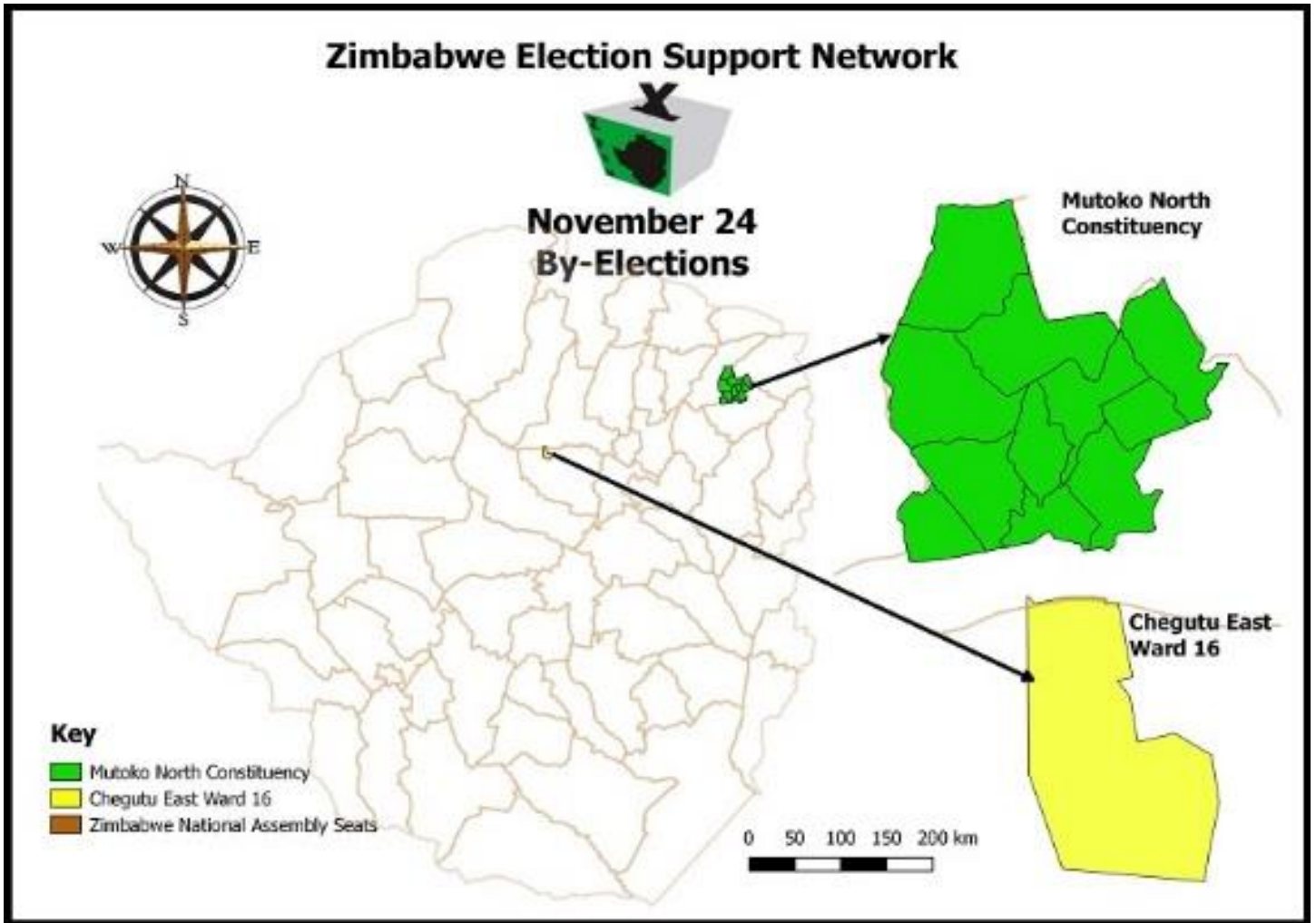


ZESN UPDATE ON THE MUTOKO NORTH CONSTITUENCY AND THE CHEGUTU RURAL DISTRICT COUNCIL WARD 16 BY-ELECTIONS



Introduction

This report presents an update of the political environment and electoral processes ahead of the Mutoko North Constituency and the Chegutu Rural District Council (RDC) by-elections. A vacancy in Chegutu RDC, Ward 16 occurred following the death, on 10 September 2018, of the ZANU-PF councillor, Silas Chikati, who had been declared duly elected in the 30 July harmonized elections. According to the Zimbabwe Electoral Commission (ZEC) electoral roadmap for the by-election, in line with the Electoral Act, on 21 September 2018, the Chief Executive Officer of Chegutu RDC notified the Chief Elections Officer of the vacancy. According to the ZEC electoral roadmap, in fulfilment of section 121A of the Electoral Act, the election notice was published in the Herald on 28 September 2018. The Nomination Court sat on 12 October to consider applications from nominees for the by-election. Three candidates, Patricia Mapfurira of the NCA party, Norwell Tichaona Muchenje of the MDC-Alliance, and Simunya Obert Mutandinda of ZANU-PF will vie for the post of councillor in the by-election scheduled to be held on 24 November 2018. The Zimbabwe Election Support Network (ZESN) has deployed a Long Term Observer (LTO) to observe the pre-election environment and will train and deploy observers at polling stations on Election Day.

