

ZIMBABWE ELECTION SUPPORT NETWORK



REPORT ON THE 2018 NOMINATION COURT

JUNE 2018

Introduction

The Zimbabwe Election Support Network (ZESN) deployed Long Term Observers (LTOs) to observe the Nomination Court proceedings in all 10 provinces across the country. The Nomination Court sat on 14 June 2018 to receive papers from candidates for local authority, National Assembly, and presidential elections set for 30 July 2018.

The LTOs observed proceedings in a total of 116 Nomination Courts including Ward level, national assembly and the presidential nomination courts across all 10 provinces on the day of the court sitting, 14 June 2018.

Key observations

This report is primarily based on observations by the LTOs deployed by ZESN to observe the Nomination Court proceedings.

Opening and closing of nomination courts

Of the nomination centres where ZESN observed, 82% opened on time and had started receiving nomination papers by 1030 hours. On average, the courts handled between 20 and 140 applications. Only 33% of the courts completed verification of nomination papers by 1700 hours while the majority were still checking nomination documents until very late in the evening. For instance, in Mutare candidates were still queuing to submit their papers to the Nomination Court at 1900 hours while the The Nomination Court for Matabeleland South (Magistrates Court in Gwanda), Mashonaland West (Chinhoyi Civil Court), completed the process the following day at 02.00 am.

Unsuccessful nomination applications

ZESN observers reported instances where some candidates could not successfully submit their nomination applications. On average, at least 2 applications were rejected at each nomination court. Of concern is that, at some centres where ZESN observers were stationed, the ZEC officials refused to provide information on the reasons for the rejection of nomination papers of some prospective candidates. In spite of this, observers identified the following as some of the reasons for disqualification:

1. Incorrect and incomplete documentation

Incorrect and incomplete documentation was identified as one of the most common reasons for unsuccessful nominations, as illustrated in Figure 1. LTOs noted that in some cases, the nomination courts had an extremely strict interpretation of the legal requirements and would not accept copies of the birth certificate, or a passport in place of a national ID card. This was notably the case at Makoni Rural District Council in Rusape under Makoni West constituency in Manicaland Province where one candidate did not have an original birth certificate while another wanted to use a valid passport in place of a birth certificate. In Bulilima East, Matabeleland South Province, at the local Registrar General's Offices, one candidate did not have a long birth certificate and could not alternatively use

the short version of the same document. Regrettably, Candidates could have easily circumvented these challenges had they submitted their papers prior to the day of the sitting of the Nomination Court, as permitted by law.

