

ZIMBABWE ELECTION SUPPORT NETWORK



BY-ELECTION REPORT ©2017

*MWENEZI EAST
BY_ELECTION
REPORT*

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ACKNOWLEDGEMENTS

The Zimbabwe Election Support Network (ZESN) expresses its heartfelt gratitude to the member organisations and volunteers who made observation of the Mwenezi East by-election possible.

The ZESN Members assisted in the recruitment of the volunteers who were deployed to the Ward Collation Centres, Constituency Collation Centres and the mobile observation teams. ZESN appreciates the volunteers who demonstrated considerable commitment and effort to observe electoral processes such as pre-electoral environment and preparations, nomination, voter registration and polling day processes. Without their commitment this and other reports by ZESN on the elections would not have been possible.

ZESN observers objectively reported on the processes and conducted themselves professionally throughout the Election Day. Their assessment of the by - election was informed by the Electoral Laws of Zimbabwe and a number of regional and international conventions and declarations which Zimbabwe is signatory to such as the SADC Principles and Guidelines Governing Democratic Elections, the African Charter on Human and Peoples' Rights (ACHPR), the International Covenant on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights (UDHR). ZESN observation was also guided by the GNDEM's Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations, and the Code of Conduct for Nonpartisan Citizen Election Observers.

ACRONYMS

ACHPR	African Charter on Human and Peoples' Rights
AU	African Union
GLAA	General Laws Amendment Act
GNDEM	The Global Network of Domestic Election Monitors
ICCPR	International Covenant on Civil and Political Rights
NCA	National Constitutional Assembly
UDHR	Universal Declaration of Human Rights
ZANU-PF	Zimbabwe African National Union-Patriotic Front
ZEC	Zimbabwe Electoral Commission
ZESN	Zimbabwe Election Support Network

1. EXECUTIVE SUMMARY

On 8 April 2017, the Zimbabwe Electoral Commission (ZEC) conducted a National Assembly by-election in Mwenezi East Constituency. The seat was declared vacant in accordance with Section 129(i) of the Constitution which provides for the tenure of Members of Parliament following the death of the incumbent ZANU PF Member of Parliament, Joshua Moyo, on 22 December 2016.

The Zimbabwe Election Support Network deployed 32 static and mobile observers to the National Assembly by-election in Mwenezi East to assess the electoral processes at the 62 polling stations as well as the political environment around the Constituency. ZESN's observation methodology allowed the Network to measure compliance of the Election Day processes with the Constitution, Electoral Laws as well as regional and international standards.

Mwenezi East is regarded as a ZANU PF stronghold because since the year 2000, the constituency has been represented by only ZANU PF Parliamentary candidates. Although the Election Day was generally peaceful the campaign period was marred by reports of intimidation, abuse of traditional leaders who served as part of the campaign machinery for the ruling party, defacing of campaign materials, vote buying, and partisan food distribution and allegations of block voting.

During the campaign season for the by-election, one of the four contesting candidates, Kudakwashe Bhasikiti of the Zimbabwe People First party withdrew his candidature citing intimidation of his supporters and alleging selective application of the Public Order and Security Act, which in his view hindered his ability to campaign.

Recommendations:

Voter education

1. ZEC needs to revise the content and methodology of its voter education programmes to respond to information needs of different categories of voters including the youth whose participation in electoral processes has remained relatively low.
2. 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.
3. To enhance access to electoral processes by persons with visual impairment, ZEC should consider developing braille tactile folders for voter education as well as printing ballot papers in braille for the same category of voters.

Election Dispute Resolution

4. Practical dispute resolution mechanisms must be put in place by ZEC and other key stakeholders to deal with the cases of electoral violence and intimidation. Enforceable sanctions must be introduced for political parties and candidates that violate the Political Parties' Code of Conduct.
5. The Government should facilitate the setting up of the Special Investigative Committee comprising the ZHRC and Special Police Liaison Officer whenever by-elections are proclaimed to expedite the investigation and prosecution of human rights and other violations during electoral periods.
6. Political leaders and their supporters should exercise restraint and more tolerance of divergent political views and remind political actors that the Electoral Act requires them to take all appropriate measures to prevent politically-motivated violence and any electoral malpractices before, during and after the elections.

Voter Registration

7. During voter registration exercises, the ZEC should collect data on special needs groups to enable them to adequately prepare for provisions such as braille ballots for voters with visual impairments to safeguard secrecy of the vote.

Transparency and Accountability

8. ZEC should adopt an open data policy to enhance trust and confidence in electoral processes such as results management, voter registration and provision of disaggregated data on gender, age and persons living with disabilities.
9. To improve transparency ZEC should produce a single voters' roll which adheres to principles of voter registration.

Boundary Delimitation

10. ZEC must consider conducting a fresh delimitation of voting boundaries to ensure that the number of voters per constituency are in line with the +/- 20% threshold provided for in the Constitution.

Role of Traditional Leaders

11. Traditional leaders should remain non-partisan in the discharge of their duties and refrain from campaigning for political parties.

2. BACKGROUND TO THE BY-ELECTION

2.1. Introduction

On 3 February 2017, President Mugabe proclaimed 8 April 2017 as the date for the Mwenezi East by election. The national assembly seat fell vacant following the death of the incumbent ZANU PF Member of Parliament, Joshua Moyo, on 22 December 2016. In accordance with Section 129(i) of the Constitution which provides for the tenure of seat of an MP the seat was declared vacant

The Mwenezi East by-election generated a tremendous amount of interest among political actors and parties. Initially four candidates contested this by-election

however the number was reduced to three when one of the electoral contestants, Kudakwashe Bhasikiti, from Zimbabwe People First Party withdrew his candidature citing intimidation and other political and administrative barriers that hindered his ability to campaign. The three remaining contestants included Joosbi Omar of Zanu PF, Welcome Masuku of National Constitutional Assembly (NCA) and Mhango Turner of Free Zimbabwe Congress.

