



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

Press Statement

ZESN PRELIMINARY STATEMENT ON THE 3 FEBRUARY 2024 NATIONAL ASSEMBLY BY-ELECTIONS

4-FEBRUARY-2024 – In line with its mission to promote democratic free and fair electoral processes through objectively and impartially observing elections in Zimbabwe, the Zimbabwe Election Support Network (ZESN) observed the 3 February 2024 National Assembly by-elections. These by-elections were conducted in Chegutu West, Goromonzi South, Mkoba North, Pelandaba-Tshabalala, Seke, and Zvimba East. National Assembly vacancies arose following recalls of six (6) incumbent legislators.

The legislators who were all elected in the 23 August 2023 Harmonised Elections under Citizens Coalition for Change (CCC), were recalled by the party's 'interim Secretary General' Sengezo Tshabangu who declared they had ceased to be members of the political party with effect from 14 November 2023 are; Addmore Chivero - Chegutu West; Stephen Chatiza - Goromonzi South; Amos Chibaya - Mkoba North; Gift Ostallos Siziba – Pelandaba-Tshabalala; Willard Tapfumaneyi Madzimbamuto – Seke and Oliver Mutasa – Zvimba East.

Legal Framework

Zimbabwe's 2013 Constitution, the Electoral Act as well as Subsidiary and Subordinate legislation in the form of Statutory Instruments governed the conditions under which the by-elections were conducted. Section 39 (2) of the Electoral Act [Chapter 2:13] provides that, *...after the President has been notified in terms of the said section of vacancies in the membership of Parliament, he shall issue a proclamation ordering a new election to fill the vacancies in the same manner, mutatis mutandis, as is provided in Section 38 of the said Act in regard to a general election.* On 23 November 2023, President Emmerson Mnangagwa proclaimed the by-elections date through Statutory Instrument 235 of 2023, Proclamation 10 of 2023 in line with Section 46 (17) (c) of the Electoral Act [Chapter 2:13]. The proclamation ensured that the election date sat within the confines of the Zimbabwean Law as enshrined under Section 158 (3) of the Constitution which further mandates that any vacancy should be filled through a by-election within 90 days of the date in which the vacancy occurred.

In line with the proclamation, the Nomination Courts sat on 18 December 2023 in Bulawayo, Chinhoyi, Marondera and Gweru to receive candidates' nomination papers. Chinhoyi Magistrates Court received nominations for Chegutu West and Zvimba East. Marondera Provincial Magistrates Court received nominations for Goromonzi South and Seke, Midlands Provincial Magistrates Court received nominations for Mkoba North whilst the Bulawayo Magistrates Court catered for nomination papers of Pelandaba - Tshabalala Constituency.

Below is a table of the duly nominated candidates.

CHEGUTU WEST			GOROMONZI SOUTH		
Name of Candidate	Sex	Party	Name of Candidate	Sex	Party
Chivero Admore	M	Independent	Chagwiza Stephen	M	CCC
Konjana Gift Machoka	M	CCC	Chikudo Rueben	M	CCC
Timburwa Shakemore Wellington	M	ZANU-PF	Zhanda Washington	M	ZANU-PF
MKOBA NORTH			PELANDABA - TSHABALALA		
Name of Candidate	Sex	Party	Name of Candidate	Sex	Party
Chibaya Amos	M	CCC	Nkomo Abraham	M	DOP
Ncube Edgar	M	ZANU-PF	Siziva Gift	M	CCC
Taiya Patrick	M	DOP	Tembo Moreblessing	F	CCC
			Tshuma Joseph	M	ZANU-PF
SEKE			ZVIMBA EAST		
Name of Candidate	Sex	Party	Name of Candidate	Sex	Party
Chisi Everisto	M	CCC	Alberito Agrippa	M	CCC

Kashambe Munyaradzi Tobias	M	ZANU-PF		Mananzva Kudakwashe	M	ZANU-PF
Madzimbamuto Willard Tapfumanei	M	Independent		Mutasa Oliver	M	Independent

