dar es Salaam. Their Department of Political Science and Department of Public Administration in which I work has been involved in monitoring elections since the 1960s, in other words since the university was started. So I was monitoring elections also. I am grassroots councilor elections and by-elections. Then one day I got a call from the chairman of the National Electoral Commission inviting me to join them, and it is one of those civic responsibilities so I accepted.*

CHAUBEY: Now I'd like to talk about management parties and about the key players involved in managing elections in Tanzania. We'll get into more detail later but would you first briefly describe the key players involved in managing elections on the mainland as well as in Zanzibar?

CHALIGHA: *Okay, on the mainland generally the national elections, that is President of the United Republic of Tanzania, the members of parliament for the National Assembly and also councilor elections, those are managed by the National Electoral Commission. In the case of Zanzibar the President of Zanzibar and the members of the House of Representatives of Zanzibar and the councilors in Zanzibar, those elections are managed by the Zanzibar Electoral Commission.*

CHAUBEY: Would you describe the structure of the National Electoral Commission here? How many members does it have? How are they chosen and who has the power to appoint and dismiss?

CHALIGHA: *The members of the National Electoral Commission are seven, a chairman who must be a judge over the high court of the Court of Appeals or someone, a legal person, who has worked in the legal system for not less than seventeen years. So that can be a chairman. If the constitution says also that if the chairman of the National Electoral Commission comes from the mainland, as is the case now, we have a retiree judge who is now of the high court, who is from the Court of Appeals, who is now the chairman. The vice chairman comes from Zanzibar because that is in the constitution. Then he is assisted by five other commissioners, so in total the commission has seven commissioners including the chairman and the vice chairman.*

The commission has one major person hired by the commission and that is the Director of Elections appointed by the President on recommendation of the

National Electoral Commission—that is by the commissioners. The rest are staff hired by the secretariat and the Director of Elections. The Director of Elections—might also add that the Director of Elections serves as the secretary to the commission with no powers to vote because decisions sometimes, if we cannot rise to consensus, then we may have to vote. So the Director of Elections does not have voting powers, never. He only serves purely as a secretary to the commission.

Then as to the headquarters. At the headquarters you have a full time secretariat under the Director of Elections. Close to or during elections, including during the registration time, then temporary staff are hired. These are the registration clerks, but also the registration officers and the other temporary personnel. During the actual election then the commission also hires the presiding officers, polling assistants and regional election coordinators (REC). So this is generally—but the commission does not have full-time employees up to the council level—whereby law, this is by virtue of their office, the people in the council, that is council directors—with them. There is city director, municipal director, and council director. These are by virtue of their office registration officers or presiding officers. So this is how it is set up, but only during the election time.

CHAUBEY: Would you also describe the responsibilities of the NEC today?

CHALIGHA: *Yes I can. The institution is very clear. Unfortunately up to the moment the commission has just finished a draft of the law to establish commission because it has been operating only under the constitution. The constitution has given a number of mandates to the commission. One of them is to register voters to create a permanent national voters' register, which was first established in the 2004-2005 presidential elections. So that is one of the responsibilities. Another responsibility is to demarcate constituencies—that is what the constitution says. To conduct presidential, parliamentary and council elections—on the mainland for the councilors but for the presidential, that is the national, the United Republic of Tanzania President, members of parliament for the Union parliament in Dodoma—the National Electoral Commission is by their constitution given in the election act number one of 1985 support to conduct the elections.*

For the councilor elections, the constitution says it is only for the mainland because the councilor elections in Zanzibar are carried out, are managed by the Zanzibar Electoral Commission. Now according to Section 12A of the constitution and the Election Act, the Zanzibar Electoral Commission has mandated to organize Zanzibar elections but they also carry out registration. So Section 12A of the Election Act. We have to liaise with them. The constitution requires us to work very closely with the Zanzibar Electoral Commission.

But the Commission also registers people in Zanzibar who are ineligible to vote for the Union President but because of their requirements in Zanzibar that one has to stay for three consecutive years in Zanzibar to be able to vote for the Zanzibar member of Parliament or the Zanzibar President. Then the people who are visiting Zanzibar or who are temporarily transferred to Zanzibar even on duty or on business cannot vote for the Zanzibar elections. But they are still eligible to vote for the Union President. So we register those people and include them in the national permanent voters' register. So that is how we operate.