The 2014 Tokwe-Mukosi National disaster which displaced thousands of people significantly increased the number of voters in Ward 13 with ZEC indicating that are over 34, 000 people in Chingwizi alone which would qualify the Ward to be a standalone constituency. As a result of the increase in population in the Chingwizi area, the Commission increased the number of polling stations in Ward 13 by eleven (11) for the by-election.

2.2. Observation methodology

The Zimbabwe Election Support Network (ZESN), as part of its observation of the 8th of April 2017 National Assembly by-election, deployed 32 Observers consisting of mobile and static observers at the 62 polling stations. The static observers were deployed at various polling stations to observe polling processes on Election Day. Static observers were also deployed at constituency collation centre and ward collation centres to observe the results collation processes. In addition mobile teams assessed the political environment outside the polling stations.

ZESN conducts its observation efforts in conformity with Zimbabwe's electoral laws, the Declaration of Global Principles for Citizen Election Observation and Monitoring which was launched at the United Nations on 3 April 2012 as well as the Principles for Election Management, Monitoring and Observation in the SADC Region (PEMMO). The findings and recommendations of this election observation are made in reference to the laws of Zimbabwe, the Southern African Development Community (SADC)

¹ <https://www.newsday.co.zw/2016/12/20/zec-chingwizi-headache/>

Principles and Guidelines Governing Democratic Elections as well as other regional and African election standards.

3. LEGAL FRAMEWORK

The Constitution, Electoral Act, Statutory Instruments and Regulations form part of the Legal framework governing the conduct of by-elections. The Legal framework requires that set polling dates comply with both section 158(3) and 159 of the Constitution, and section 39 of the Electoral Act, both of which require voting in a by-election to be completed within 90 days of the vacancy occurring. The Mwenezi East by-election was not held within the prescribed 90 days of the vacancy occurring, it was held more than two weeks after the prescribed period.

4. ELECTION ADMINISTRATION AND MANAGEMENT

4.1. Voter Education

Voter education is an important component of the election cycle as it ensures that the electorate understand their rights, political systems, how and where to vote. For an election to be successful and democratic, voters must understand their rights and responsibilities, and must be sufficiently knowledgeable and well informed to cast ballots that are legally valid and to participate meaningfully in the voting process.

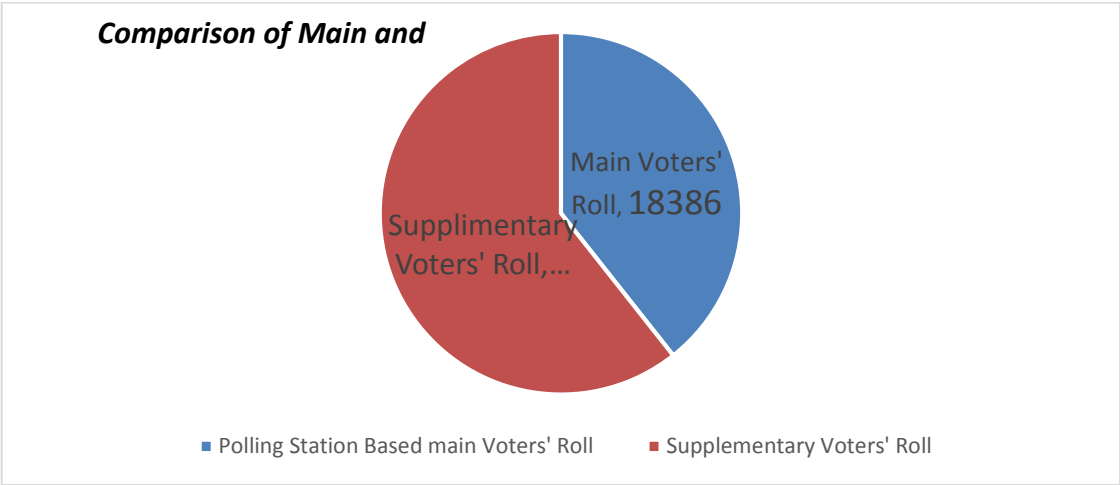
To complement efforts to enhance citizens' knowledge on the electoral processes in Mwenezi East, ZESN was accredited by ZEC to conduct voter education for the by-election. ZESN's contribution included printing and distribution of voter education materials. From 28-31 March, ZESN employed a number of strategies to raise awareness and mobilise voters to participate in the by-election. These strategies included including door to door voter education, targeting public gatherings and shopping centres and engaging the local and traditional leaders.