Disqualification of previously recalled candidates

On 12 January 2024, ‘interim Secretary General’ Sengezo Tshabangu filed an application at the High Court of Zimbabwe seeking to bar 23 candidates (three National Assembly and 20 Local Authority candidates) from contesting in the 3 February 2024 by-elections. On 20 January 2024, the High Court ruled in favour of Sengezo Tshabangu and barred previously recalled parliamentarians and councillors from contesting in the by-election under the CCC’s banner. The High Court granted a declaration that the Nomination Court had erred in accepting the nomination papers of three ex-MPs namely Gift Siziba of Pelandaba -Tshabalala constituency, Amos Chibaya of Mkoba North and Stephen Chatiza of Goromonzi South as they had not been readmitted into the party following their recalls. As a result of this ruling, the trio were barred from contesting in the 3 February National Assembly by-elections.

Observation Methodology

ZESN deployed a total of 271 static including 15 mobile observers at polling stations, ward collation centres and Constituency collation centres across the six (6) Constituencies. The deployment of observers is in line with provisions of Section 40G of the Electoral Act on Election Observation to ensure transparency, fairness, and the overall integrity of the election. The presence of observers helps identify any electoral or polling issues that may arise during the voting and counting processes, contributing to a more credible democratic process.

Pre-election Environment

Campaigns

Campaigns commenced towards the end of December 2023 following the sitting of the Nomination Court on 18 December 2023. Across all the Constituencies, the political environment was reported to be calm with low levels of participation and few political gatherings.

ZANU-PF held a series of rallies in all the six (6) Constituencies and most of them were addressed by senior party officials. The 26 January, Zvimba East rally was addressed by the party's National Chairperson, Oppah Muchinguri-Kashiri; on 8 January, the party's Mashonaland East provincial chairperson Daniel Garwe led ZANU-PF campaign rallies in Goromonzi South and Seke; and ZANU-PF National Political Commissar Mike Bimha visited Bulawayo to drum up support for Pelandaba - Tshabalala ZANU-PF candidate Joseph Tshuma.

The CCC party's campaigns in several Constituencies stopped after the 20 January High Court ruling which barred the three (3) former Members of Parliament (MPs) who were recalled.

Gender

Despite women constituting 52% of the voting population in Zimbabwe, they are significantly underrepresented in leadership positions. The challenges facing female participation in Zimbabwe's elections remains evident and very low, therefore the need for increased efforts to address these disparities. With respect to the 3 February 2024, out of the 16 candidates across the six (6) Constituencies only one (1) was female, Moreblessing Tembo of the CCC. However, women's participation in the administration of these by-elections was commendable as ZESN observers' reports showed that there was a near balance of gender in the deployment of Presiding Officers and Polling Officials.

Additionally, it is ZESN's view that the reservation of special seats for women in Parliament and local authority councils has had the unintended effect of discouraging women's participation in constituency and ward elections, as political parties, which are predominantly male-dominated, expect women candidates to contest the reserved seats while keeping constituency and ward seats for men.

Voter Education

ZESN observers reported that the Zimbabwe Electoral Commission (ZEC) conducted voter education for the 3 February by-elections. Voter education exercises primarily used online platforms, door to door, in churches and also the use of public hailers.

Polling day political environment

Polling day environment was predominantly peaceful in most of the areas that ZESN observed. This peaceful setting is crucial as it fosters a safe and conducive environment for voters to participate in the electoral process.

Set up and opening of polling stations

Prior to the setting up of polling stations, voters rolls were displayed outside to enable the voters to verify and confirm their registration details, reducing the likelihood of being

redirected or turned away on polling day. ZESN observers reported that the polling stations were opened on time and equipped with all necessary materials, including ballot boxes, ballot papers, indelible finger markers, voters rolls, and official stamps. This timely and well-prepared setup contributes to a smoother and more efficient voting process, instilling confidence in the electoral process and minimizing the number of voters being redirected or turned away on polling day.