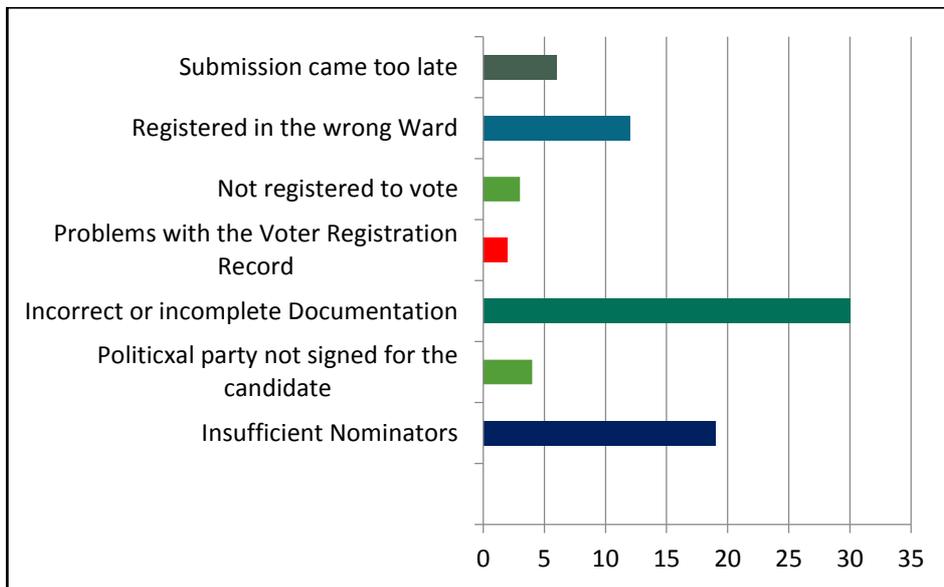


Fig 1: Reasons for rejection of nomination papers

2. Issues with the voters' roll

Some prospective candidates' applications were rejected either because they could not be found on the voters' roll or because of inconsistencies between the applicant's national registration details or the information on the voters' rolls that were being used by the courts on nomination day. For instance, a prospective candidate for Ward 4 in Harare West had their nomination papers rejected because their name was not found on the voters' roll despite the fact that he was in possession of his registration slip that indicated that he was a registered voter. Similarly, a prospective candidate for Insiza Rural District Council in Matabeleland South was rejected because the serial number on his voter registration slip was said to be similar to someone else's on the voters' roll.

These incidents, though few, are a direct consequence of the voters' roll not having been finalised and made available to the political parties until after the day of the Nomination Court, in contravention of the Electoral Act¹. Hence the law needs to provide a specific timeframe when the final voters' roll can be availed to the political contestants before the sitting of the Nomination Court.

3. Prospective candidates registered to vote in different wards

ZESN received reports of instances where prospective candidates for the local authority elections were rejected on the basis that they were registered to vote in wards different

¹ Section 21 (3) of the Electoral Act [Chapter 2:13]

to the ones they wanted to contest in. This may be a pointer into the inadequacies in voter education for nomination prior to the commencement of the process.

Political Environment

The nomination process was generally peaceful with few incidents of disturbances being recorded on Nomination day. There were two cases of disruptions reported at the Nomination Courts arising from disputes over primary elections. For instance, In Uzumba Maramba Pfungwe, Mashonaland East Province, police had to be called in to remove one aspiring candidate who had forced his way into the Nomination Court having been withdrawn by the party.

In another case, at the Chitungwiza Municipality Office, in Harare Province, some supporters of the MDC Alliance blocked the gate, preventing some people who had lost in the primary elections from entering the Nomination Court. In Shamva South, Mashonaland Central, one candidate forced a vendor outside the Court to append her signature so that the candidate could have the required number of nominees.

Earlier on, ZESN LTOs had observed 54 primary elections in May. Voting for the final candidate took place by secret ballot in 42 of these cases. Furthermore, LTOs subsequently reported on 8 incidents arising from contestants disputing the results of the primaries or decisions by the party. Such incidents included the disruption of a rival's campaign rally and instances where two candidates from the same party tried to stand for nomination as happened with two People's Rainbow Coalition candidates in Epworth. In view of these observations, there is need to improve party primary processes so as to reduce/avoid such disputes and cases of people trying to submit nomination forms without the approval of their parties.

Presence of political party agents

In three quarters of the Nomination Courts where ZESN observed, political party agents and other observers were present. The MDC Alliance and ZANU-PF were the political parties that deployed agents more comprehensively across the country followed by the People's Rainbow Coalition (PRC). Figure 2 below depicts the presence of party agents by political party.

