

ZIMBABWE ELECTION SUPPORT NETWORK



*COWDRAY PARK
WARD 28
LOCAL AUTHORITY
BY-ELECTION
REPORT*



Cowdray Park (Luveve Ward 28) Map

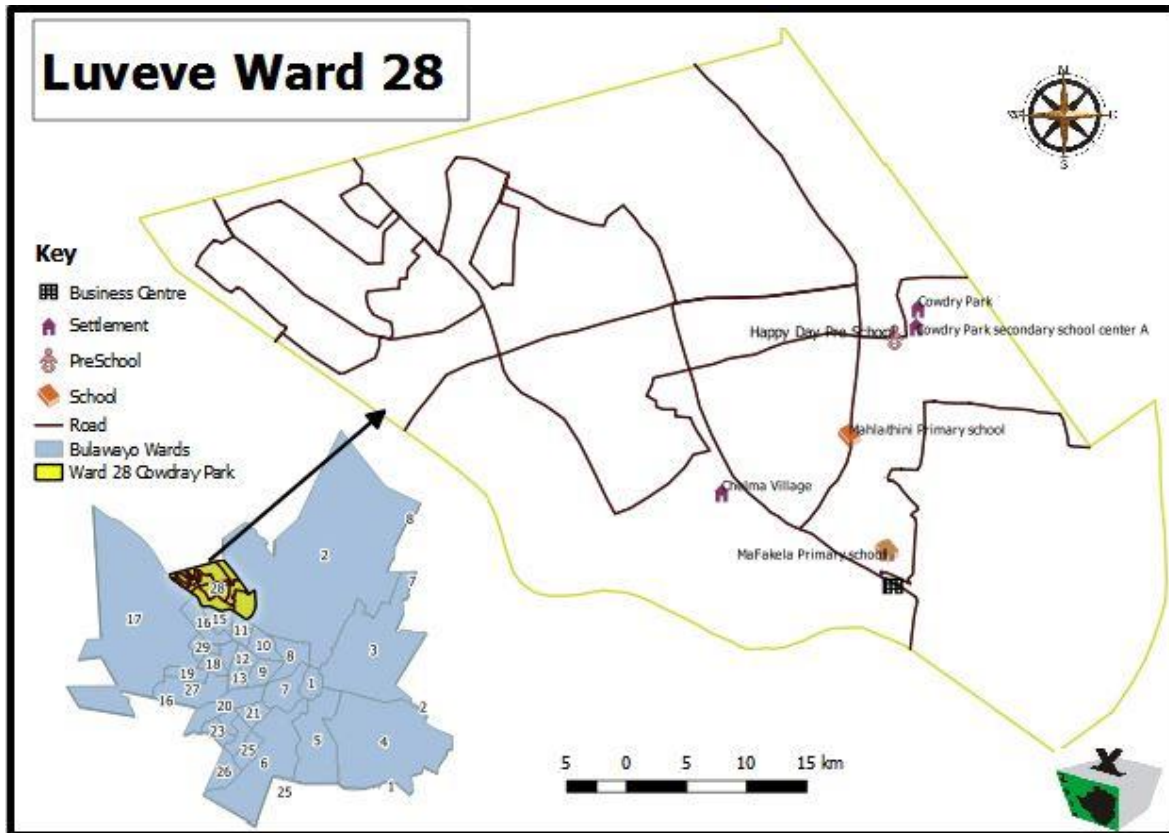


Table of Contents

1. EXECUTIVE SUMMARY	3
2. ABOUT ZESN	5
3. BACKGROUND TO THE BY-ELECTION	5
4. NOMINATION COURT RESULTS.....	5
5. ELECTORAL CAMPAIGNS.....	7
5.1. Primary Elections for Contesting Political Parties.....	7
5.2. Political Campaigns.....	7
5.3. Vote Buying.....	8
6. PARTICIPATION OF WOMEN AND YOUTH IN ELECTIONS.....	8
6.1. Youth's Participation in Elections	9
6.2. Women's participation in the Cowdray Park by-election.....	9
7. VOTER EDUCATION.....	9
8. VOTER REGISTRATION.....	10
8.1. Voter registration	10
8.2. Open Election Data	11
9. ELECTION DAY PROCEEDINGS	11
9.1. Set up and opening of polling stations	11
9.2. Voting process and procedures.....	11
9.3. Redirected and turned away voters	12
9.4. Election Agents	12
9.5. Voter Turnout	13
10. ELECTION RESULTS	13
10.1. Counting and Results Collation	13
11. RECOMMENDATIONS.....	16
12. CONCLUSION	16