Political parties' agents

ZESN members and observers reported that ZANU-PF and CCC comprehensively deployed political party agents at all polling stations they observed, while Democratic Opposition Party (DOP) deployed agents in Mkoba North and Pelandaba-Tshabalala Constituencies. ZESN commends the political parties for their consistency in deploying political party agents in all elections as this permits them to track polling processes which in turn empowers them to make any arbitrations where desirable.

Polling officials, Voting process and procedures

Each of the polling stations was manned by an average of seven (7) polling officers at the time of opening and the majority of the polling officials were female. ZESN observers noted that ZEC ensured gender parity by assigning both male and female Presiding Officers. Polling procedures were duly 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.

Assisted Voters

Section 59 of the Electoral Act on **voting by illiterate or physically handicapped voters** provides that: *(1) Upon request by a voter who is illiterate or physically handicapped and cannot vote in the way set out in Section 57, a Presiding Officer shall- (a) permit any other person, selected by the voter, to assist the voter in exercising his or her vote; or (b) in the absence of a person selected by the voter, assist the voter in exercising his or her vote in the presence of two other electoral officers or employees of the Commission and a Police Officer on duty.* ZESN observers reported that there were low numbers of assisted voters during the by-elections. Varying numbers of assisted voters were recorded across all constituencies. These were assisted for various reasons but mainly due to illiteracy of visual impairment. At Sizane High School B in Pelandaba - Tshabalala, 4 out of the 145 who had voted by 6pm were assisted. In Mkoba North, at Mkoba 19 Business Centre Tent five (5) voters were assisted. The highest number of assisted voters was recorded at Marikopo Primary School in Seke where 13 voters were assisted to cast the ballot.

Voter turnout

While Section 67 of the Zimbabwean Constitution provides the right of every Zimbabwean to vote, there appears to be a limited uptake in exercising this constitutional right among eligible voters in the country, particularly during by-elections. Observers reported that there was a low turnout of voters exercising their constitutional right to select their preferred representatives in the six (6) National Assembly and Local Authority by-elections.

Voter turnout was very low across all the six (6) Constituencies. Overall, Mkoba North recorded 14.06 % voter turnout. In Pelandaba - Tshabalala turnout stood at 11, 73% and in Goromonzi South 18.1 % casted their ballots. In comparison to the other three (3) Constituencies, voter turnout was relatively higher in Chegutu West with 33.5%, and Zvimba East 31.6 % and Seke 30.18 %.

ZESN expresses concern over the decline in voter participation, which can be seen as a form of voter protest, particularly in response to recalls. The influence of recalls on the democratic character of elections is apparent in the decreasing voter participation witnessed in by-elections subsequent to the 2023 Harmonised Elections. Voter apathy erodes the core principles of democracy. Moreover, inadequate intra-party democracy, procedural deficiencies, and shortcomings in the regulations governing the selection of candidates could be recognized as elements contributing to the low turnout, impacting voters' motivation and active participation in electoral processes.

Rejected Ballots

In what appears to be a new phenomenon characteristic of the by-elections is the high numbers of rejected ballots that were recorded against the backdrop of low voter turnout may be indicative of voter fatigue and protest vote. For example, Goromonzi South recorded 369 rejected votes, Seke - 313; Zvimba East – 262; Pelandaba-Tshabalala - 212; Chegutu West - 191 and Mkoba North 185. The same trend was witnessed across all electoral Constituencies during the 9 December 2023 by-elections.

Redirected and turned away voters

The by-elections had a very low number or none of redirected voters and turned away persons. In Zvimba East the highest number of turned away persons was recorded at Umzururu Primary School polling station where five people turned away. At Chegutu Community Hall A in Chegutu West, ten (10) people were turned away, which was the highest number recorded at any polling station in that Constituency. At Mandedza Shopping Centre Tent A, 13 people were turned away. Many of the cases of people who were turned away

involved voters who had turned out to vote without acceptable forms of identification. A few others had their names not found in the voter's roll of the specific polling station. ZESN observers also noted that some of the turned away voters would later on return to the polling stations with acceptable identification documents.