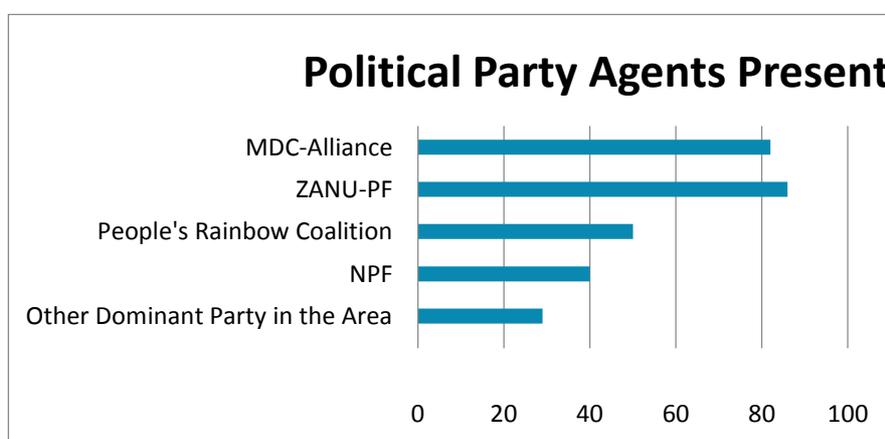


Fig.2: Presence of party agents at nomination courts by political party

Presidential Candidates

A record 23 candidates will contest the 2018 presidential election. Only four of the 23 candidates are female. The number of Presidential candidates has significantly increased as compared to previous elections, in 2008 there were four candidates while in 2013 there were five. All Presidential candidates for the 2008 and 2013 elections were male.

The lists of candidates for the 2018 Presidential election are as follows:

	Name of Candidate	Political Party	Sex
1.	Busha Joseph Makamba	FreeZim Congress	M
2.	Chamisa Nelson	MDC Alliance	M
3.	Chiguvare Tonderai Johannes	People Progressive Party	M
4.	Chikanga Eceristo Washington	Rebuild Zimbabwe	M
5.	Dzapasi Melbah	1980 Freedom Movement Zimbabwe	F
6.	Gava Mapfumo Peter	United Democratic Front	M
7.	Hlabangana Kwanele	Republicans Party of Zimbabwe	M
8.	Hove Mhambi Divine	National Alliance of Patriotic and Democratic Republicans	M
9.	Kasiyamhuru Blessing	Zimbabwe Partnership for Prosperity	M
10.	Khupe Thokazani	Movement for Democratic Change T	F
11.	Madhuku Lovemore	National Constitutional Assembly	M
12.	Mangoma Elton Steers	Coalition of Democrats	M
13.	Manyika Noah Ngoni	Build Zimbabwe Alliance	M
14.	Mariyacha Violet	United Democratic Movement	F
15.	Mnangagwa Emmerson Dambudzo	ZANU PF	M
16.	Moyo Nkosana	Alliance for People's Agenda	M
17.	Mteki Bryn	Independent	M
18.	Mugadza William Tawonezvi	Bethel Christian Party	M
19.	Mujuru Joice Teurairopa	People's Rainbow Coalition	F
20.	Munyanduri Tendai Peter	New Patriotic Front	M
21.	Mutinhiri Ambrose	National Patriotic Front	M
22.	Shumba Daniel	United Democratic Alliance	M
23.	Wilson Harry Peter	Democratic Opposition Party	M