According to records, the constitution, the National Electoral Commission is also responsible for carrying out the voter education—not the civic education but the voter education. That is the mandate at the moment.

CHAUBEY: You mentioned that when people are living in Zanzibar but have lived less than three years, the NEC has the responsibility to—

CHALIGHA: *To register them for the Union elections.*

CHAUBEY: How do you go about doing that?

CHALIGHA: *How we go about doing that? We go to Zanzibar, we have mandates to do so and then we hire people. We hire our own registration clerks just like we hire our own returning officers during actual elections. So actually, in Zanzibar during the presidential elections they cast at least, I think, five votes but they also have—the same room or any two adjacent rooms, to the electoral commissions managing two different elections. So we actually go to Zanzibar to register voters, those who cannot vote in Zanzibar for the Zanzibar elections but who are eligible to vote for the Union presidential election. The Union presidency, according to the law, the constitution Zanzibar is also part of its jurisdiction.*

CHAUBEY: What are the particular challenges you face in going to Zanzibar and working side-by-side with the ZEC or on your own registering people?

CHALIGHA: *The challenges are that the people of Zanzibar would like their commission, the National Electoral Commission, to register all of the voters but that is not what the constitution says. That is not what the Election Act, at least the Election Act that we use, number one of 1985, that's not what it says. So that is part of the challenge because we work very closely with the ZEC, the constitution says we have to liaise very closely with ZEC. So we meet frequently to exchange notes and to also agree on the modalities. Those are the challenges and that is how they are met, by working closely with the Zanzibar Electoral Commission.*

CHAUBEY: I'd also like to ask about changes in the NEC or the ZEC. Is the structure of the NEC different from what it used to be? If there have been any changes would you describe how they are different?

CHALIGHA: *The Zanzibar Electoral Commission and National Electoral Commission? Yes, they are different. We started the same in that we started, most of us are civil servants—that is how we would like to remain, civil servants, nonpartisan. In the case of Zanzibar because of the problems that resulted in negotiations, Muafaka I and Muafaka II, they had to reconstitute the Zanzibar Electoral Commission by including members of political parties. So the commission, that is the ZEC, includes members, I think, two members from CCM and two members from CUF (Civil United Front). The rest are supposed to be civil servants, people with no party affiliation. Whether that is the case or not, it is a small place, I'm not sure. But that is how it is supposed to be.*

Now that changed before the 2005 elections. Now on the mainland, the initial National Electoral Commission has some personalities that have changed but it has remained the same nonpartisan composed mainly of either civil servants or people who have retired. The chairman for example, so it is non-partisan. That is what the constitution says because it clearly—in the constitution it clearly says that people who are leaders in their political parties cannot join in the National Electoral Commission. So politicians—that includes members of Parliament, councilors, and ministers. Those cannot sit in the commission. The appointment is still by the President. Not in his capacity as the leader of a political party but in his capacity as the executive branch leader. That is very clear in the mandate. Towards the 1995 election, in 1994, two political party leaders from the

opposition, Edwin Mtei, who was then chairman of the opposition, Chama cha Demokrasia na Maendeleo (CHADEMA), and the Secretary-General of the NCCR (National Convention for Construction and Reform-Maguezi), they went into the court and said they don't want the National Electoral Commission to run elections because it is appointed by the President who happens to be also the chairman of the ruling party, one of the contenders.

The court said the appointment itself does not make someone partisan. If they are appointed by the President, not by the chairman of the ruling party then that is how it should be. But if you are worried or you have people that you suspect are partisan then you point them out that so-and-so is a member of a political party, he is very partisan, we would remove that person. So that is how it remained up to date. They never went back to challenge individuals. Every one of us is appointed in their own individual capacity. So in other ways, I say my term is five years. After that I can be reappointed but not necessarily so.

Once they are appointed, the President cannot remove you unless—. The constitution says the President cannot remove you unless it is proven that you have failed in your responsibilities. It has to be proven. So in other words they can appoint you but they cannot dismiss you unless there are very clear causes that you have violated the law. That is according to the constitution. So I'm not sure if I answered your question.

