

ZIMBABWE ELECTION SUPPORT NETWORK



Local government By-election Report 25th of January 2014

Sunningdale ward 12, Karoi Town Council ward 10 & Zaka RDC Ward 32

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Introduction

The Zimbabwe Election Support Network (ZESN) observed the three local government by-elections in Harare, Karoi and Zaka. The By-elections were called in following the death of seating councilors in the following wards Sunningdale ward 12, Karoi Town Council ward 10 and Zaka RDC ward 32.

ZESN deployed 14 accredited observers both mobile and static to observe the by-elections. ZESN observers reported a peaceful electoral process in all three wards albeit the heavy police presence that was reported particularly in Sunningdale Ward 12 and Karoi Town Council ward 10.

ZANU PF was victorious in all the 3 wards.

The by elections were characterized by a decrease in voter turnout as shown by the turnout compared to the number of registered voters in the wards. A new political player in the form of the newly formed NCA took part in the elections. ZANU PF and the MDC T contested and there was the notable absence of the MDC.

Methodology

ZESN used a two pronged approach to observe the electoral processes. Static and mobile observers were deployed to the three wards.

In additions, ZESN used long term observers to observe the pre-election environment and kept a keen interest on the media.

Legal framework

The Electoral Act (section 121 and 121A) mandates the Election Commission to organize by elections to fill vacant seats in a given ward. The by elections in the three wards came as a result of the death of the three councilors elected in the July 31 Harmonized elections.

Pre-election environment

The pre-election period was relatively peaceful with a few incidents of violence reported only in the Sunningdale Ward 10. The pre-election processes were carried out in accordance to the laws of the country. The preparations for the by-elections went on smoothly with nomination process, preparation of essential materials and accreditation of observers, deployment of election officials also having been done on good time.

Election Day

All polling stations opened on time and voting started on schedule although short queues were witnessed. Voters trickled in after the opening of polling stations. All essential materials were sent to polling stations in good time and ZESN commends ZEC for their preparedness. The voting

process went on peacefully in all polling stations. ZESN observers reported a number of critical incidents that took place during the voting process. These included:

- **Voting slips**

The use of voting slips which were used in the harmonized election of 2013 showing that the Registrar-General's Office had not updated the voters roll as their names could not be found in the voters roll. This is a matter of concern as almost 6 months have elapsed since the last election and the Registrar-General's office have not been updating the voters roll. The voting slips cannot be authenticated hence voters not resident in the particular ward holding the by election can vote. In addition, there was a deadline given to the use of voting slips for the by election, only those whose slips were dates the 10th of July 2013 and below could vote. ZESN is concerned that this deadline for slips could disenfranchise some voters as voter registration is a continuous process in Zimbabwe and the deadline for the use of slips could disenfranchise those that registered after the Harmonized election of 2013.

In addition, there was inconsistent use of the slips as some voters using slips were allowed to vote and others were denied access to the vote.

- **Deployment of riot police**

ZESN was concerned about the heavy deployment of the police in Harare's Ward 12. While each polling station was manned by at least 5 police officers, the deployment of the riot police at Stodart Hall seemed unwarranted.

- **The role of the police in the polling stations**

ZESN observed different implementation on the role of the police in the different polling stations. In some stations, the presiding officers called the police officer to be inside the polling station and in some cases, the police men were stationed outside the polling station and they would only come inside the station when called in by the presiding officer. ZESN calls for uniformity of application of electoral laws. The same anomaly was observed during the harmonized elections of 2013.

- **Assisted voters**

ZESN observed confusion regarding the manner of assisted voters. This is similar to the problems that took place regarding assisted voters in the harmonized elections of 2013. ZESN observers have noted that even when a voter who needs assistance has brought in a person of their choice to assist, the presiding officer was present which eroded the secrecy of the vote. ZESN is of the view that if the assisted voter is sighted, they can see the candidate of their choice and indicate their preference using an X or even ink. Failure to write cannot mean inability to see the symbol of your party or the face of your candidate. Once a person can see the candidate of their choice they can mark their intention on the candidate of their choice thereby preserving the secrecy of their choice.

- **The voters' roll**

ZESN remain concerned about the voters' roll and the anomalies that cropped up during the by-elections. Of concern are cases raised by voters whose names were missing from the voters' roll during the by election yet they claimed that their names were in the voters' roll during Harmonized elections. In the same way the lack of updating of the voters' roll as evidenced by the use of slips remains a problem. ZEC needs to ensure that the voters' roll is updated for future elections to prevent disenfranchising voters during polls.