1. EXECUTIVE SUMMARY

On 30 March 2019, the Zimbabwe Electoral Commission (ZEC) conducted a local authority by-election for Cowdray Park (Ward 28) to fill a vacancy that had arisen following the death of the incumbent Councillor, Hapson Ncube, who died in December 2018. Cowdray Park is in Bulawayo Metropolitan Province and is one of the three wards that make up Luveve Constituency, the other 2 wards being Gwabalanda (Ward 16) and Luveve (Ward 15). The ward has a voting population of 23 257 which is one of the largest in the province. Accordingly, ZEC established 36 polling stations for use in this by election.

The Nomination Court for aspiring candidates sat on February 22, 2019 in keeping with Section 125(4)(b) of the Electoral Act [Chapter 2:13]. Feedback from the ZESN observers who closely tracked the Court proceedings indicated that due processes were adhered to in the processing of the submissions by aspiring candidates. Seven (7) of the 18 people who contested this ward by-election did so as independent candidates.

Observer reports indicated that the campaigns were largely peaceful; however, disturbing reports of defacing and tearing of campaign posters were reported by ZESN observers. The most prominent modes of campaigning in use for candidates and political parties were reported to be campaign posters and door to door visit. The ruling party conducted the most visible political campaign and it was also the only party that held a rally in the ward.

At the invitation of the ZEC, Civil Society Organizations (CSOs) such as ZESN and a Consortium of CSOs based in the Matabeleland region conducted a number of civic and voter education activities that included distribution of Information Education and Communication (IEC) materials, convening meet the candidate forums, radio talk shows, and public meetings.

The only voter registration center that was open for voter registration was the provincial ZEC offices; this presented a significant financial hurdle for those who intended to register to vote.

Election Day political environment was generally calm and peaceful, in keeping with the political environment that was observed in the pre-election period. On Election Day, reports from ZESN observers indicated that all polling stations in the by election were set up in accordance with laid down procedures and opened on time, with all essential election material being present. However as a departure from what had become the norm, ZEC did not provide height adjusted voting booths to cater for persons with physical handicaps such as wheelchair users and voters of short stature. ZESN observers reported high numbers of voters redirected to other polling stations.

The ZANU PF candidate Kidwell Mujuru was duly elected as the Councillor of Ward 28 of Cowdray Park having garnered 1,899 votes. The seat was previously won by the MDC Alliance during the 2018 harmonized elections. The Alliance fielded two candidates in the by-election who polled a combined tally of 1,450 votes. The other political parties and candidates polled a combined total of 1,002 votes.

Kidwell Mujuru becomes the only Zanu-PF councillor out of 29 councillors in an MDC-Alliance-dominated Bulawayo City Council.

ZESN proffers the following recommendations for consideration by the ZEC and electoral contestants.

- i. ZEC should provide adequate signage to direct voters to their appropriate polling stations at the various polling centers.
- ii. Copies of the voters roll should be posted outside polling stations to enable voters to identify the specific polling station whose voters' roll their name will be found.
- iii. ZESN calls upon electoral contestants to ensure comprehensive deployment of election agents in all elections.
- iv. ZESN urges ZEC to ensure that for all elections, polling stations are equipped with voting booths to cater for people with disabilities especially those on wheelchairs and voters of short stature.
- v. ZEC should enforce the political parties' code of conduct to deter instances of intimidation and defacing of campaign materials.
- vi. ZEC should develop a communication strategy and improve its engagement with electoral stakeholders.
- vii. In addition to ZEC provincial offices, ZEC should open voter registration centers in the wards or constituencies where by-elections are scheduled, to facilitate continuous voter registration by those who turned 18 years after the 2018 harmonized elections, as well as those who seek to transfer their vote.