4.2. Voter Registration and inspection of the voters' roll

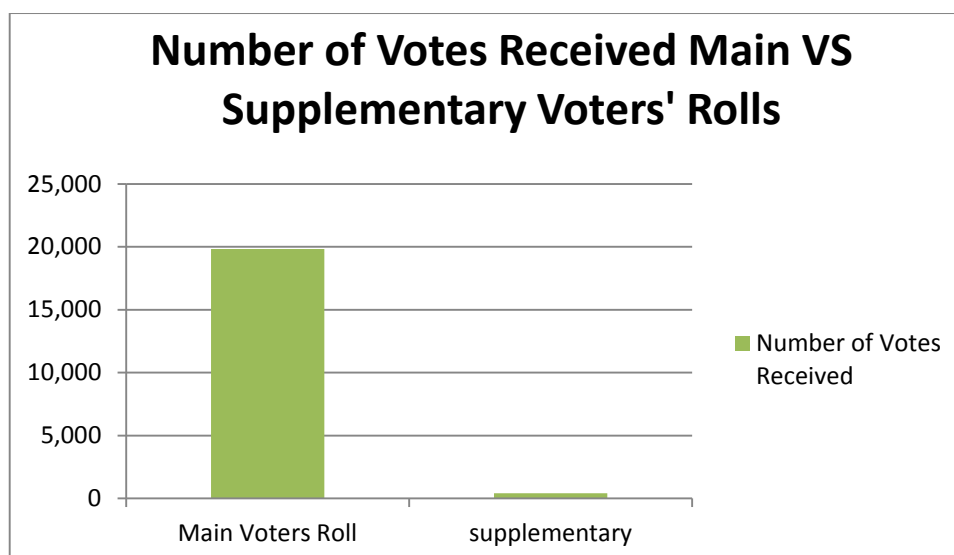
Voter registration is provided for in Section 17A of the Electoral Act (Chapter 2:13). For the Mwenezi East by-election, ZEC registered voters using the polling station based voter registration system. At the end of the voter registration exercise ZEC indicated that 28,326 (female 16,524 and 11,802 males) people were registered. An additional 18,386 people who did not participate in the 2017 voter registration exercise will be allowed to cast their vote on the basis that their names are currently contained in the voters roll that was used for the 2013 Harmonized elections. This category of voters is placed in the supplementary voters roll. The total number of registered voters was therefore 46,712. This represents a 40 % increase in the number of registered voters. By comparison the constituency had a total of 33,278 registered voters in the 2013 harmonised elections. In addition ZESN notes with concern that the total number of registered voters in Mwenezi East exceeds the +/- 20% threshold as provided in Section 161(6)(f) of the Constitution.

In contravention of principles of voter registration, ZEC will use multiple voters' rolls, the main voters roll for those who turned up at the registration centres and the supplementary roll for those who failed to participate in the 2017 voter registration exercise, but were registered in 2013. While this allowance is made by ZEC in the spirit of reducing the number of people who may be disenfranchised, it may erode stakeholders' confidence in electoral processes owing to limited confidence in the 2013 voters roll.

ZEC used two separate voters' rolls during this by-election as has become the custom. The justification given by the Commission for this practice is that the Commission wanted to reduce the number of disenfranchised voters to a minimum. ZESN urges ZEC to consider using a single voters' roll in keeping with accepted international best practices which require the use of a single voters' roll which is complete and accurate.



On Election Day, of the 20,220 voters who voted 19,819 were on the Main Voters' Roll and only 401 were on the Supplementary Voters' Roll. The majority of voters who turned out on Election Day were the ones who participated during the polling station based voter registration prior to the holding of the by-election. This trend which has been observed in previous by-elections is evidence of the need for the Commission to use one voters' roll in the by-elections.



5. ELECTION CAMPAIGNS

Election campaigns in Zimbabwe are regulated by a code of conduct for political parties as contained in the Fourth schedule of the Electoral Act. The Fourth schedule guarantees that everyone has the right to freely express their political opinion, campaign and canvass for membership and support from voters.

Despite the existence of these provisions the electoral playing field remains skewed in favour of the ruling party candidate which enjoys the power of incumbency and which is reportedly using Traditional Leaders to canvass for votes, in contravention of the Traditional Leader Act. Section 45(2) of the Traditional Leaders Act does not permit traditional leaders to canvass or serve as an election agent or manager for any candidate, or nominate any candidate, for election as state President, Members of Parliament or councillor in any local authority.

ZESN observer reports highlight the following issues:

5.1. Vote buying

Vote buying is one of the oldest techniques of fraud carried out in electoral competitions. It violates freedom of choice and erodes the principle of fairness in the competition by favouring political parties and candidates with deeper pockets.

Reports from ZESN observers indicate that an integral part of the ruling party's campaign strategy includes vote buying. This is evident in that the ruling party's political party structures and representatives have been observed to be the principal vehicles through which food hand-outs and farming inputs are being distributed throughout the constituency. Known sympathizers and supporters of the opposition political parties are routinely denied access to the food hand-outs and farming inputs even in instances where the food has been sourced by the department of social welfare. In Ward 13, village head Nzakanzaka, indicated to his subjects that he would distribute food from the ministry of social welfare, to only those who have proof that they are registered.

These are deliberate attempts to influence voting patterns using access to food and it is regrettable as the people of Mwenezi are particularly vulnerable owing to poor rainfall patterns in the region in which the Constituency is located.

5.2. Primary elections

Reports from ZESN observers indicate that ZANU-PF is the only political party which managed to hold primary elections in which 11, 986 people participated. These numbers are significant in that they represent 59% of the people who participated in the by-election.

5.3. Campaign Messages

The absence of issue based campaigns is evident. For instance, the main campaign messages of the ruling party and its candidate is centered on promises that once voted into power the ruling party will expedite the processing of compensation for the victims of the 2014 Tokwe-Mukosi National disaster which displaced thousands of people. In addition, the electorate has been promised infrastructure development which includes the rebuilding of bridges which were destroyed in 2017 during the rainy season by Cyclone Dineo, as well as new schools in the resettlement areas, especially in ward 13. The opposition is also quoted in the media making similar promises. Politicians prefer to couch in their campaign messages to address perceived immediate needs of voters (bread and butter issues).