CHAUBEY: You have. So here you have two systems that are working very differently in the ZEC and the NEC. The ZEC actually has members of parties in the commission.

CHALIGHA: Yes.

CHAUBEY: What would you say are the merits and possibly the demerits of having political party members within the commission?

CHALIGHA: *When you have political parties in your commission, then it is difficult to operate because they are there to protect the interests of their political parties. Now, sometimes it becomes difficult to make a decision. For us in the National Electoral Commission we don't have that problem so we don't really—for us every political party is like you're doing business, a customer. For us a political party is a stakeholder, every political party is a stakeholder. We are involved with them.*

So close to the election we invited them to sit in the ad hoc committees that are always created before the elections. We make it a point to make sure that the political parties are involved in consultations. It is not in the law but we involve them anyway to build more trust. The merits of including political parties are that they are there, so they see what is happening. The demerit is that does not add value to the electoral process because you bring in partisanship. When you bring in partisanship, particularly in the case of Zanzibar, I'm not supposed to speak for them, but when you have only—currently Tanzania has seventeen registered political parties. So how many are you going to include?

Also, I had the occasion to observe elections in Mozambique. If you read the report of the Commonwealth on the elections in Mozambique, one of the things they recommend is that you bring in a stalemate when sometimes it becomes difficult to make decisions. You may have problems. So they did recommend that it is better for the commission to be of professionals, to remove politics out and

they agree. It is better to remove the politics in the management of elections and encourage professionalism.

What we have done in the commission is to do exactly that. In 1995 from donors, from political parties particularly the opposition, from monitors, the University of Dar es Salaam, my colleagues, there was pressure on the commission to pick people who are not only civil servants. That effort was done but the results were disastrous. The comments were that because the commission picked people who were not professionals. So we returned back to the basics.

The 2000 elections and 2005 elections were more professionally conducted, at least I can speak of the mainland. Zanzibar I'm not going to comment on that. But on the Union elections, at least 2000 and particularly 2005 elections were more professionally conducted because we hired only civil servants to run the elections—teachers and other people who were working. But we also introduced the stringent conditions, the management of elections to make it more professional.

One, for example, we introduced penalties. If you are running an election, whether as a presiding officer or as a returning officer, and you, because of reasons best known to yourself and it is proven in a court of law that you mismanaged the elections, then you can be jailed. So we introduced jail sentences between a year and two. And they are fined, no less than 500,000 shillings, or both, a jail sentence and a fine.

Then it has to be proven in a court of law because we wouldn't want to act outside the law. So the court must decide that yes this guy was managing an election. He or she mishandled the election and maybe deliberately or whatever, but the elections were not credible because of this person. Then the court can say you can be jailed or you can get a fine or both of them. Therefore there must be a reason. There is also an option; you have to pay part of the cost. If you don't have enough money, some of your properties can be auctioned.

So these are stringent measures, which we introduced at the commission to make sure that the elections are professionally conducted. Now in-between, if for example, a returning officer, if one of the political parties comes and says, 'this presiding officer is partisan and if there is evidence,' we remove that person and we put another one in place. Remember I told you earlier that by law any counselor or director by virtue of their office during elections, they become returning officers or registration officers. But if someone comes and says this officer is partisan, then we would remove them and put someone else. We did that in the 2005 election. Someone came and said, they said the city of Tanga, they came, the opposition party, and said this person, the returning officer there is partisan. She is an ardent supporter of the ruling party, CCM. We said do you have proof? They said yes, we have proof.

This person is one of those who also sponsored the candidate, the CCM candidate of the municipality of Tanga. We looked into the forms. We called this person and we said, how come you supported this person? You are not supposed to. She said, "I have the right." If you look at the Election Act, it says that any voter can sponsor a political party member to run for, to become a candidate for a Member of Parliament. That is true. But we told her that "Yes, indeed as a voter that is one of your rights, that is what the law says. But you are not only an ordinary voter, you are a presiding officer." So you are supposed to treat every candidate—you must have the trust of all the contenders. Now here

people are complaining, they cannot trust you. So we removed that person and put another one in place.