2. ABOUT ZESN

The Zimbabwe Election Support Network (ZESN) was formed in the year 2000 and is a coalition of 36 Civil Society Organizations (CSOs). The major focus of the Network is to promote democratic processes in general and free and fair elections in particular. ZESN is the secretariat of the Electoral Support Network of Southern Africa (ESN-SA) and is a member of The Global Network of Domestic Election Monitors (GNDEM).

As part of its comprehensive efforts to observe the local authority by-election in Ward 28 of Bulawayo Municipal Province and at the invitation of the ZEC, ZESN deployed 37 polling station based observers and a ward collation centre observer. In addition, ZESN had two mobile teams assessing the political environment outside the polling stations and two long term observers that closely tracked electoral developments during pre-election period.

ZESN election observation methodology is informed by the Constitution of Zimbabwe and Electoral Laws of the country. The Network is independent in its findings and conclusions. In addition, ZESN's assessment of the election is also guided by 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). The Network is also guided by the GNDEM's Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organisations, Code of Conduct for Nonpartisan Citizen Election Observers.

3. BACKGROUND TO THE BY-ELECTION

On 30 March 2019, the Zimbabwe Electoral Commission (ZEC) conducted a local authority by-election for Cowdray Park (ward 28). Cowdray Park is in Bulawayo Metropolitan Province and is one of the three wards that make up Luveve Constituency, the other 2 wards being Gwabalanda (Ward 16) and Luveve (Ward 15). The ward has one of the largest voting populations of 23257. Accordingly, ZEC established 36 polling stations for the purposes of the by election.

The by-election was necessitated by the death of the incumbent Councillor for ward 28, Hapson Ncube, who died in December 2018. Through the Government Gazette of 8 February 2019 the President proclaimed 30 March 2019 as the date for the by-election.

4. NOMINATION COURT RESULTS

The Nomination Court for aspiring candidates sat on February 22, 2019 in keeping with Section 125(4)(b) of the Electoral Act [Chapter 2:13]. Feedback from the ZESN observers who closely tracked the Court proceedings indicated that due processes were adhered to in the processing of the submissions by aspiring candidates.

Below is a list of aspiring candidates who successfully lodged their nomination papers with the nomination court.

	Candidate	Sex	Date of Birth	Age	Political Parties
1.	Dube Enock	M	25/10/1952	66	Independent
2.	Dube Mejury	F	03/01/1976	43	UDA
3.	Gumpo Florah	F	08/08/ 1962	56	MDC T
4.	Mashayanyika Albert	M	20/04/ 1978	40	NCA
5.	Mloyi Nomagugu	F	02/1 1/1972	46	MDC A
6.	Mujuru Kidwell	M	28/1 1/1970	48	ZANU PF
7.	Mukucha George	M	24/11/1961	57	independent
8.	Mushauri Godfrey	M	20/06/ 1972	46	Independent
9.	Ncube Amon	M	14/07/ 1969	49	Independent
10.	Ncube Nkosinethando	F	28/07/ 1977	41	Independent
11.	Ncube Polite	F	11/12/1972	46	ZEFF
12.	Ndhlovu Collet	M	27/10/1962	56	M DC-A
13.	Ndlovu Nokuthula	F	05/08/ 1969	49	ZAPU
14.	Ngwenya Nicholas	M	26/07/ 1972	46	ZIPP
15.	Nkala Nkosentsha	M	01/12/ 1978	40	Independent
16.	Nyoni Nkosikona	M	10/01/1972	47	MRP
17.	Nzima Buhle	F	28/09/1982	36	NPF
18.	Tshabangu Stanley	M	01 /11/1965	53	Independent

Source: ZEC

An analysis of the Nomination Court results reveals that 38 percent of the electoral contestants participated in the 2018 local authority elections for the same ward and thus sought to consolidate their various support bases this raised the stakes in the election.