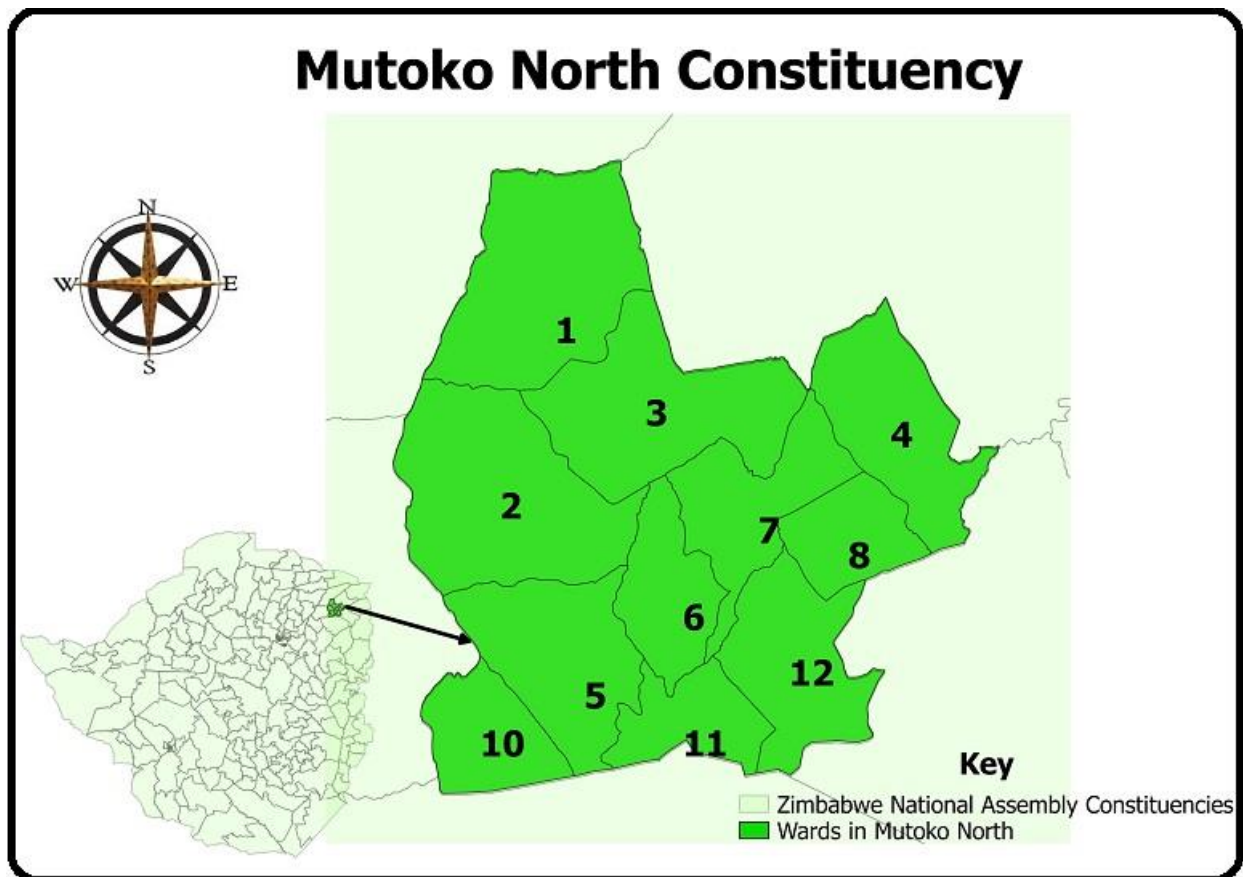
Following the elevation of Mabel Chinomona to the post of Senate President, the Mutoko North National Assembly seat fell vacant, necessitating the holding of a by-election.¹ As in the case of the Chegutu RDC Ward 16 by-election, the Mutoko North Constituency by-election is scheduled to be held on 24 November 2018. The Nomination Court also sat on 12 October 2018 to consider applications of nominees for the by-election. ZESN observed the Nomination Court. More than one candidate was duly nominated, hence, the Motoko North by-election will be held in accordance with subsection 17(c) of the section 46 of the Electoral Act (Chapter 2:13)² as read with the Presidential Proclamation number 7 of 2018. The same political parties contesting in Chegutu RDC, Ward 16 will contest the by-election. The candidates are Edson

¹ According to Section 129 (1) (d) of the Constitution, the seat of a Member of Parliament becomes vacant on the member becoming Senate president or Speaker of the National Assembly.