Personal verbal attacks between the ZANU-PF and People First candidates were captured in the media. These were regrettable as they contributed to the heightening of tensions during the campaign season.

5.4. Intimidation

The campaign season was characterized by numerous incidents of intimidation of people suspected to be supporters of the opposition political parties. It was reported that Village Heads and Chiefs were instructed by ZANU-PF not to allow the opposition especially Kudakwashe Bhasikiti from campaigning in their various communities. One such example is the meeting which was held on the 4th of March 2017, at Dyclass Farm, where Village head Vhurinosara, is reported to have made remarks that having a ZANU-PF membership card is mandatory and that only those in possession of the card will qualify to receive food aid. Those who vote or support the opposition were threatened with unspecified action. Village Head Mr Dzingai Maparara of Mwenezi East Ward 13 is alleged to have instructed all villagers to assemble at his homestead so that they would go to vote as a group.

Even after the by-election ZESN continues to receive reports that village heads are in the process of verifying with their subjects those individuals who did not vote. Such individuals will be asked to provide valid reasons as to why they did not vote and to indicate who they would have voted for.

ZESN also received reports that several Village Heads and Chiefs instructed their subjects to record serial numbers of the ballot papers they voted on to allow for the party to check how their subjects have voted. Names of Chiefs and Villages heads whose names were mentioned by observers include Chief Neshuro, Chief Mawarire, Chief Negare and Chief Chitanga as well as Headman Chirimigwa.

5.5. Freedom of Assembly and Association

Freedom of assembly is guaranteed in both the Constitution and Electoral Act. The Zimbabwean Constitution recognizes that freedom of assembly as essential to democratic elections, especially for candidates and political parties. One of the electoral contestants, Kudakwashe Bhasikiti eventually withdrew from the race in

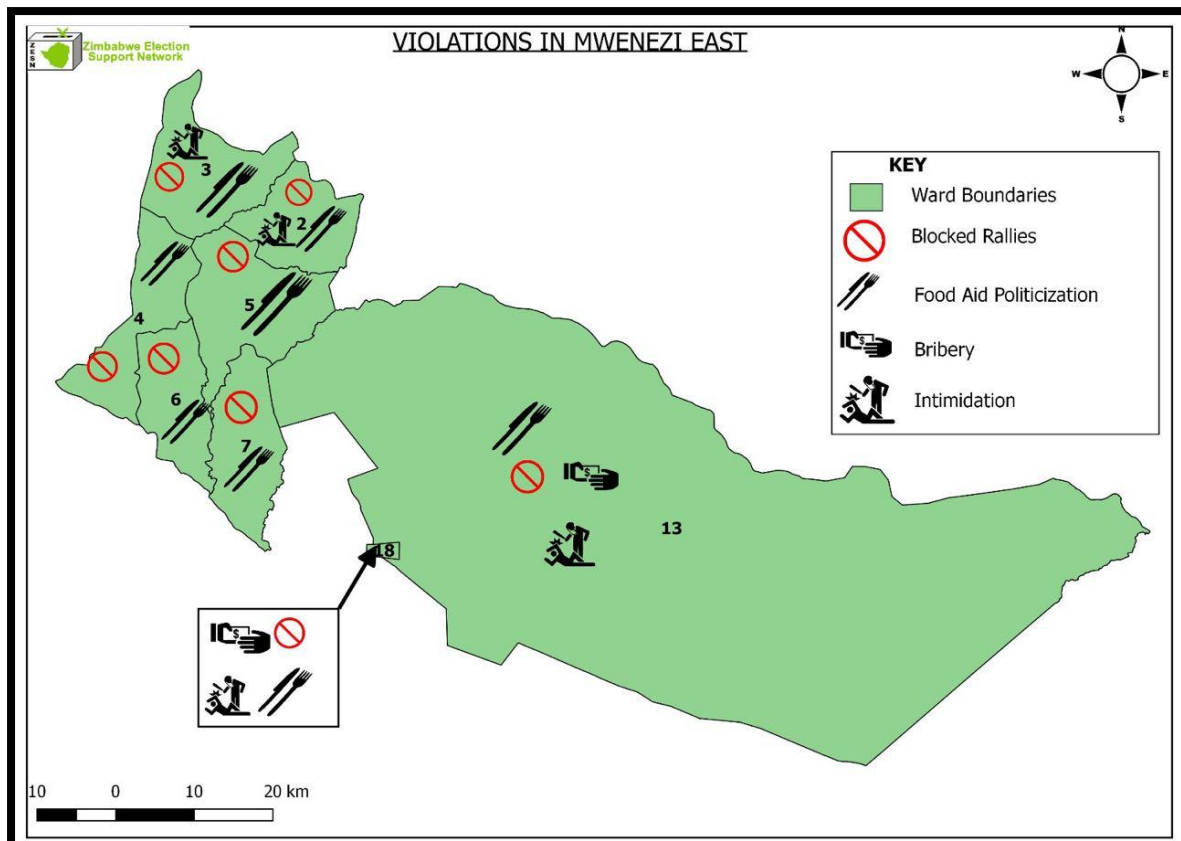
protest of his inability to campaign, harassment and intimidation of his supporters and partial application of the Public Order and Security Act, despite the fact that he has previously won the seat under the ruling ZANU-PF parties. In addition posters for the opposition candidates are were defaced by suspected ruling party supporters making it even more difficult for the opposition to disseminate their campaign messages.