5. ELECTORAL CAMPAIGNS

5.1. Primary Elections for Contesting Political Parties

For the ward 28 by-election ZANU PF decided not to hold primary elections. Instead the party fielded its candidate for the 2018 elections, Kidwell Mujuru. The MDC Alliance, on the other hand, held primary elections which were won by a former Councilor, Collet Ndhlovu. However the outcome of the primary elections was disputed resulting in more than one candidate from the same party filing their nomination papers with the Nomination Court. The party therefore was represented by two candidates; Collet Ndhlovu and Nomagugu Mloyi.

5.2. Political Campaigns

Politically 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.

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. Observer reports indicated that the campaigns were largely peaceful, with posters and door to door campaigns reported as the most prominent modes of campaigning in use especially for candidates and political parties. However, disturbing reports of defacing and tearing of campaign posters and voter education posters were reported by ZESN observers.

ZANU PF conducted the most visible political campaign. It was also the only party that held a rally in the ward. The rally was attended by top party officials who included secretary for administration Obert Mpofu, deputy national commissar Omega Hungwe, former Ministers Mike Bimha and David Parirenyatwa the current ZANU PF secretary for indigenisation and health respectively, politburo members Tshinga Dube, Absolom Sikhosana and Angeline Masuku and other top officials from the party's commissariat department. This rally was also addressed by the Country's by Vice-President Kembo Mohadi.

Below are some of the campaign posters that ZESN observers have come across in the ward.



5.3. Vote Buying

Vote buying is one of the oldest techniques of electoral malpractice carried out in electoral competitions. It violates freedom of choice and erodes the principle of fairness in the competition by favoring political parties and candidates with more resources

According to observer reports, the ruling party donated 60 tonnes of maize and 30 tonnes of rice to the party's supporters. Some of maize, mealie meal and rice were distributed days before the by-election and the day after polling day.

6. PARTICIPATION OF WOMEN AND YOUTH IN ELECTIONS

Active participation of women, youth, civil society organizations 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. By the time of writing this report ZEC had not availed disaggregated statistics of the turnout for the 2018 elections. These statistics can support the formulation of more targeted voter education initiatives, including those that support more meaningful participation of women in electoral processes.

6.1. Youth's Participation in Elections

The winning candidate in the 2018 harmonized elections for the Cowdray Park 2018 municipal elections is aged 34. It was reported that the MDC Alliance Youth Assembly members requested that Ncube's replacement be another youth. The request was denied. The two MDC-Alliance members that contested the 2019 elections were 46 and 56 years old respectively. None of the 18 electoral contestants is below the age of the 35 years with the average age of the contestants being 46.5 years of age.

6.2. Women's participation in the Cowdray Park by-election

Women comprise 38.8 percent of the 2018 (7 out of 18) electoral contestants. The results of the Nomination Court indicated that this number has remained static as the same number of women will be contesting the by-election. This number is at variance with the percentage of women who are currently registered to vote. During the Biometric Voter Registration 54.3% of persons who registered were women. Thus women significantly outnumbered men in terms of registration.

7. VOTER EDUCATION

ZEC's voter education exercise was conducted from 18-22 March 2019 by a team of four ZEC voter educators. A number of Civil Society Organizations (CSOs) supported the ZEC voter education efforts. ZESN for instance deployed a voter education team comprising four people that interacted with residents in the ward as well as provided voter education materials. The ZESN voter education effort included distribution of posters (1,700) and flyers (5,600) and flighting of radio jingles on Skyz Metro radio station. The ZESN voter education team addressed people gathered in public spaces such as churches and business centers. The Election Situation Room (ESR) team also distributed 300 voter education posters and 1,000 flyers. The ESR's materials sought to publicize the ESR call centre where citizens could call and provide updates and information pertaining to the by-election.

The Bulawayo Progressive Residents Association (BPRA) in collaboration with Women's Institute for Leadership Development (WILD), Bulawayo Vendors and Traders Association (BVTA) and Victory Siyanqoba Trust conducted voter education activities which included road shows and public meetings which allowed residents to interact with all electoral contestants. The Consortium deployed 20 voter educators. Some of the Consortium's activities were conducted in partnership with ZESN as well. These include the meet the candidate forums which were hosted over a period of two days and attended by over 500 people. All the 18 candidates participated in this event and Citizens of ward 28 had an opportunity to convey their service delivery expectations to the electoral contestants.