So we did that in Tanga. There was also a complaint in another constituency, in Magu where this time an assistant returning officer again the same, supporting candidates of the ruling party by signing their nomination forms. I said again, as a voter it is your right, but not as a person who is managing the elections. We also removed that assistant returning officer and put someone in. So that is the initial thought, how we do it. That is how we want our elections to be professional, to follow the law to the letter.

CHAUBEY: In many countries people feel that the election management body should be free from political pressures to fulfill its mandate.

CHALIGHA: Yes.

CHAUBEY: There are many ways to build independence.

CHALIGHA: Yes.

CHAUBEY: Would you describe some of the ways that have been used here to create independence for the NEC?

CHALIGHA: *The constitution. Again with the constitution it is very clear. The constitution says that the National Electoral Commission should not be bound to be pressured by any political party. So we think that is enough protection from the constitution. I wish I had a copy here, I would read it, but unfortunately I don't think I have a copy. But yes, we get it from the constitution. It is very clear on that one. The National Electoral Commission should not be pressured by any political party and it is not bound. So we use that one—that there is constitutional protection.*

But there are challenges. One of the challenges is funding. Funding can be a bit problematic because the commission does not have its own election fund. We get funding from the government. But we say it is done everywhere in the world. The elections are supported, are financed from taxpayers' money and the custodian of the taxpayers' money is always the Minister of Finance. So we always ask for money from the Minister of Finance. That will be a challenge. We have a proposal to the government that maybe the government is to establish an election fund so come election year there is always a fund. In other words, we are calling to the government, to our government, and the other governments, particularly in what you call fragile states—we are calling them to invest in democracy. Investing in democracy means also to invest in elections, always put aside money. You know that at the end of five years you will have an election so why not begin to put, after the election, then the next year you should begin preparing for the election. So come the election year we will build enough coffers, enough funding for the election. So that is—the funding is a bit of a challenge.

For our commission, the commission does not have a permanent staff. I told you that the only permanent staff is the Director of Elections, the rest are civil servants. So that means civil servants, you can invest in training the people but you risk losing some of them. And we have. One of the newly appointed judges, for example, was our principal legal officer that was trained for a number of years, a very competent lady. She was appointed to become a judge, what can we say. We had other cuts also. But there is a law that has been drafted, it is in place, not yet passed by parliament. We hope that maybe before the next

election it will be passed. If that is passed then the National Electoral Commission will have powers to hire and fire its own staff. In other words it will have a permanent staff. That law also proposes to have presence up to the counsel level. That means we will have presence.

In principle the government has accepted it and already there is, if you worked with any counsel in Tanzania today and ask do you have an election officer, they will say yes. But if you ask about the person, what are they supposed to do, they still don't know. We think things will clear up as soon as the legislation, the National Electoral Commission Act, is passed by the national legislature.

CHAUBEY: You mentioned proposals, perhaps to set up a separate election fund. Would you describe in a few more details what this proposal would entail, what would be the characteristics of the fund, specifically for elections?

CHALIGHA: *This is only a proposal. That is one of the recommendations, which after the previous elections the commission had made to the government. This fund, to me, because I'm talking about me and the ideas of an election fund, the idea of an election fund is that in every budget session the government should put aside the money to run elections. So if you call it an election fund, it is a special fund that you put there. You don't use that money unless you have an election. So it is not budgeted to run the commission. Always the commission, like any other department should be run on the current budget, the current expenditure budget. But we're not talking about the current expenditure budget; we are talking about every budget session. The government should make sure, knowing that the election, every year they know exactly how much the commission has spent. So if you put aside money every fiscal year, plus a bit for inflation—always you add maybe inflation. Our inflation rate is running currently around 19%. So if you put 20%, meaning that by the next election you know if you put that money, the previous, if you have all the previous money, plus 20% inflation rate, then you will come out roughly with the amount of money that will be required to manage your next election. So you don't have to worry every time.*

Also when you have a by-election you don't have to put aside some other issues, some other important aspect that you wanted to finance so you can finance a by-election. That is my conception for an election fund, money which is put aside to a special fund that the commission cannot use unless there is an election.

CHAUBEY: Now elections are obviously quite an expensive proposition.

CHALIGHA: *They are, very expensive.*

CHAUBEY: Are there any measures that have been debated on how to cut costs?