- **Voting procedures**

ZESN is concerned that the procedure of showing the ballot paper to the presiding officer after casting a vote remained in force during the by elections. This system was done away with using the Electoral Amendment Act of 2013 which prescribed that the voter did not have to show the seal to the Presiding Officer but simply place their ballot paper in the box after voting. ZESN noted that in almost all polling stations, the voters would show their ballot paper to the presiding officer after voting. This raises issues of voter education on the part of the electorate and training on the part of the presiding officer who did not correct this practice.

Counting

Counting in all polling stations took place according to procedures and votes were displayed outside the polling stations. All party agents agreed that the process had gone well and signed the V11 forms.

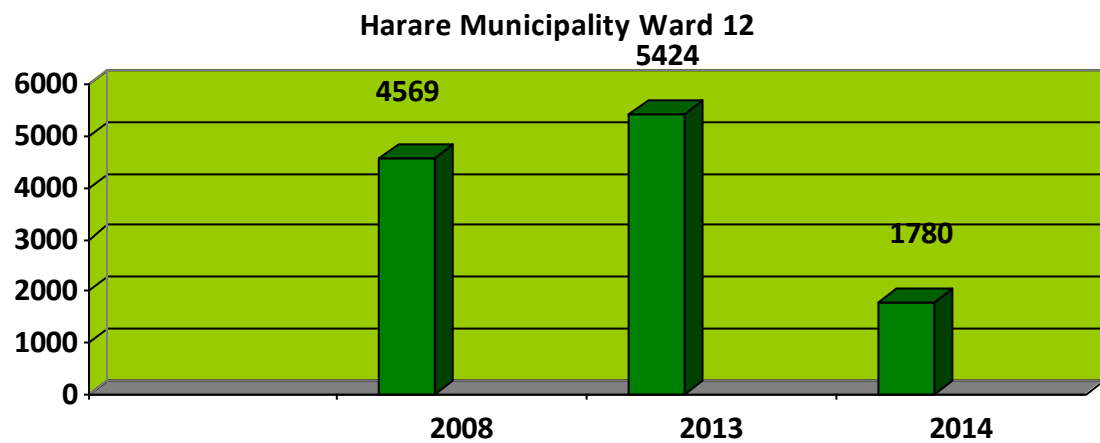
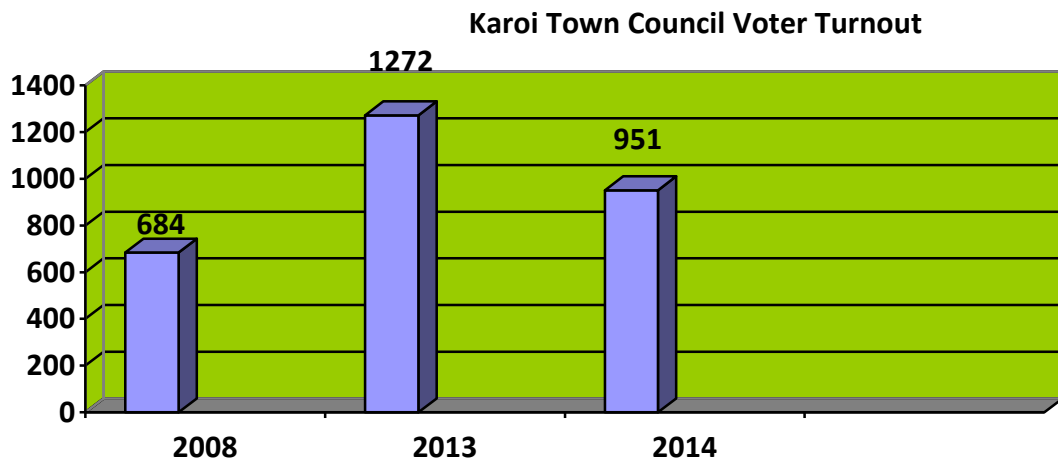
Results

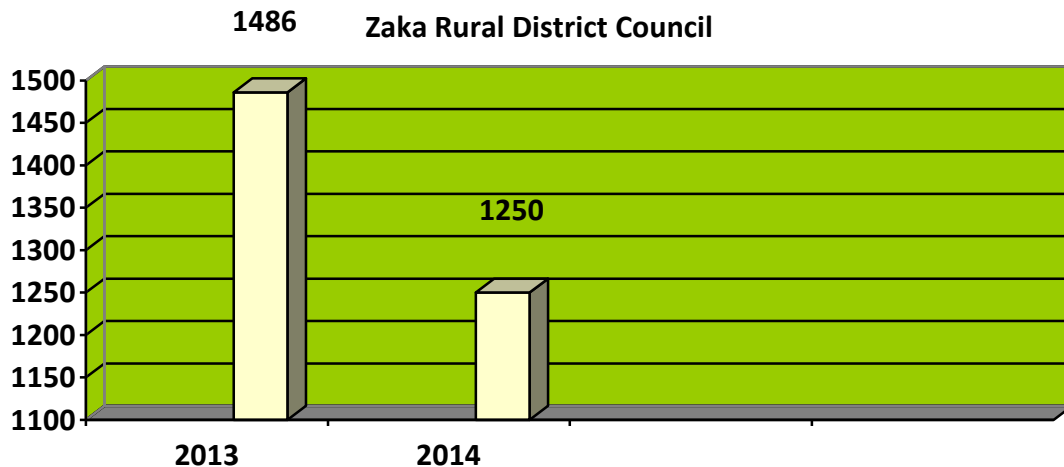
In all the wards, ZANU PF councilors won the seats. The table below shows the results of the by-elections.