The pictures below illustrate some of the voter education efforts that were conducted during the pre-election period.

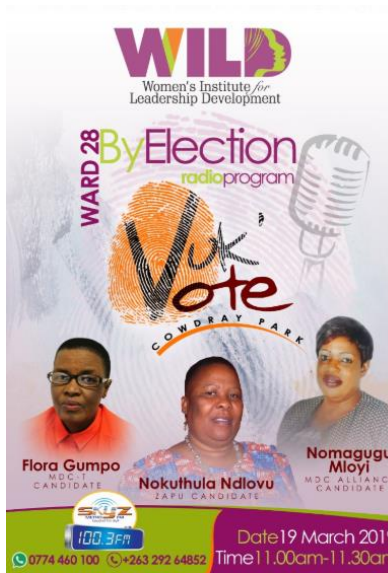


Figure 1: Flyers for a radio program that allows residents to interact with some of the women electoral contestants.



Figure 2: ZESN voter educators putting up voter education posters in the ward



Figure 3: ZESN voter educators addressing residents in the ward



Figure 4: Part of the crowd attending the voter education roadshows conducted by a Consortium of CSOs.

8. VOTER REGISTRATION

8.1. Voter registration

Voter registration is provided for in Section 17A of the Electoral Act (Chapter 2:13). The Electoral Law provides for continuous voter registration hence the voters' roll that was used during the 2018 Harmonized Elections was used as the basis for further registrations. It was apparent from interaction with people from ward 28 that no voter registration centre was opened in the ward

hence those wishing to register for the first time or transfer their vote to be able to participate in the by-election needed to present themselves at the ZEC provincial registration centres in at Windsor Park Building in Fomona, Bulawayo. This requirement presented a significant financial hurdle to potential registrants.

8.2. Open Election Data

Perceptions are important in elections as they shape public opinion thus ZEC needs to develop a communication strategy to guide the Commission's stakeholder engagement efforts, among other things. In instances where crucial information is withheld from electoral stakeholders negative perceptions about election management are fueled. This in turn erodes stakeholder confidence and participation in electoral processes.

The number of registered voters for ward 28 stood at 23,304 at the time of sitting of the Nomination Court. This number reduced to 23,257 when the by-election was conducted. The variance was occasioned by the ongoing 'data cleaning processes which resulted in some persons previously registered in the Ward being posted to a different Ward or Constituency altogether. ZESN urges the ZEC to proactively share the results of such processes with the electoral stakeholders so as to improve transparency in election management and to enhance understanding of electoral processes by various electoral stakeholders.

9. ELECTION DAY PROCEEDINGS

9.1. Set up and opening of polling stations

All polling stations in the by election were set up in accordance with laid down procedures, and designed to ensure that voters could mark their ballots in secrecy. Observers reported that all the polling stations opened on time and had started processing voters by 7:30 AM. Essential voting materials such as ballot boxes, ballot papers, ZEC stamp, indelible marker ink, biometric voters' roll with pictures were reported to be present at all polling stations. However, ZESN observers reported that unlike during the 2018 harmonized elections and by elections held thereafter, the polling stations were not equipped with voting booths to cater for persons with physical handicaps such as wheelchair users and voters of short stature.

9.2. Voting process and procedures

Observers reported that the voting process in the local authority by-election proceeded smoothly at all polling stations with procedures such as showing ballot boxes to be empty, checking voters' names against the voters roll, examining voters' fingers for indelible ink and applying the ink being duly followed. In addition, observers reported that all voters were required to present identification documents before voting with those having defaced or invalid identification such as driver's licenses and expired passports being turned away.