In Seke, at Pamutiti Tent A polling station, 11 people were redirected. In the same Constituency, at Manyama Old Council Offices 21 people were redirected to other polling stations after they had turned up to vote at a wrong polling station. A significant number of redirected voters was recorded at Mandedza Shopping Centre Tent A in Goromonzi South where 26 were redirected to other polling stations.

Critical Incidents

During the Seke Constituency by-elections, five (5) alarming incidents were reported involving ZESN observers. At Ruwa Country Club Polling Station in Ward 24, an observer was harassed and intimidated by unidentified individuals in an unmarked vehicle. The aggressors demanded information about her activities, escalated to threats of physical violence, and forced her to leave the polling station, removing her ZESN Observer T-shirt. Law enforcement officers and the Presiding Officer were present but were instructed not to intervene by the unidentified individuals. Fearing for her safety, the observer complied, and the incident was reported to ZEC, leading to her removal from the polling station by ZESN for her safety.

In another incident at Rusoveri Methodist Polling Station in Ward 15, a ZESN observer monitoring the electoral process was threatened and chased away by unidentified individuals believed to be affiliated with the ruling party. Despite the Presiding Officer's attempts to intervene, the observer faced accusations of being a sell-out and misrepresenting to the West that elections are stolen in Zimbabwe and was forced to leave. Before intimidating the ZESN observer, the aggressors had a meeting with ZANU-PF party agents and demanded that only ZEC officials, the police and political party agents remain at the polling station.

Three additional incidents were recorded on Election Day, at the following polling stations Sundai Makonde ward 4, Charakupa clinic ward 4, and Pamusasa Tent A. Observers at these polling stations were also harassed on Election Day within the 300m radius of their respective polling stations. Due to fear, one female observer ended up sleeping at the polling station with no blankets.

These incidents highlight the challenges faced by election observers and the interference they may encounter while carrying out their duties. The act of intimidating and chasing away election observers not only weakens the values of transparency and accountability but also raises apprehensions around the general fairness of the electoral process. There is a need for

the police to ensure the safety and security of observers when discharging their duties without fear of reprisal. These security threats on observers are on the rise, hence ZEC must address this problem before it gets out of hand to ensure public confidence in the electoral process and electoral credibility.

BY-ELECTION RESULTS

The tables below show the results of the by-elections.

CHEGUTU WEST							
2023 Harmonized Election Results				February 2024 By-Elections			
Candidate	Sex	Party	Votes	Candidate	Sex	Party	Votes
Chivero Addmore	M	CCC	13 942	Timburwa Shakemore Wellington	M	ZANU-PF	6 697
Chigavazira Last Farai	M	ZANU-PF	11 308	Chivero Admore	M	Independent	2 626
Konjana Gift Machoka	M	Independent		Konjana Gift Machoka	M	CCC	668
Makiyi Elizabeth	F	Independent					
Matibe Takalani Prince	M	Independent					
GOROMONZI SOUTH							
2023 Harmonized Election Result				February 2024 By-Elections			
Candidate	Sex	Party	Votes	Candidate	Sex	Party	Votes
Chagwiza Stephen	M	CCC	16 312	Zhanda Washington	M	ZANU-PF	6 865
Chikonye Tinashe	M	ZANU-PF	15 216	Chikudo Rueben	M	CCC	1 067
Chikudo Rueben	M	Independent	421				

MKOBA NORTH

2023 Harmonized Election Result				February 2024 By-Elections			
Candidate	Sex	Party	Votes	Candidate	Sex	Party	Votes
Chibaya Amos	M	CCC	12 555	Ncube Edgar	M	ZANU-PF	2 415
Antonio Learnmore	M	FZC	68	Tahiya Patrick	M	DOP	1 663
Gondo William	M	ZANU-PF	4 906				
Kandai Clifford	M	MDC-T	124				
Mkandhla Tadious	M	UZA	56				