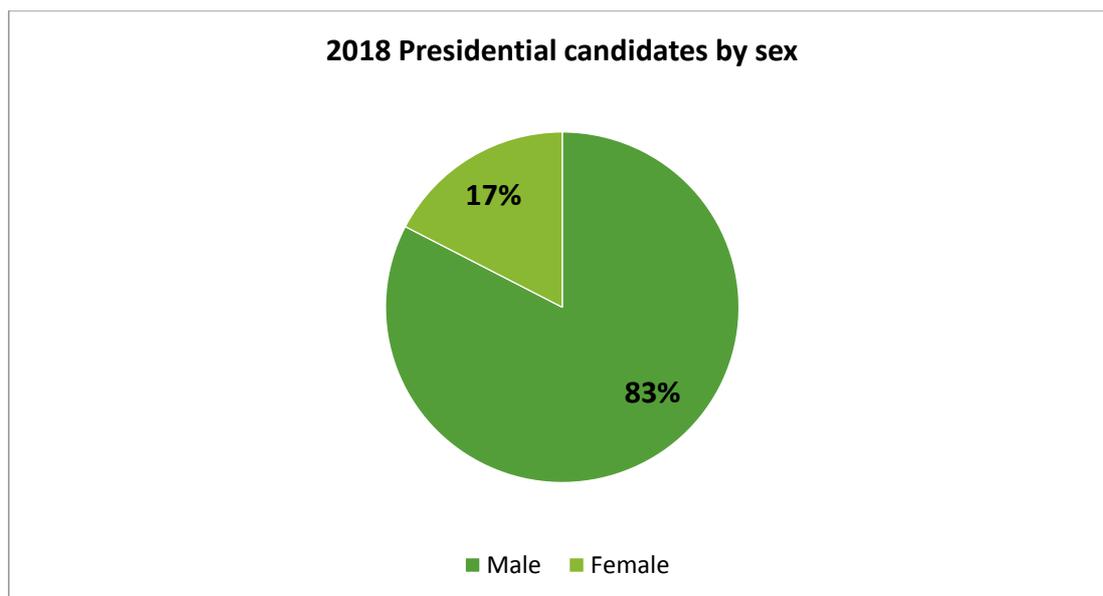


Fig 3: Analysis of presidential candidates by sex

Female candidates are featuring for the first time as electoral contestants in Zimbabwean Presidential Elections representing 17% of the candidates. The table below shows the list of Presidential candidates for the last 2 harmonised elections.

Election Year	Presidential Candidate Name	Political Party	Sex
2008	Robert Mugabe	ZANU-PF	M
	Morgan Tsvangirai	MDC-T	M
	Simba Makoni	Mavambo	M
	Langton Towungana	Independent	M
2013	Robert Mugabe	ZANU-PF	M
	Morgan Tsvangirai	MDC-T	M
	Welshman Ncube	MDC	M
	Dumiso Dabengwa	ZAPU	M
	Kisinoti Mukwazhe	Zimbabwe Development Party	M

Previous candidates for the 2008 and 2013 elections

Analysis of the outcomes of the National Assembly Nomination Court

An analysis of the nomination court results indicates that, of all the contesting political parties, only ZANU-PF managed to field candidates in all the 210 National Assembly seats.² On the other hand the MDC Alliance failed to field candidates in four

² Statistics relating to candidates are based on the Government Gazette on the Nomination Court results for the National Assembly Direct Election published on the 22nd of June 2018. The report does not factor in changes that happened thereafter such as the withdrawal of some candidates.

constituencies namely Mbare, Hurungwe East, Chiredzi West and Insiza North. The PRC deployed in 74% of the constituencies failing to field candidates in 54 constituencies. The Thokozani Khupe led MDC-T is contesting in 52% of the 210 seats, having forgone to field candidates in 101 constituencies. In some cases, the contesting political parties have cases where they are represented by more than one candidate seeking election on the party ticket (twin-candidature). The MDC Alliance has the highest number of double candidates in constituencies such as Mazowe North, Mazowe South, Mazowe West, Muzarabani North, Goromonzi West, Bikita East, Gutu Central, Gutu North, Gutu West, Masvingo South, and Zaka West.

Political party	Number of candidates fielded in the 210 constituencies	Total number of candidates	Number of constituencies with more than one candidate	Number of constituencies where parties did not field candidates
ZANU-PF	210	211	1	0
MDC Alliance	206	220	14	4
PRC	156	157	1	54
MDC-T	109	110	1	101
NPF	94	95	1	116
CODE	43	44	1	167
ZAPU	36	37	1	174

Fig 4: Analysis of candidates fielded by the main political parties

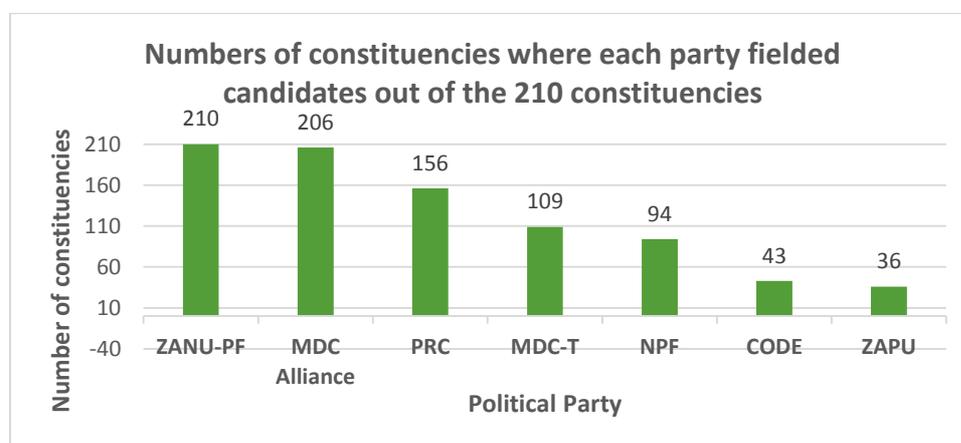


Fig 5: Number of candidates fielded in the 210 constituencies by political parties