6. ELECTORAL FRAUD

Election fraud can be defined as deliberate interference in the electoral process in order to alter the expression of voter's individual or collective will. Fraud distorts citizens' election preferences, denying voting rights to some and amplifying the voices of others.

Even when fraud does not materially alter the outcome, i.e., if the election winners turn out to be the same as would have occurred in the absence of fraud, its effects are devastating for the consolidation of democracy because it represents a reward for attitudes underlying an undemocratic culture and undemocratic values.

During the campaign season for the Mwenezi East By-election ZESN observers have identified the following category of actors as being actively engaged in election fraud.



Map of electoral violations recorded during the campaign period in Mwenezi East

Electoral Fraud Matrix

#	Actor	Nature of Fraudulent Activity	Cases Reported by ZESN Observers
1.	Zimbabwe Republic Police (ZRP)	Selective application of the Public Order and Security Act.	Refusal to accept notification for public meeting and rallies by the opposition. Zim People First candidate reported that several notifications for public meetings were rejected by the police.
2.	Masvingo Provincial Affairs Minister, President's Office, and the District Administrator.	Political and Administrative Barriers imposed on opposition members campaign efforts.	Opposition is required to seek approval to hold rallies from the Masvingo Provincial Affairs Minister, President's Office, and the District Administrator.
3.	Ruling Party Candidate	Vote buying	Maize and fertilizers are given to party supporters at rallies/meetings at Kuwirirana Secondary School, Rata Business Centre, Rutenga Primary School and Business Centre.
4.	Traditional Leaders	Involvement in political campaigns for the ruling	In contravention of the section 281.2 of the Constitution and Traditional

		party. Partisan distribution food aid	Leader Act section 45(2) which forbids traditional leaders from discharging their duties in a partisan manner and campaigning for any political party. Traditional leaders are reported to have shared platforms with ruling party candidates and have shared solidarity messages in support of the ruling party candidates. This has been prevalent at all the ruling party meetings which have been reported on by ZESN observers.
5.	Ruling party candidate and supporters	Intimidation and defacing of posters	Throughout the constituency ZESN observers have reported widespread intimidation and defacing of opposition posters.
6.	Government and ZEC	Absence of legal provisions: <ul style="list-style-type: none"> - Setting a ceiling on campaign spending. - requiring transparency in campaign spending - to establish an audit/regulatory body with the legal capacity to audit campaign accounts and to sanction infractions. 	The absence of a limit of how much resources political parties can invest in campaigns makes the electoral playing field unequal, thus impacting negatively on the ability of less established political parties to canvass for support from voters. The situation is compounded by the power of incumbency which the ruling party enjoys.

7. WOMEN'S PARTICIPATION AND ELECTIONS

Active participation of women, youth, civil society organizations, and people with disabilities, special needs groups and marginalized groups in the electoral process constitutes a critical element for the deepening of democracy and human rights in Zimbabwe. ZESN continues to observe that a significant number of women participate in electoral process as voters, election agents, polling officers and citizen observers. However there is a gap when it comes to participation as electoral contestants.

The Mwenezi East by-election is not an exception as all the three candidates contesting the by-election were males. An analysis of ZANU-PF's primary elections reveals that only 2 of the 13 contestants were women. This trend of low participation of women in running for elected office is in keeping with past by-elections. Thus whilst the majority of voters were women, the proportion of women seeking political leadership positions is still proportionately very low. Should Zimbabwe ever consider coming up with a Political Parties Act, some of its provision should include the need to establish thresholds for representation of women even in primary elections for political parties. In addition appropriate incentives could be added to the provisions of the Political Parties Finance act to encourage political parties to field more female candidates.

8. ELECTION ADMINISTRATION AND MANAGEMENT

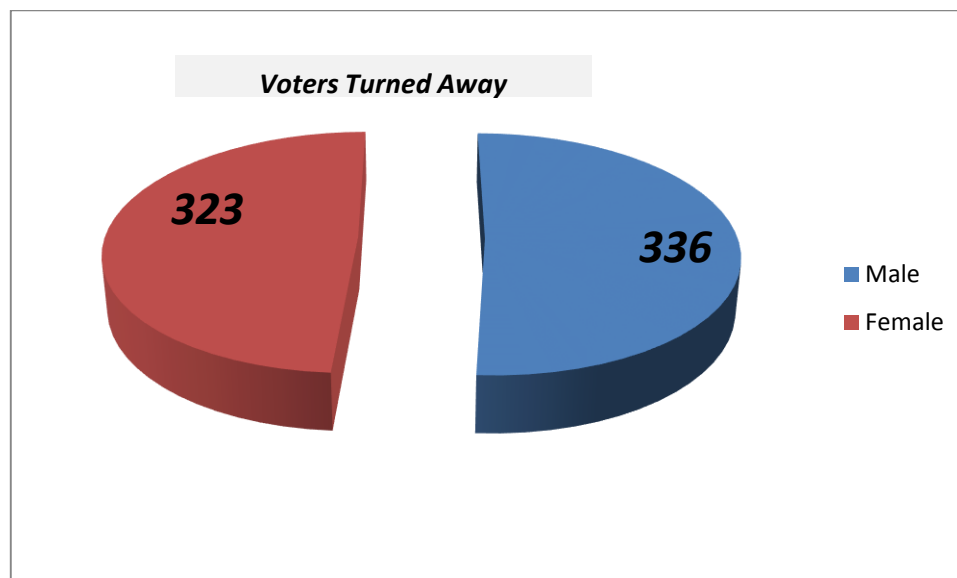
Section 239 of the Constitution gives the Zimbabwe Electoral Commission, the mandate to conduct and supervise elections and election related activities. However the capacity to deliver this mandate is negatively affected by the inability of Government to avail adequate resources timeously. ZEC largely completed administrative and logistical preparations on time for the by-election; in particular distribution of election materials to polling stations was on schedule.