Zaka RDC Ward 32		
Ward and Candidate	Political party	Number of votes
T. Toruvanda	ZANU PF	1054
B.E Mutanga	MDC T	129
E. Chikamhi	NCA	67
Sunningdale Ward 12		
Ward and Candidate	Political party	Number of votes
Maureen Nyemba	ZANU PF	843

Albert Muponda	MDC T	835
Takura Gadzira	NCA	76
Jack Ethen Muzanenhamo	Independent Candidate	26
Karoi Town Council Ward 10		
Ward and Candidate	Political party	Number of votes
Fortune Madamombe	ZANU PF	725
Solomon Chiwaya	MDC-T	226

A comparative analysis of voter turnout in the 3 wards





ZESN is concerned with the voter apathy that is presenting in these wards which seems to be increasing with each successive election.

Recommendations

- **Comprehensive Voter Education** –ZESN observers noted that voter education was lacking among the electorate both in the harmonized elections and in the just ended by-elections hence the need for ZEC to accredit organizations to conduct such education ahead of any election.
- **Voter Registration**-ZEC should be solely responsible for registering voters. Furthermore ZESN noted the irregular use of voting slips during the by-election, there is therefore need for ZEC to train election presiding officers on the lifespan of voting slips. ZEC needs to begin to create modalities for the voters roll to move from the registrar-general's office to ZEC. This should be done in compliance with the new laws of the country as well as provide time for ZEC to begin operationalizing the polling station based voters roll as provided in the new Electoral Amendment Act.
- **Violence**- ZESN received reports of politically and election related violence in Mbare where supporters of opposing groups resorted to violence during their process of campaigning for votes. We urge the law enforcement agencies to impartially investigate and arrest perpetrators of violence as this is a major inhibitor to citizen participation in community and national processes.
- **Monitoring of Candidates and Party Activities** – ZESN observed undue political influence in the run up to the by-elections particularly in Karoi ward 10 thus a regulatory framework should be put in place to make sure that candidates and parties do not use available resources to buy votes.

Conclusion

The results show that ZANU PF has retained the seats that were made vacant by the death of the councilors and in addition, they have also managed to acquire the Harare municipality ward 12 seat that had been won by MDC T. ZANU PF has made inroads in places which were formerly MDC T strongholds. Having observed these by-elections, we urge ZEC to seriously consider addressing the problems in the elections of Zimbabwe such as the voters 'roll, voter registration, voter apathy that continue to recur. Furthermore the network urges ZEC to implement the recommendations made by a number of observer missions in the July 2013 elections in order to improve the conduct of future elections.

Annexures

ZESN election statements for the by elections

ZIMBABWE ELECTION SUPPORT NETWORK



25 January Local Government By-election Press Statement

Harare, 26 January 2014 –The Zimbabwe Election Support Network (ZESN) observed the three local government by-elections in Harare, Karoi and Zaka. ZESN observers reported a peaceful electoral process in all three wards albeit the heavy police presence that was reported particularly in Sunningdale Ward 12.

Voting

All polling stations opened on time and voting started on schedule although short queues were witnessed. Voters essentially trickled in after the opening of polling stations. All polling stations had all their essential electoral material and ZESN commends ZEC for their preparedness. The voting process went on peacefully in all polling stations. ZESN observers reported a number of critical incidents that took place during the voting process. These included:

- The use of voting slips which were used in the harmonized election of 2013 showing that the Registrar-General's Office had not updated the voters roll as their names could not be found in the voters roll. This is a matter of concern as almost 6 months have elapsed since the last election and the Registrar-General's office have not been updating the voters roll. The voting slips cannot be authenticated hence voters not resident in the particular ward holding the by election can vote. In addition, there was a deadline given to the use of voting slips for the by election, only those whose slips were dated the 10th of July 2013 and below could vote. ZESN is concerned that this deadline for slips could disenfranchise some voters as voter registration is a continuous process in Zimbabwe and the deadline for the use of slips could disenfranchise those that registered after the Harmonized election of 2013.

In addition, there was inconsistent use of the slips as some voters using slips were allowed to vote and others were denied access to the vote.

