



**Zimbabwe Election
Support Network** ■
Promoting Democratic
Elections In Zimbabwe

Press Statement

**ZESN PRELIMINARY STATEMENT ON THE HARARE EAST AND MT PLEASANT NATIONAL
ASSEMBLY BY-ELECTIONS**

27-APRIL-2024- In the spirit of ensuring transparency, fairness and accountability crucial to democracy and safeguarding election integrity, the Zimbabwe Election Support Network (ZESN) observed National Assembly by-elections on 27 April 2024 in Harare East and Mt Pleasant Constituencies. The by-elections were held to fill in vacancies that arose in the Constituencies following the resignation from the National Assembly by former Citizens Coalition for Change (CCC) legislators for Mt Pleasant and Harare East, Fadzayi Mahere and Allan Markham.

Legal Framework

The by-elections were held in accordance with the 2013 Constitution, the Electoral Act, and the Subsidiary and Subordinate legislation that usually takes the form of Statutory Instruments. This legal framework governs the conditions under which by-elections are to be held and the electoral system to be used. Section 39 of the Electoral Act states that in the event of an electoral vacancy occurring, the Speaker of Parliament shall notify the President and the Zimbabwe Electoral Commission (ZEC) of the vacancy as soon as possible after he/she becomes aware of it and just as is the case with other elections, a clear roadmap guiding the by-elections should be mapped.

Section 129 (1) (b) prescribes that the seat of a Member of Parliament becomes vacant upon a member resigning from his or her seat by written notice to the President of the Senate or the Speaker of Parliament. Sections 159 of the Constitution and Section 39 of the Electoral Act, provide that a vacancy must be filled through a by-election whenever it occurs. In compliance with s158 (3) of the Constitution, which mandates that any vacancy should be filled through a by-election within 90 days of the date on which the vacancy has occurred, President Emmerson Mnangagwa, through Statutory Instrument 37A of 2024, Proclamation 1 of 2024 proclaimed 26 March 2024 as the date for nomination of candidates and 27 April 2024 as the by-election date for the two (2) Constituencies.

The Electoral Act outlines the key procedures for candidate nomination, voting, counting and the announcement of the results of the said by-election. As mandated by the Constitution to conduct by-elections, ZEC was in charge and supervised the by-elections. Voter registration

for the by-elections is closed as per Section 26 of the Electoral Act which provides that no person shall be registered as a voter no later than the second day following the publication and proclamation of the election.

Nomination Court

The Nomination Court for Harare East and Mount Pleasant National Assembly Constituencies sat on Tuesday, 26 March 2024, to receive nomination papers of candidates for election as legislators for the vacant seats at the Magistrates Court Rotten Row, Harare. Mutimbanyoka Kiven of ZANU-PF and Cheza Ropafadzo Cynthia, an independent candidate, were successfully nominated to contest as National Assembly candidates for Harare East Constituency. Another contender, David Chitimbe of Changu Chimuti Chakapinda Chapinda (CCCC), intended to vie for the Harare East seat but was disqualified due to the inability to secure the required US\$1,000 nomination fees. Two (2) independent candidates, Mamuse Nason, Ticky Brian and Mashavave George of ZANU-PF, were duly nominated as National Assembly candidates for Mt Pleasant. Overall, the process was very peaceful and calm. There were no reported incidents of violence or intimidation by candidates or their supporters during nomination day and processes.

Pre-election period and campaigns

Campaigns for the by-elections began after the sitting of the Nomination Court on March 26. ZANU-PF heavily invested in campaigns, holding rallies in Mt Pleasant and Harare East. Notably, on 14 April 2024, ZANU-PF held a Provincial Launch of the campaign at Bond Shops Post Office Mt Pleasant, Hon Tavengwa led the proceedings. On 20 April, the party hosted a Star rally at Lewisam Primary School in Mt Pleasant Constituency led by Vice President Kembo Mohadi. In Harare East, a rally was held at Dam View, and it was led by Vice President Dr. Constantino Chiwenga, who encouraged people to vote for a ZANU-PF candidate. Ropafadzo Cheza (Independent) is reported to have held a rally at Chisipite Shops. Cheza also had mobile teams around Harare East with mobile hailers as part of her campaign strategy. Cheza and Mamuse, for Harare East and Mt Pleasant, respectively, were calling on voters to support former CCC leader Nelson Chamisa by casting their votes in their favour.

Observation methodology

ZESN trained and deployed 107 observers, comprising 95 polling station-based observers and 12 mobile teams. The mobile teams served a dual role; to supervise static observers and to observe the environment outside polling stations on Election Day. ZESN also received updates on the pre-electoral environment from observers resident in both National Assembly Constituencies.

Before deployment, the Zimbabwe Electoral Commission (ZEC) accredited all ZESN observers. This preliminary statement is informed by reports from ZESN observers and recommendations aligned with Zimbabwe's electoral laws and SADC Principles and Guidelines Governing the Conduct of Democratic Elections.

Polling Day Political Environment

ZESN observers reported that the political environment was calm and peaceful in both Constituencies. The Network commends the candidates and their supporters for observing peace during the pre-electoral and polling periods. Peace not only cultivates stability and unity but also serves as a crucial deterrent against violence, which is indispensable for advancing the cause of democracy.