² Where more than one person has been duly nominated for election for a constituency, a poll shall take place in accordance with this Part and Part XIII.

Mugoma of NCA Party, Boniface Mushore of the MDC-Alliance, and Rambidzai Nyabote of the ZANU-PF party. The right and opportunity to be elected was afforded to the three candidates without any noticeable legal and administrative barriers.

ZESN subsequently trained and deployed Long Term Observers (LTOs) to cover all the 11 Wards in Mutoko North Constituency. The LTOs had started reporting on their observations by 18 October. This update is based on reports sent by ZESN observers until 28 October 2018. The map below shows the Wards in Mutoko North Constituency



Wards in Mutoko North Constituency

ZEC Preparations

By the end of the reporting period, the ZEC Constituency office had been opened in preparation for the 24 November by-election.

Voter Education

Voter education is set to commence on 17 November, following the training of voter educators to be conducted between 14 and 15 November 2018.

Political Environment

Over the reporting period, the political environment was reported to be calm and peaceful. No incidents of election-related violence or intimidation were reported by ZESN LTOs. However, in a context where, in previous elections, retributive actions have been taken against people suspected of voting for certain candidates, reports of a statement made at a ZANU-PF rally that “*Zivai pekuvhotera*” (Know who to vote for) could be deemed intimidating. Furthermore, in some wards, for example Ward 12, people are reportedly not free to speak about politics and wear party regalia for fear of being threatened by suspected war veterans.

No incidents of the abuse of State resources were observed over the reporting period. No reports of instances where candidates campaigned at government functions or government officials addressing party gatherings were reported. ZESN also did not receive reports of the use of government buildings by any political parties.

Worryingly, the role of observers has yet to be fully understood by some electoral stakeholders. ZESN has received reports of some observers who were threatened in the post-election period in many constituencies, including Mutoko North. One ZESN observer was even threatened with unspecified action or disappearance.

Political Party Activities and Campaigns

There were no visible political party activities in the constituency until the last week of October. Towards the end of October, ZESN observers started to report on political party meetings, rallies, and other campaign activities in selected Wards in the Constituency. In some Wards, for example 10, 11, and 12, the MDC Alliance was reportedly campaigning, moving

around Chitekwe and Kanyongo townships in a car playing loud music and pasting campaign posters on trees.



A Campaign Vehicle used by the MDC Alliance in Mutoko North Constituency

ZANU-PF held meetings, for example in Ward 4, where t-shirts and wrappers for women (*mazambia*) were distributed to supporters present. In addition, ZANU-PF has held rallies in Ward 6 where approximately 120 people attended and in Ward 2 where approximately 300 people attended.

Parties were also still selecting campaign teams in some Wards. On 28 October, a campaign team was selected at a ZANU-PF meeting at Chiutsi Hall in Ward 6. In the same ward, the MDC Alliance was yet to be visible in campaigning by the end of the reporting period.

A few incidents of the tearing of campaign posters by suspected rival party supporters were noted over the reporting period. For example, this was the case in Ward 12 where the posters of the MDC Alliance candidate, Boniface Mushore, were torn. The picture below shows a torn campaign poster.



Torn Campaign Poster for the MDC Alliance Candidate

ZESN will continue to observe and report on developments and processes relating to the 24 November by-election in Mutoko North Constituency. The Network urges all political parties and their candidates and supporters to maintain a peaceful campaign environment and desist from committing any malpractices that may compromise the freeness, fairness, and credibility of the by-election.

Recommendations

Based on its observations detailed in this update, ZESN proffers the following recommendations:

- Candidates and their supporters should desist from making threatening or intimidatory statements to the electorate to ensure that everyone exercises their free choice on the Election Day.
- Electoral stakeholders must understand and appreciate the role played by non-partisan election observers in strengthening democratic processes.
- There is need to enforce the Electoral Code of Conduct for Political Parties, Candidates, and other Stakeholders that, among other things, prohibits violations such as the tearing of campaign posters for rival contestants.

- ZEC should commence Civic and Voter Education early to ensure that voters are timeously provided with adequate and relevant information pertaining to their participation in the election.