CHALIGHA: *Yes, we have had proposals. One of them was, for example, to do away with a number of polling stations that we have. We are spending more—at least about \$7 per voter, which is very high. So one of the proposals was to cut down the number of polling stations. We looked at it. We did reduce a number of them. What we have done is, for example, to do away with the idea of constructing temporary polling stations, which we used to do. So we no longer construct the temporary polling stations, we use the public buildings, schools, dispensaries, and local government offices. So that is what we do. We no longer construct the temporary. We also used to hire premises from private individuals, that was money also. So we have also done away with that. If we use a public building we don't have to pay money. But it has come at some cost—that is, some polling*

stations may be a bit far apart. What we do is to make sure that at least people should not walk more than 5 km to a polling station because voter convenience is also important in a democracy. We are concerned to cut the cost, but also to ensure that the people are able to vote quite conveniently. So it is a trick to balance in between.

CHAUBEY: You also recently moved to a permanent voter register.

CHALIGHA: Correct.

CHAUBEY: Did that have any cost implications?

CHALIGHA: *It has. It was very expensive to establish a permanent voter register because you have to buy—we use, for example, Polaroid cameras.*

So yes, it was very expensive to establish a permanent national voter register because we had to buy Polaroid cameras, we had to buy Polaroid film, we had to train people. We took pictures. We had also to buy scanners and OMR forms for optical recognition. But also, to buy computers to establish an IT center, and then computer consultants. It was very expensive, but at least now we have a database of people. It is proving to be also a challenge. We thought we would cut down the expenses. It is proving differently because now the technology that we used to do this appears to be obsolete. The people making the Polaroid cameras are no longer making them. People making the films are no longer making them. Now people are going to digital cameras. So in other ways our expectations, we don't think we really save taxpayers' money as we anticipated.

The good thing is that come the election we don't have to start fresh because we already have a data bank that you can go to so you can carry out the election. That is an advantage, that advantage we have.

We think that when we have permanent presence in the districts, in the councils, then probably we will be able to move with changing the technology. If we have a presence, someone located at the council level who will be able to liaise with the council people, at the village levels, then you put your investment there now, a digital camera, a computer and a little printer. Then you can serve. So in the future probably, but at the moment the savings are not as much as we had expected.

CHAUBEY: The registration process for 2010, when do you begin this?

CHALIGHA: *We have already started, we have already updated the register. Actually this week we are already putting advertisements—radio spots, television spots—to ask people of Dar es Salaam. We have done it all over the country except Dar es Salaam and Zanzibar. So this week we are beginning to—we are going to have one week where we can register people in Dar es Salaam, people who have come of age since 2005. Also people who moved from other areas to Dar es Salaam. So we are finishing Dar es Salaam this week, and the next month we will go to Zanzibar. That will be small because it is only a few people, not many.*

Then next year we are starting fresh, January again, we are beginning to put in place a mechanism to register people for 2010 elections. So updating the register as part of that responsibility. We have done it already but we are also going to do it next year, just before the 2010 elections.

CHAUBEY: I'd like to come back now to the questions of election management bodies.

CHALIGHA: Yes.

CHAUBEY: Transparency and the appearance of fairness are very important.

CHALIGHA: *That is correct.*

CHAUBEY: So would you describe the ways in which people have tried to maintain transparency in the NEC here?

CHALIGHA: *In the NEC. I mentioned a little bit earlier but in the NEC close to the elections, we create the ad hoc committees. In each of these committees we invite someone from the civil society, we invite someone from the government, and we invite someone from the political parties, both from the ruling and the opposition so they are there. But also, as a permanent fixture, we put a recommendation and the government accepted, and the law was changed in the Election Act. In 1979 the Local Government Election Act, No. 4 and the 1995 Election Act No. 1 we amended it. During the registration process the opposition—not the opposition—all political parties who are registered can post someone at any station that is registering people so they can monitor the registration process. So that is one.*

During the elections, on the polling day, every candidate is allowed to put or to post a monitor, an election monitor, we call them candidate or party agents, to monitor the election process. They can sit there in the polling station during the voting day and also in the counting and in the tally centers. So in other words, they can monitor the whole election process. In the polling day there is a lot of transparency because before voting commences all people who are on the line they are shown the ballot boxes. First of all, we use transparent boxes, but even then we still have to show them that the box is empty before it is closed and it is sealed. The party agents who are there in the polling station are allowed to record the number of the seals. Then voting commences.