Set up and opening of polling stations

Prior to the setting up of polling stations, voters' rolls were displayed outside. Displaying voter rolls outside polling stations is crucial to enable voters to verify their registration, reducing redirection and disenfranchisement on Election Day. ZESN observers reported that polling stations opened punctually, with all necessary polling materials such as ballot boxes, ballot papers, indelible finger markers, voters' rolls and the ZEC official stamps.

Political parties' agents

ZANU-PF and independent candidates that contested the by-elections had polling agents in all the polling stations where ZESN observed. ZESN commends the deployment of polling agents, which facilitates the monitoring of polling processes and enables timely interventions if required.

Polling Officials,

On average, ZESN observed seven (7) polling officers, the majority female. This observation is important as it highlights gender representation and staffing levels at polling stations, contributing to equitable participation and representation in electoral processes and aligning with principles of inclusivity and diversity in governance. Further, the Network commends ZEC for the deployment of a Person with Disabilities (PwDs) as Presiding Officer at Chisipite Senior School polling station, as this is crucial for promoting inclusivity and accessibility in elections. It enhances understanding of disability-related needs, ensures equitable participation, and sets an example of diversity in electoral processes, fostering a more representative and accommodating voting environment.

Voting Process and Procedures

Polling procedures were dully followed in accordance with the law, for example, checking voters' names on the voters' roll and checking their fingers for ink before they could be allowed to vote. Ballot papers were stamped with an official ZEC stamp before being issued to voters. ZESN observers reported that ZEC put clear signage on roadsides leading to polling stations, outside and at all polling stations. ZESN commends ZEC for the clear and prominent signage as it helps voters locate polling stations, understand procedures and navigate the voting process. Well-placed signage also aids election officials in managing voter flow and maintaining order.

Assisted Voters

Section 59 of the Electoral Act provides for assisted voting of illiterate or physically handicapped voters by a person of choice. ZESN observers reported very low numbers of assisted voters in the by-elections and that the electoral provisions were uniformly applied by polling officials in rendering assistance, whenever a voter required it. For instance, the highest number of assisted voters from the reports submitted by Mount Pleasant Constituency observers was four (4) people, who were assisted at the Paraplegic Centre Tent, while the highest number of assisted voters in Harare East was three (3) people at Tafara 2 Secondary School B. The majority of polling stations in both Constituencies were recorded.

Voter turnout

The voter turnout in both by-elections was very low. Harare East Constituency recorded a turnout of 15.2%, and Mount Pleasant Constituency recorded an 11.6% turnout.

Redirected and turned away voters

The number of re-directed and turned-away observers was also very low. According to ZESN observer reports Harare East’s Glen Lorne Shopping Centre C polling station recorded the highest number of re-directed observers where 22 voters were re-directed to other polling stations. In Mount Pleasant’s Open Space Hiller Road / Churchill Ave Tent A C polling station recorded the highest number of re-directed voters where 17 people were redirected to other polling stations.

By-Election Results

George Mashavave and Kevin Mutimbanyoka were declared winners by the ZEC in Mount Pleasant and Harare East, respectively. The table below shows the results of the 27 April 2024 National Assembly by-elections.

BY-ELECTION RESULTS

The tables below show the results of the by-elections, as declared by ZEC

HARARE EAST CONSTITUENCY 2024 By-Election			
Candidate	Sex	Party	Votes
Cheza Ropafadzo Cynthia	F	Independent	1 974
Mutimbanyoka Kiven	M	ZANU-PF	3 533
MT PLEASANT CONSTITUENCY			
Candidate	Sex	Party	Votes

Mashavave George	M	ZANU-PF	3 205
Mamuse Nason	M	Independent	945
Ticky Brian	M	Independent	220

Analysis of the results

Both Constituencies were won by ZANU-PF candidates with comfortable leads. For instance, Mutimbanyoka Kiven won the by-election with a lead of 1,559 votes, while Mashavave George won with a lead of 2,040 votes. Whilst Harare East had predominantly been won by opposition parties since 2000, ZANU-PF previously won the seat in the 2015 by-election when Terrence Mukupe of ZANU-PF was declared the winner. Mt Pleasant has also been an opposition stronghold since 2008, with ZANU-PF winning the seat in 2013 when Jameson Timba of the opposition MDC-T (3 817) lost to Jaisson Passade of ZANU-PF (7 946).

Conclusion

ZESN commends the ZEC for significant improvements in the quality of signage used to give direction to the polling stations, the legibility of the voter rolls posted outside polling stations, and the peaceful environment observed during the campaigns.

National Assembly elections are vital for democratic governance. They shape legislative bodies that create and amend laws, represent citizens' interests, and enable accountability. These elections empower citizens to influence policies, national direction, and the distribution of power, thereby impacting the lives of all citizens.

Recommendations

ZESN recommends the following, based on its observations:

- Members of the public are encouraged to fully utilise their constitutionally guaranteed civil and political rights by, among other things, participating in voting when elections are conducted.
- There is need for the ZEC to continue increasing the font for displayed voters rolls to cater for those with visual impairment.

PROMOTING DEMOCRATIC ELECTIONS IN ZIMBABWE
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