Source: <http://www.zec.gov.zw>

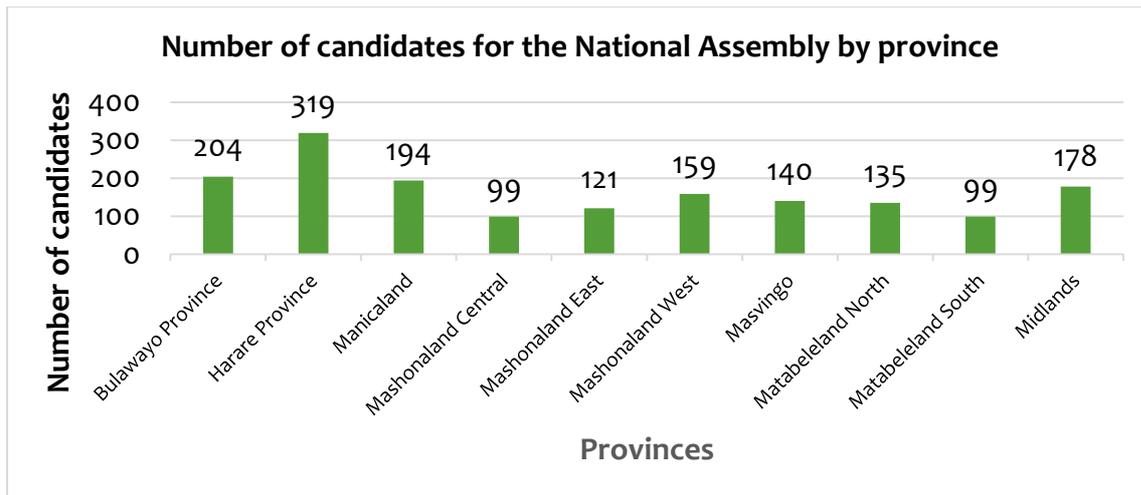


Fig 6: Number of candidates for the National Assembly elections by Province

Analysis of Gender representation

Zimbabwe is a signatory to a number of international treaties that require it to eliminate all barriers that prevent women from participating in the political sphere. The Convention on the Elimination of Discrimination Against Women (CEDAW) is one such instrument. Articles 3 and 7 of the CEDAW implore member states to take all necessary action including legislative to ensure the full development and advancement of women in all spheres including political participation. The African Union also clearly urges all states to take measures for equal representation in the political sphere. Article 9 of Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa states that 'States Parties shall take specific positive action to promote participative governance and the equal participation of women in the political life of their countries through affirmative action, enabling national legislation and other measures to ensure that: a) women participate without any discrimination in all elections; b) women are represented equally at all levels with men in all electoral processes...'

The constitution of Zimbabwe in the spirit of international conventions mandates the state to promote gender balance in all spheres of life. Section 17 states that the 'state must promote full gender balance in Zimbabwean society'. Section 56 also states that women and men have the right to equal treatment including right to equal opportunities in political, economic, cultural and social spheres.' However the Electoral Act is silent on the matter of women being equally represented in political spheres. Even though women's groups have been calling for ZEC to reject political party lists which do not have 50 percent representation, ZEC made it clear that this was beyond their mandate.

The representation of women in political parties remains low pointing to the lack of compliance with the Constitution and international conventions. For the 2018 harmonised elections, none of the contesting political parties attained 50-50 representation between males and females for the National Assembly elections. In fact, 91% and 90% of the candidates for the major contending parties, namely ZANU-PF and the MDC Alliance respectively, are male. In the interest of upholding the constitution and

enhancing democracy, ZESN strongly recommends that political parties put in place mechanisms to ensure equal representation between men and women.