PELANDABA - TSHABALALA

2023 Harmonized Election Result				February 2024 By-Elections			
Candidate	Sex	Party	Votes	Candidate	Sex	Party	Votes
Siziba Gift	M	CCC	6 529	Tshuma Joseph	M	ZANU-PF	1 845
Moyo Soneni	M	CCC	3 829	Tembo Moreblessing	F	CCC	464
Ndlovu Gift	M	DOP	169	Nkomo Abraham	M	DOP	156
Maplanka Sanpoulas		EFF	144				
Moyo Mourene	F	UZA	88				
Verenga Cecilia	F	ZANU-PF	2 969				

SEKE

2023 Harmonized Election Result				February 2024 By-Elections			
Candidate	Sex	Party	Votes	Candidate	Sex	Party	Votes

Kazhambe Munyaradzi Tobias	M	ZANU-PF	13 277	Kashambe Munyaradzi Tobias	M	ZANU-PF	8 586
Madzimbamuto Willard Tapfumaneyi	M	CCC	14 032	Chisi Everisto	M	CCC	669
Muzanenhamo Frederick	M	DUZ	235	Madzimbamuto Willard Tapfumaneyi	M	Independent	2 401
ZVIMBA EAST							
2023 Harmonized Election Result				February 2024 By-Elections			
Candidate	Sex	Party	Votes	Candidate	Sex	Party	Votes
Mutasa Oliver	M	CCC	15 435	Mananzva Kudakwashe	M	ZANU-PF	10 359
Mukwangariwa Francis Garikai	M	ZANU-PF	15 246	Mutasa Oliver	M	Independent	1 992
				Alberito Agrippa	M	CCC	855

Results Analysis

ZANU-PF won all the six (6) National Assembly Constituencies where by-elections took place. Chegutu West, Seke are swinging Constituencies which in the past have had either ZANU-PF or opposition parties winning the seat. By winning the two (2) seats of Pelandaba - Tshabalala and Mkoba North, ZANU-PF have gained ground in opposition strongholds. Pelandaba - Tshabalala and Mkoba North Constituencies are creatures of the 2022/2023 Zimbabwe Delimitation Exercise. Their predecessor Constituencies were predominantly opposition strongholds since their creation in the 2007/2008 delimitation exercise. The opposition party in the form of the Movement for Democratic Change enjoyed strong support from these Constituencies. After the 2022/2023 exercise, the newly formed opposition CCC won the two (2) Constituencies in the harmonized elections. In Mkoba North, DOP was quite competitive in the by-elections although it failed to garner sufficient numbers to win the seat. Zvimba East has been a ZANU-PF stronghold since the 2007–2008 delimitation process. However, the party lost the seat to the Citizen Coalition for Change in the 2023 harmonized elections. With the

recalls and the subsequent by-election, ZANU-PF succeeded to take back the seat from the opposition party.

Conclusion and Recommendations

The by-elections for the National Assembly on February 3, 2024, took place in an atmosphere of low voter education and growing voter apathy in the nation. ZESN reiterates its call that Parliament develop legislation, especially to amend Section 129 (k) of the Constitution, to prevent recalls from being carried out arbitrarily, which would put a burden on the national budget and reduce the value of the vote. Further, the Network recommends that;

- ❖ The ZEC and other electoral stakeholders continue supporting voter education efforts to ensure that the electorate are well informed about electoral processes in order to enhance participation.
- ❖ There is a need to ensure the safety and security of observers when discharging their duties without fear of reprisal to ensure public confidence in the electoral process and electoral credibility.
- ❖ It is imperative to establish clear mechanisms for the protection of observers, including legal frameworks that explicitly prohibit any form of harassment or reprisal against them.
- ❖ Political parties should promote a culture of non-violence and tolerance in order ensure that citizens participate freely in electoral processes.
- ❖ The ZRP must uphold the rule of law and order without fear or favor.//ENDS

PROMOTING DEMOCRATIC ELECTIONS IN ZIMBABWE

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