9.3. Redirected and turned away voters

ZESN has observed that whereas there were high numbers of voters redirected to other polling stations, there were fewer turned away and assisted voters in the by-election. The high number of redirected voters can be attributed to some voting centres having more than one polling station and the addition of new polling stations by ZEC. For instance, by the close of polling at Cowdray Park bus terminus tent A, 70 voters were redirected to other polling stations, at Mhlanthini A Primary 40 were redirected, and at Hlalani Kuhle Phetsheya 2, 29 voters were redirected while 23 were redirected at Mkhithika Thebe Primary C. ZESN is concerned by the high number of redirected voters some of whom were not able to proceed to the polling stations they were redirected to. For future elections, ZESN urges ZEC to ensure that there is adequate signage to direct voters to their appropriate polling stations. ZEC should also post the voters' roll outside the polling stations to enable voters to check their names first and confirm the polling station they are assigned.

9.4. Election Agents

Contesting political parties and candidates are allowed three polling agents on Election Day, one inside the polling station and two outside the polling station. Of the 18 contesting political parties and independent candidates, ZESN observed that the following political parties deployed the most number of agents; Zimbabwe African National Union- Patriotic Front (Zanu PF), Movement for Democratic Change (MDC) Alliance, MDC-Tsvangirai, Zimbabwe Economic Freedom Fighters CZEFF), The Zimbabwe African People's Union (ZAPU) and Mthwakazi Republic Party (MRP).

It is commendable that the political parties and candidates invested in the deployment of agents as this enables them to authoritatively comment on the polling processes. ZESN therefore calls upon political contestants to seriously consider comprehensive deployment of election agents in all elections.

9.5. Voter Turnout

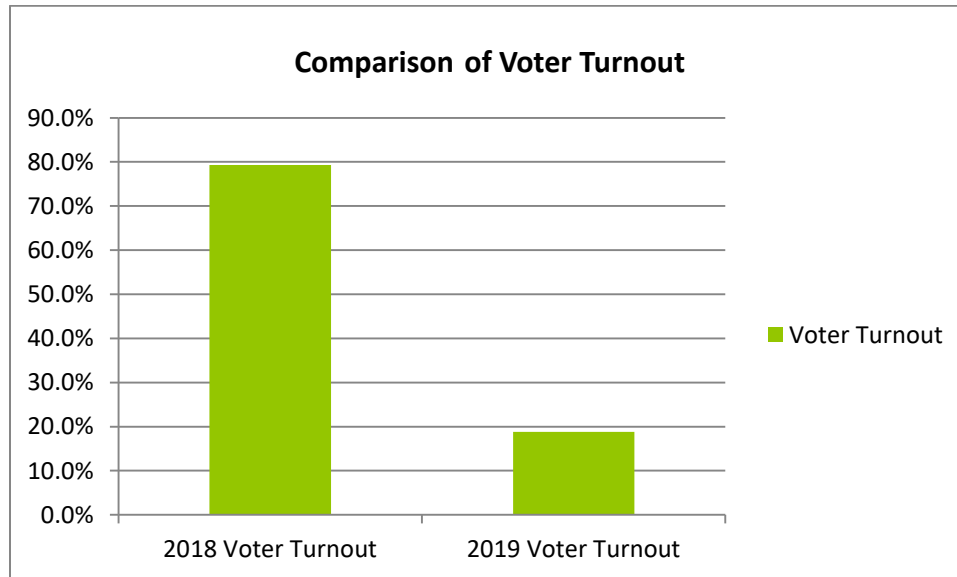


Figure 5: Voter Turnout Comparison for Ward 28

Generally, the voter turnout was observed to be low in the by-election, for instance, ZESN observed short queues in the morning but these had mostly disappeared by midday. Youth turnout was particularly low when compared to other age groups. Of the 23,257 registered voters only 4,369 voted on Election Day representing an 18.8% voter turnout. This is a significant decrease from the 2018 harmonized elections where 18,477 votes were cast representing 79.29% of the registered voters.

10. ELECTION RESULTS

10.1. Counting and Results Collation

At all polling stations, ZESN observers were permitted to observe counting and results collation. ZESN observed that closing and counting procedures were duly followed including checking the seals on ballot boxes, requesting election agents to sign V11 forms and posting results outside polling stations.