As illustrated in the table below, the two major parties have fielded less than 10% female candidates as their contestants. Recording a relatively high figure is the Thokozani Khupe led MDC-T with 20% of its candidates being female.

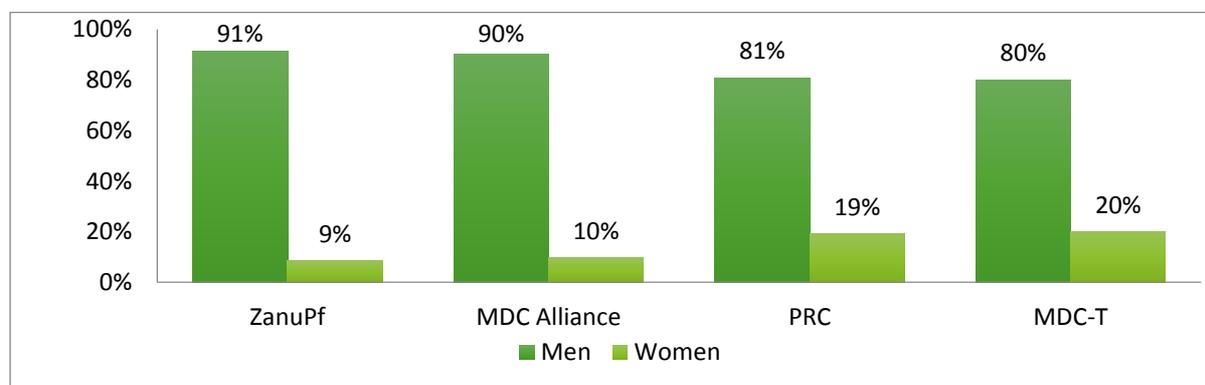


Fig 4: Comparison between male and female candidates for the 2018 elections

From the illustration, it is clear that the number of women in political parties remains significantly low as compared to their male counterparts. This shows that the barriers that existed in preventing women from participating in politics still exist and, if not dealt with, the trend may continue or even worsen.

Unopposed Local Authority Wards

Of the 1958 local authority wards in Zimbabwe, 90 are unopposed³ for the 2018 harmonised elections of which 84 have only ZANU PF candidates while the MDC has fielded 6 candidates for the remainder of the unopposed wards. Below are the lists of unopposed wards according to province:

Manicaland Province

	LOCAL AUTHORITY	WARD	CANDIDATE NAME	SEX	UNOPPOSED POLITICAL PARTY
1.	Chimanimani RDC	11	Moyana John	M	ZANU PF
2.	Chipinge RDC	8	Muyayiso Phillip	M	ZANU PF
3.	Makoni RDC	37	Chiripamberi Taurai W	M	ZANU PF
4.	Nyanga RDC	16	Sachirera Johannes	M	MDC

Mashonaland Central

	LOCAL AUTHORITY	WARD	CANDIDATE NAME	SEX	POLITICAL PARTY
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³ <http://www.zec.gov.zw/election-notice-board/nomination-court/file/496-results-of-nomination-courts-for-local-authorities>