At the end of the process counting takes place at the polling station so there is no transferring of ballot boxes. Counting takes place there and then. At the end of the process every polling agent of the candidate or the party signs the result and gets a copy. So they get their copy. Their copy is also posted outside of the polling station, so it is not easy to really tamper with the results because the political party that is very keen by the end of the day, by midnight they should know exactly where they stand. If they have posted everyone there and if they have people who can monitor also the results that are posted in every polling station then, their party agents. That is one way of making sure that there is transparency.

We also allow internal monitors. The University of Dar es Salaam I told you earlier, they form an organization called TEMCO (Tanzania Election Monitoring Committee), they monitor elections. We also invite international observers like you and the others to come and monitor. But also, before we make, before the commission makes any major decisions, which will involve changing the policy or the procedures, we talk to the political parties both at the national level and, for example, when we go to the regions, to the districts. Before we start, for example the registration, we hold the meetings with the stakeholders. The stakeholders are the political parties at the regional level. So we talked to them. In other

words, parties at the regional level, we talked to them. They gave us inputs, which we consider in the process. That is how we maintain transparency.

CHAUBEY: It seems that there are a number of issues on which the NEC liaises with political parties. Would you describe further what these issues are? Are parties involved in the creation of a code of conduct?

CHALIGHA: *Yes. Code of conduct is voluntary in nature, it is not statutory. That is where the challenge is because some people, some parties argue that if it is voluntary it means that some people are going to be free to transgress, to violate the code of conduct. But we think it is a useful instrument. In 1995 the commission tried and failed. In 2000 it tried, it wasn't quite a success. In the 2005 elections it succeeded. There was a code of conduct signed by most of the political parties, not all, but at least most of those who participated. The elections ran a little bit smoother than the previous elections. But that is not a legal requirement. In other words, the election law and the constitution does not tell you to do that.*

To gain more trust and to add transparency to the way the commission conducts its activities, it decided that it was important to sit with the political parties to negotiate an instrument that can be used by all political parties. But we think of, some of the political parties recommended that once this instrument, this code of conduct, is negotiated and agreed upon between the commission and the political parties and the government and signed, then it should be made statutory. So that is a recommendation from the political parties. We have also made that recommendation to the government. We don't know what the outcome will become.

CHAUBEY: Is there also an effort on part of the NEC to encourage inter-party dialogue?

CHALIGHA: *We think by bringing political parties together when we have issues to discuss, that in itself encourages inter-party dialogue. Before, political parties, the ruling party and the opposition, could not sit and talk. That is why even in the very first attempt of the NEC in 1994 to make the political parties sit together and negotiate a code of conduct collapsed. But slowly, slowly the political parties have come together. They like to come together with us with the National Electoral Commission to discuss important issues regarding the elections. So it is not a legal requirement, but we think as a measure of building more trust and also transparency it is important.*

CHAUBEY: I'd like to ask you briefly about the registration process. What would you say are the greatest challenges of conducting registration in Tanzania?

CHALIGHA: *Tanzania is a bigger country—a big, big country. Tanzania is like if you combine the states of California, Nevada and I think maybe New Mexico together. So that is Tanzania, it is a big country. It is a challenge. How do you get all these people there. We have about 17 million people in the permanent national voters' register already. The population now is close to 40 million. So you see, that is the vastness of the country. But also there are, as I mentioned earlier, challenges like changes in technology. That is a big challenge to us because we don't make the technology, we buy it. The training of people, getting people used to the new technology, that is a challenge. But probably the greatest challenge, which I think in the future can be averted, if we form a United States of Africa like you have a United States of America. That can change. The challenge now is how can you—the law says that only Tanzanians can be registered. Yet we are bordering the Congo, probably I am seeing in the Congo a lot of refugees in Tanzania, in parts*

