

ZIMBABWE ELECTION SUPPORT NETWORK



ZESN STATEMENT ON THE PROCLAMATION OF BY-ELECTIONS IN MT DARWIN WEST AND CHIRUMHANZU-ZIBAGWE

Harare - 20 January 2015- The Zimbabwe Election Support Network (ZESN) will observe by-elections in Mt Darwin West and Chirumhanzu-Zibagwe constituencies set for March 27 2015. The constituencies fell vacant following the appointment in 2013 of former Vice President Joyce Mujuru and the elevation of Hon Emmerson D Mnangagwa to the post of Vice President of Zimbabwe in December 2014.

According to Section 129(1) (c), “the seat of the Member of Parliament becomes vacant upon the member becoming President or a Vice-President.” In accordance with this the President through the government gazette, has since proclaimed 27 March 2015 as the date for by elections in Mt.Darwin West and Chirumanzu-Zibagwe while the nomination court will seat on 29 January 2015.

While the proclamation of the dates for the by-elections is in line with the provisions of the Electoral Act, the Network notes that it took over one year for the President to declare vacant the Mt Darwin West Constituency. ZESN encourages the government to comply with the timelines provided in the legal framework of elections to enhance confidence in the electoral processes.

Furthermore ZESN calls for more effort in the realignment of the Electoral Act with the new Constitution to ensure that ZEC is fully capacitated to carry out its mandate. Notably the Government should urgently address the existing legal vacuum on voter registration to allow ZEC to take over voter registration and management of voters’ roll functions. Currently there is no Law that explicitly identifies the government institution that is responsible for management of the voters roll and for voter registration. The Constitution has provisions that give ZEC full control of the voter registration process and management of the voters’ roll however the Electoral Amendment Act failed to capture the spirit of these constitutional provisions. As a result neither ZEC nor the Registrar General has the legal mandate to register voters, or update the voters’ roll.

ZESN urges the government to urgently resolve the legal vacuum because people who turned 18 years of age or who sought to transfer after the voter registration processes leading up to the 2013 harmonised elections have been disenfranchised due to the impasse between ZEC and the Registrar General and will not be able to participate in these by-elections.

In addition there is need for the electoral reform to address gaps that still exist in the electoral framework, these relate to the right to vote, need for repeal of the Referendums Act and strengthening the effectiveness of the electoral court. ZEC may consider producing literature/publications that simplify and summarize the electoral legislative framework. The information should also be translated into the country's official languages to enable greater access by voters including those in marginalized communities.

ZESN calls for comprehensive and inclusive voter education exercises with adequate financial and human resources effectively decentralized to the ward level in each constituency to provide adequate information to the electorate in order to ensure that eligible voters are not further disenfranchised.

ZESN will continue to support and advocate for the creation of a more conducive environment for the holding of democratic elections in Zimbabwe.

**PROMOTING DEMOCRATIC ELECTIONS IN ZIMBABWE
FOR ADDITIONAL INFORMATION CONTACT**

Tel: 263 4 250736/791443/798193/791803, Mobile: +263712415902,

Fax: 263 4 250735

Facebook: www.facebook.com/pages/Zimbabwe-Election-Support-NetworkZESN/

Twitter handle: ZESN1

Email: info@zesn.net / zesn2011@zesn.net, Website: www.zesn.org.zw