5.	Chaminuka RDC	7	Munangatire George	M	ZANU PF
6.	Guruve RDC	19	Nzvimbo Ranganai	F	ZANU PF
7.	Guruve RDC	21	Chabayanzara Freedom	M	ZANU PF
8.	Muzarabani	16	Mataba Yeukai	M	ZANU PF
9.	Muzarabani	18	Katsiru Godfrey	M	ZANU PF
10.	Pfura RDC	3	Makiseni Christopher	M	MDC
11.	Pfura RDC	12	Kapingidza Charles	M	ZANU PF
12.	Pfura RDC	14	Muchemwa Cowen	M	MDC T
13.	Pfura RDC	20	Kudimba Funny	M	ZANU PF
14.	Pfura RDC	21	Musekiwa Edward	M	ZANU PF
15.	Pfura RDC	33	Gandari Shamie	M	ZANU PF
16.	Pfura RDC	34	Mamura Fungai	F	MDC
17.	Pfura RDC	36	Makombe Rattiralph	M	ZANU PF
18.	Pfura RDC	40	Jeke Doniah	F	ZANU PF
19.	Rushinga RDC	3	Chikoso Tawanda	M	ZANU PF
20.	Rushinga RDC	5	Kachidza Paul	M	ZANU PF
21.	Rushinga RDC	7	Mutonho Lucksom	M	ZANU PF
22.	Rushinga RDC	19	Chitanhwa Paul	M	ZANU PF
23.	Rushinga RDC	20	Mafunga Maja	M	ZANU PF
24.	Rushinga RDC	22	Nyambani Musafari	M	ZANU PF
25.	Rushinga RDC	23	Gumo Tendai	M	ZANU PF

Mashonaland East

	LOCAL AUTHORITY	WARD	CANDIDATE NAME	SEX	POLITICAL PARTY
26.	Goromonzi RDC	13	Gotora Never	M	ZANU PF
27.	Goromonzi RDC	17	Kunyete Peter	M	ZANU PF
28.	Manyame RDC	10	Mudzara Naason	M	ZANU PF
29.	Manyame RDC	12	Mubvumbi Maxwell	M	ZANU PF
30.	Manyame RDC	20	Gavi Mary	F	ZANU PF
31.	Marondera RDC	8	Tsvetu Stanlus	M	ZANU PF
32.	Marondera RDC	9	Mudiriza Charles C	M	ZANU PF
33.	Hwedza RDC	1	Songozo Godwin	M	ZANU PF
34.	Zvataida RDC	4	Matsimhu Bogboy	M	ZANU PF
35.	Zvataida RDC	16	Nyadondo Suzan	F	ZANU PF

Mashonaland West

	LOCAL AUTHORITY	WARD	CANDIDATE NAME	SEX	POLITICAL PARTY
36.	Chegututu RDC	13	Madzudzo Anselem	M	ZANUPF
37.	Chegututu RDC	14	Musevenzi Emmanuel	M	ZANU PF
38.	Chegututu RDC	15	Gwanzura Charles	M	ZANU PF
39.	Hurungwe RDC	2	Kunodzia Ellen	F	ZANU PF
40.	Hurungwe RDC	3	Ndlovu Admore	M	ZANU PF
41.	Hurungwe RDC	19	Zinyemba Clever	M	ZANU PF

42.	Hurungwe RDC	21	Nxele Lillian	F	ZANU PF
43.	Makonde RDC	2	Tauro Fredyman	M	ZANU PF
44.	Makonde RDC	4	Murimbika Eniwe	M	ZANU PF
45.	Makonde RDC	6	Nyambonde Moses	M	ZANU PF
46.	Makonde RDC	8	Mushamire Portia	F	ZANU PF
47.	Makonde RDC	19	Mombeshora Everesta	F	ZANU PF
48.	Sanyati RDC	5	Muchineripi Kudzai	M	ZANU PF
49.	Sanyati RDC	7	Chaombezi Staford	M	ZANU PF
50.	Zvimba RDC	1	Makore Machiveyi	F	ZANU PF
51.	Zvimba RDC	2	Chamunorwa Kizito	M	ZANU PF
52.	Zvimba RDC	12	Chifura Makoni R	M	ZANU PF
53.	Zvimba RDC	18	Mujaji Ishmael	M	ZANU PF
54.	Zvimba RDC	28	Jachore Kenneth L	M	ZANU PF
55.	Zvimba RDC	30	Zandara Jerry R	M	ZANU PF
56.	Zvimba RDC	31	Chimusambo Fortunate	F	MDC