of Tanzania. Refugees from Burundi—problems. We also border Rwanda—problems. We border Uganda. We had problems, but we also—. If you go to the border area, Masaka for example, the people there are very close to the Tanzanians. You cannot tell the difference. You go to Kenya, the north and east part of Tanzania, on Lake Victoria, Musoma—you have the laws in Kenya, you have the laws in Tanzania. You have the Kuria, the Kuria Mara in Kenya. They are the same people. Now again in Serengeti, Arusha. The Masai in Kenya, Masai in Tanzania, the Kamba people. Then also on the coast. How do you differentiate between a person from Mombassa and someone in Tanga. They are the same groups, Malawi, Mozambique, Zambia—so that is the biggest challenge. Who is a Tanzanian in those areas? When you have people who have relatives on the other side of the border, intermarriages, others living on the other side of the border. They are the same people. There are some of those who like to have a piece of paper that identifies them with Tanzania. So that is the biggest challenge.

Probably when government introduces the national IDs, probably, but I think the best way out is to remove the borders.

CHAUBEY: How do you register those who have no identification documents?

CHALIGHA: *Yes, how do you do that? We always, I told you earlier, we invite the political parties to have their presence there, but also we invite people who live there, government people, particularly village executive officers, ward executive officers to come and the citizens. So first we train the registration clerks. We use standard questions which are asked by immigration. So we had to get people from immigration to help us to determine who is a Tanzanian. So we use those standard procedures to identify Tanzanians from the immigration. So we train our people.*

Most important is that once we register people and we have recorded the names, we create a temporary register and then we send back the names up to the ward level. We display the temporary register for seven days and invite people to come and look at the register. People who are residents in that area, political parties, civil society and the registered voters themselves. If they pick a person whom they think is not a Tanzanian, then they tell us and we can remove their names. So that is a challenge—that is how we go about it, by involving civil society, involving the people from the immigration involving local people, the grassroots officials, and the political parties themselves.

CHAUBEY: I know you're pressed for time.

CHALIGHA: Yes.

CHAUBEY: So I'll ask maybe one or two quick questions. One question is how do you go about training your electoral staff? What are the methods that you use?

CHALIGHA: *We prepare, we labor to prepare materials. We call them guidelines, guidelines for presiding officers or registration clerks. Guidelines for political parties, and guidelines for people who are willing to actually conduct the elections, the people at the polling stations. So we prepare these at the national level. We prepare these guidelines. Then once we prepare these guidelines, we hold the trainers of trainers courses, TOTs. First it is for the registration clerks, for the registration process. Then the training officers for carrying out the actual election process itself. Then we send teams, also—people from the national headquarters, from*

the commission headquarters. We send them to the regions to carry out training of trainers. In addition to the one we had for returning officers and the registration clerks. So we also carry out now another TOT (training of trainers) there. Then that will involve people up to ward level. Then people at the ward level will then train the rest.

CHAUBEY: In conclusion I'd like to ask you, is there an innovation that you've seen here that you think domestic authorities developed and was very successful and you think could be adapted or adopted elsewhere?

CHALIGHA: *What we adopted? Yes, a number of things. First, for example, when the commission was introduced, the elections were being run by the speaker's office and also the district commissioners were actually the returning officers. But the district commissioner is a political person, has two hats, and is from the ruling party. So we say, the more permanent people are people in the council, so we moved to the council. That is why we make them the returning officers. But also we are making sure the elections are witnessed by the political parties and the candidates. Counting immediately after the results, after you finish the process—and announcing the results and everyone who is inside there, the party agent or candidate's agent, whoever is there is getting a copy of the results, and the results are posted outside of the polling station so that the media can see and it is not easy to cheat. Everyone will know what the results are out there and you have an attentive media. Then it will be covered so, it won't be easy to cheat.*

So those are some of the innovations that we have introduced, but also introducing conditions for attempting to professionalize election management. Making sure that whoever is carrying out the election, is managing the election be it a commissioner like myself, or the chairman, or the Director of Elections, or the other officials at the commission headquarters, or the presiding officers, everyone. To introduce penalties and possibilities of being prosecuted. We think that is very important because it makes the process professional. You have to follow the law. If you go against the law you stand to be prosecuted. If you are found guilty, you get punished and the penalties are stipulated in the Election Act. We think this is an innovation which can be emulated and avoid problems which have resulted, for example, in Kenya or Zimbabwe.

CHAUBEY: I want to thank you very much for your time Professor Chaligha.

CHALIGHA: *Thank you.*