The ZANU PF candidate Kidwell Mujuru was duly elected as the Councillor of Ward 28 of Cowdray Park having garnered 1,899 votes. The seat was previously won by the MDC Alliance during the 2018 harmonized elections. The Alliance fielded two candidates in the by-election who polled a combined tally of 1,450 votes. The other political parties and candidates polled a combined total of 1,002 votes. In the 2018 harmonized election, the MDC Alliance and ZANU PF candidates received 8514 and 3,632 votes respectively.

The 2019 ward 28 election results are illustrated in the table below:

	Name of Candidate	Political Party	Number of votes received
1.	Dube Enoch	Independent	27
2.	Dube Mejury	UDA	58
3.	Gumbo Florah	MDC T	133
4.	Mashayanyika Albert	NCA	12
5.	Mloyi Nomagugu	MDC A	1,229
6.	Mujuru Kidwell	ZANU PF	1,899
7.	Mukucha George	Independent	18
8.	Mushauri Godfrey	Independent	18
9.	Ncube Amon	Independent	23
10.	Ncube Nkosinethando	Independent	24
11.	Ncube Polite	ZEFF	84
12.	Ndhlovu Collet	MDC A	221
13.	Ndlovu Nokuthula	ZAPU	133
14.	Ngwenya Nicholas	ZIPP	72
15.	Nkala Nkosentsha	Independent	85
16.	Nyoni Nkosikona	MRP	206
17.	Nzima Buhle	NPF	22
18.	Tshabangu Stanley	Independent	87
	Total valid votes Cast		4,351
	Rejected votes		18
	Total votes cast		4,369

Source: ZEC

Below are the results of the 2018 Cowdray Park local authority elections.

	Name	Sex	Party	Votes
1.	Dube Enock	M	Independent	254
2.	Dube Mejury	F	UDA	291
3.	Dube Sithandazile	F	ZIPP	385
4.	Dube Williams	M	Independent	308
5.	Gumbo Florah	F	MDC-T	1871
6.	Mpala Mabel	F	APA	150
7.	Mpofu Godsave	M	FJCZ	87
8.	Mujuru Kidwell	M	ZANU PF	3632
9.	Mushauri Godfrey	M	Independent	103
10.	Ncube Nyasha Hapson	M	MDC-Alliance	8514
11.	Ncube Rodney	M	MRP	439
12.	Ndlovu Nokuthula	F	ZAPU	670
13.	Nyathi Siphathisiwe	F	PRC	296
14.	Nyoni Fikezwi	M	Independent	307
15.	Nzima Buhle	F	NPF	219
16.	Sibanda Khulekani	M	Independent	214
17.	Tshabangu Stanley	M	Independent	426
	Valid Votes Cast		18166	
	Votes Rejected		311	
	Total Votes Cast		18477	
	Voter Population		23304	
	Percentage Poll		79.29%	

11. RECOMMENDATIONS

ZESN proffers the following recommendations for consideration by the ZEC and electoral contestants.

- i. ZEC should provide adequate signage to direct voters to their appropriate polling stations at the various polling centers.
- ii. Copies of the voters roll should be posted outside polling stations to enable voters to identify the specific polling station whose voters' roll their name will be found.
- iii. ZESN calls upon electoral contestants to ensure comprehensive deployment of election agents in all elections.
- iv. ZESN urges ZEC to ensure that for all elections, polling stations are equipped with voting booths to cater for people with disabilities especially those on wheelchairs and voters of short stature.
- v. ZEC should enforce the political parties' code of conduct to deter instances of intimidation and defacing of campaign materials.
- vi. ZEC should develop a communication strategy and improve its engagement with electoral stakeholders.
- vii. In addition to ZEC provincial offices, ZEC should open voter registration centers in the wards or constituencies where by-elections are scheduled, to facilitate continuous voter registration by those who turned 18 years after the 2018 harmonized elections, as well as those who seek to transfer their vote.

12. CONCLUSION

ZESN applauds the professional conduct of ZEC officials who facilitated the work of observers deployed to ward 28. ZESN also commends electoral contestants and their supporters for campaigning peacefully and deploying of party agents to most of the polling stations. This investment is critical as it allows for political parties to authoritatively comment on electoral processes.