
ZIMBABWE ELECTION SUPPORT NETWORK



ZESN'S PRELIMINARY STATEMENT ON THE GURUVE SOUTH NATIONAL ASSEMBLY BY-ELECTION

Harare- 24 April, 2016 – The Zimbabwe Election Support Network (ZESN) observed the Guruve South National Assembly by-election held on 23 April 2016 as part of its oversight role in promoting democratic elections in Zimbabwe. The seat became vacant following the expulsion from ZANU PF and subsequent recalling from Parliament of former Member of Parliament Chriswell Mutematsaka. Only two parties contested in the by-election namely; ZANU PF and National Constitutional Assembly (NCA).

Observation Methodology

ZESN deployed 17 short term observers comprising static observers based at the ward and constituency collation centres. There was one mobile observer team in the constituency assessing the political environment outside of the polling stations. ZESN's election observers adhere to a strict Code of Conduct and carry out their duties in conformity to the Electoral Laws of Zimbabwe. ZESN assesses the compliance of the conduct of elections using regional and international principles and guidelines such as the SADC Principles and Guidelines Governing Democratic Elections and the African Union Charter on Democracy and Governance.

Opening and voting Procedures

At all polling stations where ZESN observed opening, observers reported that opening procedures were followed and conducted on time with adequate polling personnel and voting materials. There was an average of six polling officials at each polling station of which 60% were women. Furthermore, observers reported that crucial procedures such as checking of names in the voters' roll, marking of fingers with indelible ink and secret ballot were conducted according to the Law.

Official Secrecy Forms

ZESN observers and political party agents were made to sign official secrecy forms at polling stations where we observed. For instance, our mobile observer team were asked to sign at Chikonyora Tent in Ward 14 before the start of voting. This is in line with Section 187 (1) of the Electoral Act which states that *"Every person in attendance at the counting of the votes after a poll in terms of this Act shall maintain, and aid in maintaining, the secrecy of the voting and ..."* The law is clear that the secrecy pertains to counting and should therefore be signed after voting prior to counting. In addition ZESN has observed a lack of consistency in the implementation of this provision and calls upon the Commission to ensure standardization in all by-elections and at all polling stations.

Presence of election agents

ZESN also notes that ZANU PF deployed party agents more comprehensively as compared to NCA. For instance, of the 10 polling stations visited by the mobile observer team in the morning, NCA only had an agent at one polling station. This is despite provisions in the Electoral Act which allow for contesting parties to have one agent inside the polling station and to have an additional agent stationed within the vicinity of the polling station. ZESN urges political parties to ensure that they deploy election agents to all polling stations as it enables them to fully assess whether the election conforms to national legislation, regional and international standards for credible elections.

Continued use of two voters' rolls

ZESN observer reports revealed the continued use of two voters' rolls that is the main roll compiled during the voter registration exercise and a supplementary roll based on the previous ward based voters' rolls. ZESN reiterates its call for the use one voters' roll in elections which is international best practice and it will greatly enhance the transparency and integrity of the electoral processes.

Indelible ink markers

In this by-election, ZEC used indelible ink marker pens to mark voters' fingers thereby replacing the old system of finger dipping in indelible ink. ZESN notes that this new system is consistent with international best practice and urges the Commission to procure indelible ink marker pens of the highest quality that cannot be easily manipulated.

Assisted and turned away voters

ZESN observers indicate that there are significant numbers of voters who have been assisted to vote. At Muroiwa were by 16:00 hrs of the 460 who had voted 22 were assisted due to illiteracy and old age and at Kamuchanyu tent of the 250 who had voted 24 were assisted. Furthermore, ZESN noted that some of the reasons for turned away voters were, some voters had no identity documents while some were bringing the wrong identity documents and others were not appearing on the voters' rolls.

Recommendations

- The Commission should ensure that the signing of the Official Secrecy is done just before counting as opposed to at the start of polling as has been the case.
- Political parties must put more effort into observing key electoral processes in order to enhance their ability to speak authoritatively on the running of the elections.
- In addition, ZEC should invest in more comprehensive voter education programmes to improve voters understanding of key electoral requirements in order to reduce numbers of turned away and assisted voters.
- There is need to speed up the implementation of the polling station based voter registration on given the limited time before the 2018 harmonised elections.

By-Election Results

Candidate	Sex	Political Party	Votes received
Dutiro Patrick	M	ZANU PF	19,153
Mutsvene Simbarashe	M	NCA	818
Rejected votes			435

ZESN is committed to promoting democratic elections in Zimbabwe.

PROMOTING DEMOCRATIC ELECTIONS IN ZIMBABWE

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