9. ELECTION DAY OBSERVATIONS

At all the polling stations where ZESN observed, set up and opening procedures were duly followed with essential voting materials such as ballot boxes, ballot papers, indelible ink marker pens and voters' rolls present before polling. The polling stations were adequately manned with polling officials averaging six (6) per polling station. Political parties contesting the by-election were allowed to have one election agent inside the polling station and an additional agent stationed within the vicinity of the polling station. At all polling stations where ZESN observed ZANU PF had party agents while the Free Zimbabwe Congress had agents at most polling stations visited by the mobile teams and the NCA deployed at very few polling agents.

9.1. Turned Away Voters

There were significant numbers of turned away voters owing to various reasons including voters turning up at the wrong polling stations and bringing wrong identity documents such as drivers' licences and not appearing on the voters' rolls.



The Graph above shows the number of turned away voters by Sex

In addition ZESN observed that a significant number of voters who turned up at the wrong polling stations were redirected to other polling stations. Worryingly, some of the voters were redirected to polling stations that were very far from where they had turned up. This gives impetus to calls for more comprehensive voter education to allow for voters to know the exact polling station where they are supposed to cast their votes. Surprisingly the ZANU-PF candidate, Joosbi Omar is also one of the voters who turned up at a wrong polling station. Omar had to be redirected twice from Chatagwi and Vili-Vili Primary Schools to Muzhanjire Primary School a distance of over 20km before he could cast his vote.

9.2. Voter intimidation/ Electoral irregularities

ZESN observed that the campaign period in Mwenezi East Constituency was characterised by political tension, threats to life, physical violence, partisan food distribution, vote buying, abuse of the provisions for assisted voters and intimidation by traditional leaders.

9.3. Polling Procedures and Conduct of ZEC Polling Staff

ZESN observer reports showed that all polling stations successfully completed setup and opening procedures on time. In addition, observer reports revealed that at 100% of polling stations where ZESN had observers all the required voting materials such as ballot boxes, ballot papers, ZEC official stamp, indelible ink marker pens and the voters roll were available at the time of opening. At polling stations where ZESN observed there were adequate polling personnel with an average of six (6) officials at each polling station.

9.4. Voting and Counting

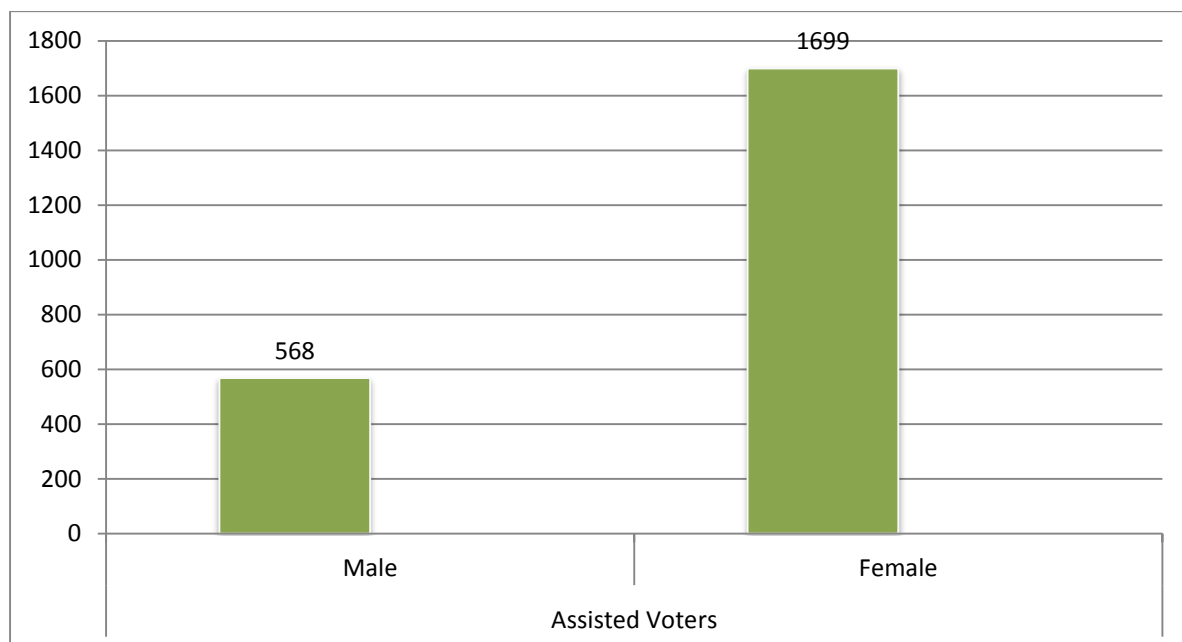
ZESN observer reports show that voting went on smoothly at all the polling stations. At all polling stations, counting took place according to procedures and results were displayed outside the polling stations. At all the ward and constituency collation Centres where ZESN observed, party agents who were present agreed that the process had gone well and signed the V11 form.

