



Press Statement

ZESN PRELIMINARY STATEMENT ON THE CHINHOYI WARD 4 AND HARARE WARD 36

MUNICIPALITY BY-ELECTIONS

10-MARCH-2024- In the spirit of ensuring transparency, fairness and accountability crucial to democracy and safeguard election integrity the Zimbabwe Election Support Network (ZESN) observed Local Authority by-elections on 9 March 2024 in City of Harare Ward 36 and Chinhoyi Municipality Ward 4. The by-elections in which Zimbabwe African National Unity Patriotic Front (ZANU-PF) won all the two (2) seats were held to fill in a vacancies that arose in the Wards. The vacancy in Chinhoyi Municipality Ward 4 arose after the High Court nullified the victory of Archibald Muzanenhamo (independent candidate), who was initially declared the winner in the ward during the 23 and 24 August 2023 Harmonised Elections. Muzanenhamo's victory was nullified after the High Court found him guilty of engaging in vote buying within a 300-meter radius from a polling station, on Election Day in violation of the Electoral Act. In Harare Municipality Ward 36, the vacancy arose following the recall of Lovejoy Chitengu Citizens Coalition for Change (CCC) through processes initiated by 'CCC interim Secretary General' Sengezo Tshabangu.

Legal Framework

The by-elections were held in accordance with Section 121 A of the Electoral Act (Chapter 2:13) following the recall of the incumbent councillor for the City of Harare Ward 36 and the setting aside of the declared results of 23 and 24 August 2023 by the High Court in Case Number R-HCCEC 1/23 in Ward 4 of Chinhoyi Municipality. Section 136 (1) of the Electoral Act criminalizes vote buying in all its forms of bribery, loans, gifts, offer, promise, procurement or money payments to voters before, during and after elections to influence the vote.

Nomination Court

The Nomination Court sat on Tuesday 6 February 2024 to receive the nomination of the candidates to the vacant seats in line with Section 125 (4) of the Electoral Act [Chapter 2:13]. The Nomination Court for the City of Harare Ward 36 sat at the offices of the Town Clerk, Town House, whilst for Chinhoyi the Nomination Court sat at the offices of the Town Clerk, Civic Centre. 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. Archibald Muzanenhamo (Independent), Ignatius Blessed Chari (Independent) and Ignatius Zvigadza (ZANU-PF) were successfully nominated for election as

councillors to contest as candidates for Ward 4 of Chinhoyi Municipality. Whilst, Lovejoy Chitengu (Independent) and Loveness Gomba (Independent) and Hilda Ruzani (ZANU-PF) were duly nominated to contest as municipal candidates for Ward 36 of Harare.

Observation methodology

ZESN trained and deployed 30 observers across the two (2) Local Authority Wards. Of the 30, 25 (22 static and 3 mobile) were observers stationed in Harare Municipality Ward 36 whilst five (5) were deployed in Chinhoyi Municipality Ward 4. All ZESN observers were duly accredited by the Zimbabwe Electoral Commission (ZEC) prior to deployment. This preliminary statement is based on reports received from the ZESN observers and recommendations are made in accordance with the electoral laws of Zimbabwe as well as the Southern African Development Community (SADC) Principles and Guidelines Governing the Conduct of Democratic Elections.

Pre-election Observations

In Harare Ward 36, Hilda Ruzani (ZANU-PF) dominated the campaign space. Ruzani conducted door to door campaigns and social media campaigns, and she also distributed mealie meal and road runner chicks. Lovejoy Chitengu an (Independent candidate) was observed conducting door to door campaigns and informing the electorate that he was aligned to Nelson Chamisa. Observers reported that all candidates in Harare ward 36 pasted posters around the ward. Social Media took centre stage in campaigns in the ward, as candidates opened WhatsApp groups for the campaigns and some campaigned in the already existing WhatsApp community groups. Loveness Gomba (Independent candidate) is reported to have conducted door to door campaigns also, however ZESN observers noted that she was the least visible candidate running for the Harare Ward 36 councillor seat.

In Chinhoyi Ward 4 our observers reported that Ignatius Zvigadze (ZANU-PF) and Archibold Muzanenhamo (Independent) conducted door to door campaigns. Zvigadze held a number of meetings within the community and distributed jerseys and cups. Observers also reported that Muzanenhamo's campaigns were mainly conducted at the shopping centre and where he also distributed drinks. Muzanenhamo has been using the WhatsApp platform for campaigns.