Masvingo Province

	LOCAL AUTHORITY	WARD	CANDIDATE NAME	SEX	POLITICAL PARTY
57.	Chiredzi RDC	12	Ndebele Andrew	M	ZANU PF
58.	Chiredzi RDC	13	Gezana Jaison	M	ZANU PF
59.	Chiredzi RDC	14	Bhaloyi Mboneni	M	ZANU PF
60.	Chivi RDC	22	Mufugami Edmore	M	MDC
61.	Chivi RDC	27	Machingambi Wilson	M	ZANU PF
62.	Mwenezi RDC	9	Gondo Gilbert	M	ZANU PF
63.	Mwenezi RDC	11	Ngwenya Wilson	M	ZANU PF
64.	Mwenezi RDC	12	Shoko Collen	M	ZANU PF
65.	Mwenezi RDC	14	Matutu Admire	M	ZANU PF
66.	Mwenezi RDC	17	Chabata Simon	M	ZANU PF

Matebeleland North

	LOCAL AUTHORITY	WARD	CANDIDATE NAME	SEX	POLITICAL PARTY
67.	Bubi RDC	6	Maphosa Francis	M	ZANU PF
68.	Hwange Local Board	7	Maphosa Wilson	M	ZANU PF
69.	Hwange RDC	18	Nkomo Edward	M	ZANU PF
70.	Kusile RDC	25	Sibanda Samuel	M	ZANU PF
71.	Umguza RDC	19	Gumbo Getrude	F	ZANU PF

Matebeleland South

	LOCAL AUTHORITY	WARD	CANDIDATE NAME	SEX	POLITICAL PARTY
72.	Bulilima RDC	17	Moyo Vusumuzi	M	ZANU PF
73.	Mangwe RDC	11	Chemuru Ngonidzashe	F	ZANU PF
74.	Matobo RDC	23	Ncube Thomas	M	ZANU PF

75.	Matobo RDC	24	Ncube Paul	M	ZANU PF
76.	Matobo RDC	25	Hlatshwayo Lucy	F	ZANU PF
77.	Umzingwane RDC	14	Moyo Luke	M	ZANU PF
78.	Umzingwane RDC	15	Khumalo Sinikiwe	F	ZANU PF
79.	Umzingwane RDC	17	Mpofu Malaki	M	ZANUPF

Midlands Province

	LOCAL AUTHORITY	WARD	CANDIDATE NAME	SEX	POLITICAL PARTY
80	Gokwe North RDC	21	Marongwe Govanai	M	ZANU PF
81.	Gokwe South RDC	16	Nyathi Nicholas	M	ZANU PF
82	Mberengwa RDC	25	Matutu To Rai	M	ZANU PF
83	Takawira RDC	12	Gwarazimba Joseph Marufu	M	ZANU PF
84	Takawira RDC	19	Mutimba Tafiraje	M	ZANU PF
85	Zibagwe RDC	1	Mafengu Sebastian	M	ZANU PF
86	Zibagwe RDC	2	Mutosvori Basilo Edson	M	ZANU PF
87	Zibagwe RDC	3	Vunganayi Boniface	M	ZANU PF
88	Zibagwe RDC	5	Siziba Lovemore	M	ZANU PF
89	Zibagwe RDC	26	Ncube Memezi	M	ZANU PF
90	Zibagwe RDC	30	Gwatidzo Elisha	M	ZANU PF

Recommendations:

Based on the observations in this report, ZESN makes the following recommendations:

1. The law needs to provide a specific timeframe for when the final voters' roll should be availed to the political contestants, before the sitting of the Nomination Court.
2. Stricter control over how political party primaries are conducted could be considered for future elections, including an insistence on choice by secret ballot.
3. Political parties must endeavour to strengthen intra-party democracy processes to avoid conflicts.
4. Nomination Court procedures should include a provision for clear announcement of the reasons for rejection of each candidate to ensure transparency to observers and party agents so as to enhance the credibility of the process.
5. Political parties and independent candidates should be encouraged to submit their nomination papers before the day that the Court sits so that they have time to rectify any challenges such as missing or incorrect documentation.
6. Political parties must put in place mechanisms to ensure equal representation between male and female candidates.
7. There is need for ZEC and CSOs to conduct comprehensive voter education for nomination to ensure that prospective candidates are aware of requirements of the Nomination Court.