9.5. Assisted voters

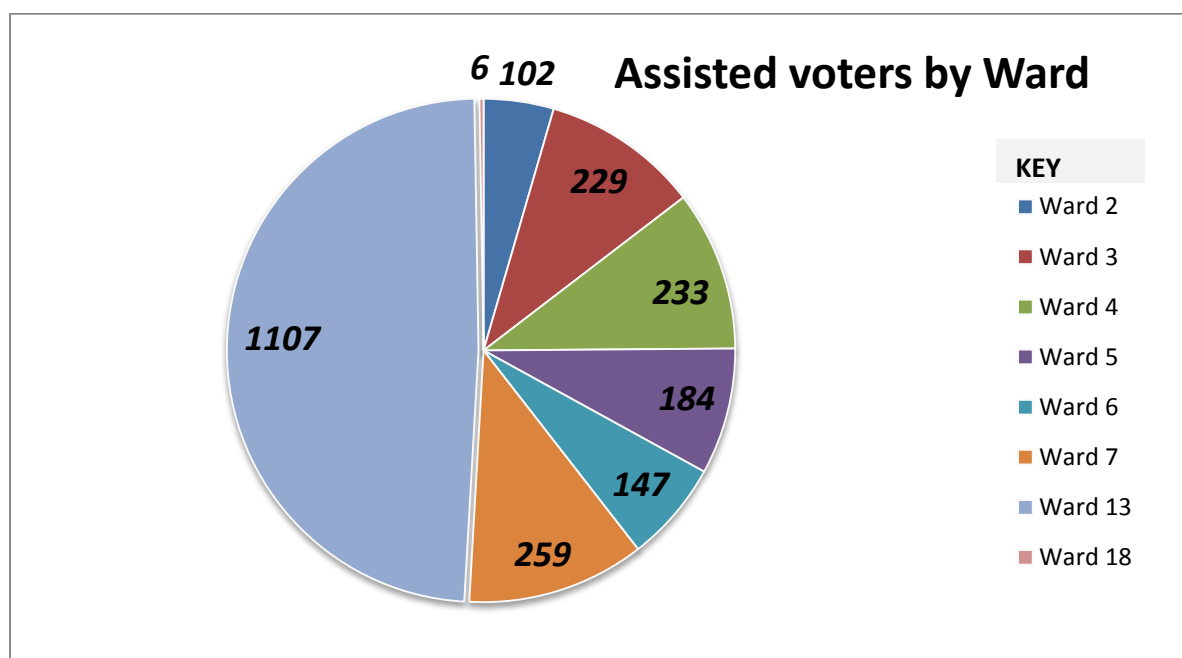
Reports from ZESN observers revealed that there were significant numbers of assisted voters recorded during the by-elections mostly of illiterate and elderly voters. The unusually high number of assisted illiterate voters is inconsistent with Zimbabwe's high literacy rates and may be an indication of the levels of intimidation especially in rural constituencies. According to statistics provided by ZEC there were a total of 2,267 assisted voters in the Mwenezi East by-election of which 568 were men and 1,699 were female. The statistics show that 75% of the assisted voters were female mainly from Ward 13.

There is therefore need for ZEC's voter education initiatives to deliberately target different categories of voters including women so as to increase their understanding of the voting processes.

Number of assisted by Sex



Assisted voters by Ward



Pie Chart above shows the number of assisted voters by ward in the Mwenezi East by-election. The highest numbers were recorded in Ward 13 which had a total of 1,107 representing 49% of the total. Whilst the lowest figures were recorded in Ward 18 which had 6 assisted voters.

9.6. Turnout

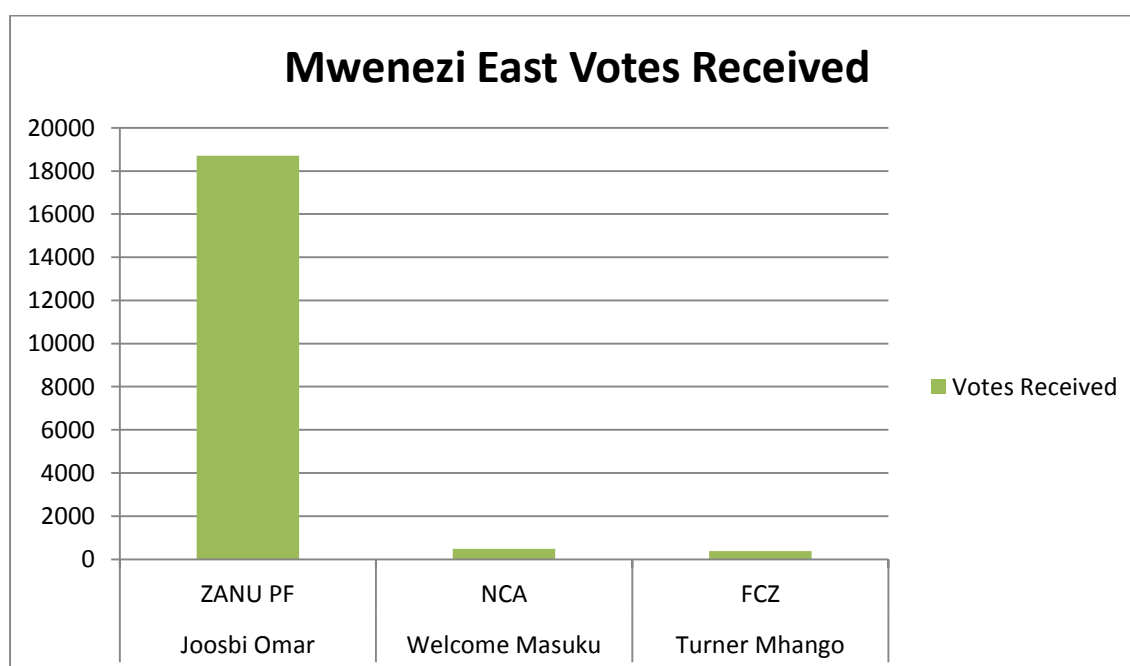
ZESN observed long queues in the morning at most polling stations with the majority of voters being middle aged to elderly women whilst the youth were very apathetic to the electoral processes in the by-election. The low turnout of youths may be attributed to migration to South Africa in search of employment opportunities. The processing of voters by the polling officials including those with special needs was observed to be efficient. The low participation of youths in this by-election is a worrying trend that has persisted since the 2013 harmonised elections. For example, at VilliVilli Primary School, by 15:30hrs, 297 females had voted compared to 211 males.