- ZESN was concerned about the heavy deployment of the police in Harare's Ward 12. While each polling station was manned by at least 5 police officers, the deployment of the riot police at Stodart Hall seemed unwarranted.
- ZESN observed different application of the law when it came to the place of the police officer. In some stations, the presiding officers called the police officer to be inside the polling station and in some cases, the police men were stationed outside the polling station and they would come inside the station when called in by the presiding officer. ZESN calls for uniformity of application of electoral laws. This is a similar problem that occurred during the harmonized elections of 2013.
- ZESN observed confusion regarding the manner of assisted voters. This is similar to the problems that took place regarding assisted voters in the harmonized elections of 2013. ZESN observers have noted that even when a voter who needs assistance has brought in a person of their choice to assist, the presiding officer was present which eroded the secrecy of the vote. ZESN is of the view that if the assisted voter is sighted, they can see the candidate of their choice and indicate their preference using an X or even ink. Failure to write cannot mean inability to see the symbol of your party or the face of your candidate. Once a person can see the candidate of their choice they can mark their intention on the candidate of their choice thereby preserving the secrecy of their choice.
- In some cases ZESN observed cases where people who had voted in the harmonized election in these polling stations could not find their names in the voters' roll and were therefore barred from voting. This brings questions on which voters roll is being used for this by-election.
- Of concern was the procedure of showing the ballot paper to the presiding officer after casting a vote. This system was done away with using the Electoral Amendment Act of 2013 which prescribed that the voter did not have to show the seal to the Presiding Officer but simply place their ballot paper in the box after voting. ZESN noted that in almost all polling stations, the voters would show their ballot paper to the presiding officer after voting. This raises issues of voter education on the part of the electorate and training on the part of the presiding officer who did not correct this practice.

Counting

Counting in all polling stations took place according to procedures and votes were displayed outside the polling stations. All party agents agreed that the process had gone well and signed the V11 form.

Results

In all the wards, ZANU PF councilors won the seats. The table below shows the results of the by-elections.

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The results show that ZANU PF has retained the seats that were made vacant by the death of the councilors and in addition, they have also managed to acquire the Harare municipality ward 12 seat that had been won by MDC T. ZANU PF has made inroads in places which were formerly MDC T strongholds.

Citizens can participate and receive regular updates on the by elections on the official ZESN social media platforms; <https://www.facebook.com/pages/Zimbabwe-Election-Support-Network> ZESN and Twitter handle: [@ZESN1](https://twitter.com/ZESN1)

PROMOTING DEMOCRATIC ELECTIONS IN ZIMBABWE

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ZIMBABWE ELECTION SUPPORT NETWORK



Mid-morning statement on the local government by-elections

Harare, 25 January 2014 –The Zimbabwe Election Support Network (ZESN) is observing the three local government by-elections in Harare, Karoi and Zaka. Observers have reported that voting is taking place in a calm and peaceful environment. Most polling stations opened on time with adequate voting materials available. In all polling stations, political parties are represented by their party agents except for independent candidate in Harare's ward 12 who has no party agents representing him.

While voting is taking place peacefully and voters are trickling in, ZESN observers have reported the occurrence of critical incidents in some polling stations.

- ZESN observers have reported the deployment of riot police in Mbare at Stodart Hall in particular. ZESN is concerned about this deployment which has the capacity to agitate voters. In addition, the Zimbabwe Republic Police has already deployed at least 5 officers at each polling station. The heavy presence of the police can be intimidating.
- ZESN observers have also reported some voters whose names were not appearing in the voters roll voting on the basis of voter registration slips dated as far back as June 2013. This is a matter of concern as almost 6 months have elapsed since the last election and the Registrar-General's office have not been updating the voters roll. The voting slips cannot be authenticated hence voters not resident in the particular ward holding the by election can vote.
- ZESN observers have reported that in some polling stations the police are outside the polling station while in some stations the police office is sitting inside the polling station.
- ZESN observers have reported inconsistent application of the law that provides for assisted voters. ZESN observers have noted that even when a voter who needs assistance has brought in a person of their choice to assist, the presiding officer is also present which erodes the secrecy of the vote.
- ZESN observers in Harare's ward 12 have reported that some people who voted in the harmonized election in 2013 and whose names were appearing in the voters roll have been turned away on the basis of their names not appearing in the voters roll. This brings questions on which voters roll is being used for this by-election.

ZESN continues to observe the by-elections and will be providing regular updates as the day progresses.

Citizens can participate and receive regular updates on the by elections on the official ZESN social media platforms; <https://www.facebook.com/pages/Zimbabwe-Election-Support-Network> ZESN and Twitter handle: [@ZESN1](https://twitter.com/ZESN1)

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