



## **Press Statement**

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### **PRELIMINARY STATEMENT ON THE 30 NOVEMBER 2024 BY-ELECTION IN BINDURA RURAL DISTRICT (RDC) WARD 10 AND MAKONI RDC WARD 38**

**2 December 2024** - The Zimbabwe Election Support Network (ZESN) observed local authority by-elections held on 30 November 2024 in Bindura Rural District Council (RDC) Ward 10 and Makoni RDC Ward 38. The Ward 1 Victoria Falls Municipality by-election was not held following the dismissal of an appeal by the Supreme Court by an aspiring independent candidate Ephias Mambume to nullify the High Court's decision that disqualified him as a duly nominated candidate. The vacancy in Bindura RDC Ward 10 arose on 26 September 2024 following the death of the incumbent councillor, Cecilia Tsaura, of the Citizens Coalition for Change (CCC). In Makoni RDC, Ward 38, the seat became vacant following the resignation of incumbent councillor David Matambura Mutasa of the Zimbabwe African National Union-Patriotic Front (ZANU-PF) on 18 September 2024. Whilst, a vacancy arose in Victoria Falls Municipality Ward 1 after the incumbent councillor, Ephias Mambume was recalled by his party, CCC.

#### **Legal Framework**

The by-election was held in terms of 121A of the Electoral Act (Chapter 2:13), which provides for filling vacancies arising in councils. The Nomination Court held sittings on 15 and 29 October 2024 to nominate candidates for Ward 38 in Makoni RDC and Ward 10 in Bindura RDC, respectively. Bigboy Nyakudya of ZANU-PF and Elisa Masimbiti, an independent candidate, were successfully nominated as candidates for the Bindura RDC Ward 10 by-election, whereas Leonard Zuze, an independent candidate and Tonderai Madhumira of ZANU-PF, were nominated for Makoni RDC Ward 38, paving way for a by-election.

Although Ephias Mambume of CCC and Tonderai Mutasa of ZANU-PF were nominated for the by-election, Mambume's nomination was challenged and invalidated by the Electoral Court due to unpaid local rates, with the Supreme Court upholding this decision on 29 November 2024, leading to the cancellation of the by-election.

#### **Observation Methodology**

ZESN deployed 11 static observers to observe polling day procedures, covering polling station set-up, opening, voting, counting, and results announcement in both wards. Seven (7) observers were assigned to all seven (7) polling stations in Makoni RDC Ward 38, while four (4) observers were deployed to four (4) of the six (6) polling stations in Bindura RDC

Ward 10. Additionally, ZESN observed the counting process and the announcement of results at the respective ward collation centres.

This preliminary statement is based on reports from accredited ZESN observers. The findings and recommendations presented here are grounded on Zimbabwe's electoral laws, the Southern African Development Community (SADC) Principles and Guidelines Governing the Conduct of Democratic Elections, and other regional and African election standards and principles.

### **Pre-election Observations**

ZESN observers reported that the campaign period was relatively peaceful, with no incidents of violence or disruption. The environment allowed electoral contestants from all political parties to canvass for votes without hindrance.

### **Set up and opening of polling stations**

Prior to the opening of polling stations, voters' rolls were displayed outside, allowing the electorate to verify their names. ZESN observers reported that at the polling stations they observed, polling opened on time at 7 a.m., with all necessary materials, such as ballot boxes, ballot papers, indelible ink markers, voters' rolls, and ZEC official stamps.

### **Political parties' agents**

ZESN observers noted that the contestants made adequate efforts in deploying agents to monitor the electoral processes. In Bindura, both candidates had agents present at all four polling stations observed by ZESN. Similarly, in Makoni RDC, Ward 38, both candidates performed well in terms of agent deployment, ensuring proper monitoring of the electoral process.

### **Polling officials, Voting process and procedures**

ZESN observers noted that polling procedures were followed in strict accordance with the law, including checking voters' names on the roll and inspecting their fingers for ink before they were allowed to vote. On average, each polling station was staffed by six (6) polling officers.

### **Assisted Voters**

The number of assisted voters was generally low in both wards. In Bindura RDC Ward 10, the highest number of assisted voters was recorded at Maravanyika Primary School, where seven (7) out of 156 voters who had cast their ballots by 3 p.m required assistance. Similarly, at Wayerera Primary School B, six (6) out of 225 voters were assisted. In Makoni RDC Ward 38, the number of assisted voters was also low, reflecting a similar trend.

Assisted voting was due to illiteracy and visual impairment and was primarily carried out by polling officials in the presence of the police, in accordance with Section 59 of the Electoral Act, which outlines the procedures for voting by illiterate persons or those with disabilities.

### **Redirected and turned away voters**

In Makoni, the number of redirected voters was relatively low, with the highest number recorded at Moodiesville Primary School, where five (5) voters were redirected to other polling stations. In Bindura, the highest number of redirected voters was recorded at Maravanyika Primary School, where eleven (11) voters were redirected.

However, the number of people turned away in Bindura was considerably higher. At Wayerera Primary School B, 60 people were turned away, while 13 were turned away at Cornerstone Primary School, 8 at Garikai Extension Tent, and six (6) at Maravanyika Primary School. The most common reason for people being turned away was that their names did not appear in the voters roll for the respective ward. Additionally, voters from neighbouring wards were turning up to vote - only to realise upon arrival that they could not be registered in the respective ward. A few individuals were turned away for presenting unacceptable forms of identification, such as driver's licenses.

### **By-Election Results**

In Bindura RDC Ward 10, Bigboy Nyakudya of ZANU-PF was officially declared the winner by the Zimbabwe Electoral Commission (ZEC), securing 1,149 votes ahead of Elisa Masimbiri, an independent candidate, who garnered 38 votes. In Makoni RDC, the ZEC announced Tonderai Madhumira of ZANU-PF as the winner with 890 votes, well ahead of Leonard Zuze, an Independent, who received 69 votes.

Voter turnout was significantly low, with less than 50% of registered voters participating. In Makoni RDC Ward 38, only 973 out of 3,136 eligible voters cast their ballots, resulting in a turnout of 31%. In Bindura RDC Ward 10, voter turnout was recorded at 30%.

### **Conclusion and Recommendation**

ZESN applauds the electorate who participated in this by-election and also commends the contestants for conducting their campaigns peacefully. Given the low voter turnout, ZESN reiterates its call for all Zimbabweans to actively engage in electoral and governance processes to promote inclusivity and improve the quality and accountability of governance.

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#### **FOR COMMENTS AND FURTHER DETAILS CONTACT**

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