9.7. Election Agents

ZESN observer reports showed that of the three contesting political parties in the by-election, only ZANU PF and Free Zimbabwe Congress managed to deploy comprehensively around the constituency. The inability to comprehensively deploy agents limits the capacity of political parties and candidates to authoritatively speak on electoral processes.

10. BY-ELECTION RESULTS

ZANU PF was highly dominant in all the wards The ZANU PF Ward dominance was pronounced in the final results as shown below.



The winning ZANU PF candidate got 18,700 votes, which makes up 92, 5% of the total votes. The runner-up was a distant second with 482 votes, less than 3% of the votes. Altogether, the opposition candidates garnered 868 votes. These votes are less than 5 % of the ZANU PF candidate's votes and just 4.3% of the total votes. Interesting to note is the fact that total rejected votes were more than the individual total votes received by the two opposition candidates.

Mwenezi East By-Election Results by Ward

Ward No	Name of Candidate	Name of Candidate	Name of Candidate	Rejected Votes
	<i>Masuku Welcome</i>	<i>Mhango Turner</i>	<i>Omar Joosbi</i>	
2	29	48	961	44
3	41	38	1,625	45
4	49	34	1,429	30
5	55	107	1,748	63
6	16	15	986	30
7	51	44	1,581	66
13	163	88	9,722	360
18	78	12	648	14
Total Votes Received	482	386	18,700	652

Source: ZEC

2013 harmonised election results for Mwenezi East

Candidate	Political Party	SEX	Votes Received
Bhasikiti Kudakwashe	ZANU PF	M	18,196
Marufu Philip	MDC-T	M	2,483
Purazeni Simbarashe	MDC	M	494
Rejected			350
Total valid cast			21,173
Total Votes cast			21,523
Unaccounted votes			10

Source: ZEC

11. RECOMMENDATIONS

Voter education

1. ZEC needs to revise the content and methodology of its voter education programmes to respond to information needs of different categories of voters including the youth whose participation in electoral processes has remained relatively low.
2. 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.
3. To enhance access to electoral processes by persons with visual impairment, ZEC should consider developing braille tactile folders for voter education as well as printing ballot papers in braille for the same category of voters.

Election Dispute Resolution

4. Practical dispute resolution mechanisms must be put in place by ZEC and other key stakeholders to deal with the cases of electoral violence and intimidation. Enforceable sanctions must be introduced for political parties and candidates that violate the Political Parties' Code of Conduct.
5. The Government should facilitate the setting up of the Special Investigative Committee comprising the ZHRC and Special Police Liaison Officer whenever by-elections are proclaimed to expedite the investigation and prosecution of human rights and other violations during electoral periods.
6. Political leaders and their supporters should exercise restraint and more tolerance of divergent political views and remind political actors that the Electoral Act requires them to take all appropriate measures to prevent politically-motivated violence and any electoral malpractices before, during and after the elections.

Voter Registration

7. During voter registration exercises, the ZEC should collect data on special needs groups to enable them to adequately prepare for provisions such as braille ballots for voters with visual impairments to safeguard secrecy of the vote.

Transparency and Accountability

8. ZEC should adopt an open data policy to enhance trust and confidence in electoral processes such as results management, voter registration and provision of disaggregated data on gender, age and persons living with disabilities.
9. To improve transparency ZEC should produce a single voters' roll which adheres to principles of voter registration.

Boundary Delimitation

10. ZEC must consider conducting a fresh delimitation of voting boundaries to ensure that the number of voters per constituency are in line with the +/- 20% threshold provided for in the Constitution.

Role of Traditional Leaders

11. Traditional leaders should remain non-partisan in the discharge of their duties and refrain from campaigning for political parties.

12. CONCLUSION

The Mwenezi East by-election generated high interest among political actors however it was also evident that the playing field remains uneven with the ruling party benefiting from the advantages that the incumbency provides, unbalanced media coverage by the government owned print and electronic media. Some Traditional Leaders continued campaigning for the ruling party in contravention of the Traditional Leaders Act. The Special Investigative Committee was not set up for this by-election. Violence was well pronounced during the run up to the elections, which saw one of the candidates withdrawing from the race. ZESN continues to call upon the political parties, candidates, the police, the election management body, the government of Zimbabwe and all other stakeholders to make concerted efforts to support the creation of a conducive environment for the holding of free, fair, credible and peaceful elections in accordance with the Constitution of Zimbabwe, SADC guidelines and norms, AU Charter and the international standards for holding elections. The prevailing political environment is very restrictive and hinders free expression, association of the individual citizens.