Electoral Environment

The pre-election environment was generally peaceful. Notably candidates shared vote in peace messages during their campaigns. ZESN commends the candidates for peace messaging ahead of the by-election as peace fosters stability, unity and helps prevent violence essential for democracy promotion. However, ZESN volunteers reported the tearing and defacing of posters of independent candidates in Harare Ward 36 in defiance of Section 152 of the Electoral Act which states that; *“from the date on which an election is called until its result is declared, no person shall deface or remove any billboard, placard or poster published, posted or displayed by a political party or candidate contesting the election.”* There is a need for greater political literacy amongst party supporters on the legal provisions contained in Section 152 of the Electoral Act on Regulations on defacing property for political purposes.

Voter Education

ZEC conducted voter education in both Chinhoyi ward 4 and Harare Ward 36, through mobile teams who were providing Information, Education and Communication Materials (IECs). On Sunday 3 March, the ZEC voter educators conducted voter education in a number of local churches in both wards.

Polling day political environment

ZESN observers reported that the political environment was calm and peaceful in the two (2) Wards.

Set up and opening of polling stations

Prior to the setting up of polling stations, voters' rolls were displayed outside to enable the electorate to check their names, a good practice that serves to lessen the number of redirected and turned away voters on polling day. ZESN observers reported that the polling stations were opened on time with all the essential polling materials such as ballot boxes, ballot papers, indelible finger markers, voters' rolls and the ZEC official stamps available.

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 as this allows them to track polling processes which in turn enables them to make any interventions where needed.

Polling Officials, Voting Process and Procedures

On average, ZESN observed that there were seven (7) polling officers, and the majority being male. 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 provides for assisted voting of illiterate or physically handicapped voters by a person of choice. ZESN observers reported that there were low numbers of assisted voters in the by-elections.

Voter turnout

According to the 2023 Delimitation Report, Harare Municipality Ward 36 has a voter population of 15 139. In Harare Ward 36, 2 636 persons turned out to vote translating to 17.8% voter turnout. At around 42.3 % voter turnout in Chinhoyi Municipality Ward 4, voter turnout was significantly higher, after 1 431 people turned out to vote. According to the 2023 Delimitation Report, Chinhoyi Municipality Ward 4, has a voter population of 2 661.

Redirected and turned away voters

Across all the polling stations in Ward 36, Harare Municipality, 28 persons were turned away and not allowed to vote for reasons including turning up at the polling station with unacceptable forms of identification such as driver's license or a photocopy of the national identity card. In a number of cases, persons were turned away after their names were not found in voters roll. For instance, at Marimba Park Primary School polling station A, of the 3 that were turned away, one (1) person's name was not in the voters roll, while the other one brought a driver's license as a form of identification and the other one had photocopy of the national ID.

The number of redirected voters was low across the two wards with higher numbers of redirected being recorded at spaces where there were more than two polling stations. In Harare Ward 36, the highest number of redirected was recorded at Open Space Crowborough Way B 19 were redirected. In Chinhoyi, the highest number of redirected was recorded at Chengetai Old People's Home AA, where people 7 were redirected.

By-Election Results

ZANU-PF candidates, namely Ignatius Zvigadze and Hilda Ruzani were declared winners in Chinhoyi Municipality Ward 4 and Harare Municipality Ward 36 respectively. The table below shows the results of the 9 March local authority by-elections.

BY-ELECTION RESULTS

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

CHINHOYI MUNICIPALITY WARD 4			
Candidate	Sex	Party	Votes
Zvigadze Ignatius	M	ZANU-PF	728
Muzanenhemo Archbold	M	Independent	675
Chari Ignatius	M	Independent	13
HARARE MUNICIPALITY WARD 36			
Candidate	Sex	Party	Votes
Ruzani Hilda	F	ZANU-PF	1 202
Chitengu Lovejoy	M	Independent	1 115
Gomba Loveness	F	Independent	289

Conclusion

ZESN commends the electorate for peacefully choosing their preferred representative in Council during the Chinhoyi Ward 4 and Harare Ward 36 Municipality by-elections. Councillors are significant actors in the governance and administration of local authorities through service provision within their localities.

Recommendations

ZESN recommends the following, based on its observations:

- There is a need for greater political literacy amongst party supporters on the legal provisions contained in the Electoral Act on Regulations on tearing and defacing campaign posters of other political parties and candidates.
- More needs to be done by political parties to encourage the electorate to ensure improved voter turnout in local authority by-elections and the enjoyment of political and electoral rights afforded them by Section 67 of the Constitution.
- More voter education is needed on local authority elections which are very crucial as they determine local governance, directly impacting citizens' day to day lives such as sanitation, public safety, public health, infrastructure and future development.

PROMOTING DEMOCRATIC ELECTIONS IN ZIMBABWE

FOR COMMENTS AND FURTHER DETAILS CONTACT

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