

ZIMBABWE ELECTION SUPPORT NETWORK



WARD 44
(KUWADZANA)
HARARE
MUNICIPALITY AND
WARD 15 MWENEZI
RURAL DISTRICT
COUNCIL
BY_ELECTIONS
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 Harare Municipality Ward 44 (Kuwadzana) and Mwenezi Rural District Council (RDC) Ward 15 East by-elections possible.

The ZESN Members supported the observer recruitment, training, deployment and debriefing of observers who were deployed to the Polling Stations and Ward Collation Centres. ZESN appreciates the volunteers who demonstrated considerable commitment and effort to observe electoral processes such as pre-electoral environment and preparations, voter education and polling day processes. The by-elections report was informed by the observations made by these observers.

ZESN observers objectively reported on the processes and conducted themselves professionally throughout the Election Day. Their assessment of the by-elections 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
GNDEM	The Global Network of Domestic Election Monitors
ICCPR	International Covenant on Civil and Political Rights
MDC-A	Movement for Democratic Change Alliance
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 February 2020, the Zimbabwe Electoral Commission (ZEC) conducted two Local Authority by-elections for Ward 44 of Harare Municipality¹ and Ward 15 of Mwenezi Rural District Council (RDC). Both by-elections were held to fill vacancies that arose following the deaths of the incumbents.

ZESN deployed 12 short term observers to both by-elections who tracked Election Day processes at the polling stations and Ward Collation centres where they were deployed. In addition observers tracked electoral developments during the final one and half weeks leading to the by-elections.

To complement ZEC voter education efforts ahead of the by-election ZESN deployed a team of voter educator to Ward 44 of Harare Municipality which interacted with eligible voters resident in the Ward. The ZESN teams distributed 750 posters and 3,200 flyers during the voter education exercise. In addition ZESN interacted with 250 people who visited the ZESN stand during the Global Elections Day Commemorations.

The number of persons registered to vote in Ward 44 of Harare was 11,125 and 3,750 for Ward 15 of Mwenezi, respectively. Although the ZEC registration centres at the Provincial and District offices remain open throughout the electoral cycle, the voting populations for both Harare and Mwenezi have not changed significantly since 2018 for both by-elections.

ZANU-PF and MDC-Alliance conducted vibrant campaigns in both by-elections. Their campaigns included rallies, door to door meetings, and distribution of campaign posters, flyers and party regalia. In Ward 44 of Harare, the NCA party also fielded a candidate but, according the ZESN observer reports, the party did not conduct any visible campaigns, at trend which is very consistent with the NCA party's conduct in by-elections which they have fielded candidates in the past.

¹ Ward 44 of Harare Municipality comprises part of Kuwadzana and Kuwadzana extension.

On Election Day, all polling stations in Kuwadzana and Mwenezi, where ZESN had observers, were reported to have opened on time, in accordance with the law. The polling booths were set up in a manner that allowed voters to secretly cast their ballots, consistent with the key principle of secrecy of the vote in democratic elections.

Both ZANU-PF and MDC Alliance retained the seats that their respective parties won during the 2018 harmonised elections. The Harare Municipality Ward 44 by-election was won by the MDC Alliance candidate. On the other hand, all parties that contested the Harare Ward 44 by-election received less votes in 2020 than they received during the 2018 Harmonised Elections.

Following the observations highlighted in the report, ZESN proffers the following recommendations.

- I. Political parties should encourage their supporters to participate in municipal by elections so as to address voter apathy.
- II. Civic and voter education efforts by ZEC and civil society organizations should emphasize the importance of by-elections and on the need for eligible voters who have not yet registered to utilize voter registration centers that remain open throughout the electoral cycle.
- III. All political parties that contest in elections should comprehensively deploy party agents to monitor polling processes at all polling stations.

2. BACKGROUND TO THE BY-ELECTION

2.1. Introduction

The Zimbabwe Electoral Commission (ZEC) conducted two Local Authority by-elections for Ward 44 of Harare Municipality and Ward 15 of Mwenezi Rural District Council (RDC). Ward 44 of Harare Municipality comprises parts of Kuwadzana and Kuwadzana extension high density suburbs. All two by elections were held fill vacancies that arose following the deaths of the incumbents.

2.2. Observation methodology

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

The Zimbabwe Election Support Network deployed strategically to both by-elections. A total of 12 static observers were deployed to both by-election to assess the electoral processes at the respective polling stations and collation centres as well as the political environment around Wards where the by-elections were held. In addition observers tracked electoral developments during the final one and half weeks leading to the by-elections. 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. Compliance of electoral contestants to the code of conduct for elections, and electoral preparations by the Commission were also assessed by the ZESN observers.

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 require voting in a by-election to be held within 90 days of the vacancy occurring. Both by-elections were held within the 90 day prescribed timeframe, which is permitted by the Electoral Act.

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 fully 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 ZEC voter education efforts ahead of the by-election ZESN deployed a team of voter educator to Ward 44 of Harare Municipality which interacted with eligible voters resident in the Ward. The ZESN teams distributed 750 posters and 3,200 flyers during the voter education exercise. The team targeted households, community hall meetings, food distribution meetings and church gatherings and general citizens at public places. ZESN coordinated voter education efforts with the ZEC team that was deployed in the ward from 26 to 30 January 2020. ZESN team directly reached out to 3,200 (1200 men and 2000 women) of which 60% were youths.

ZESN also had an opportunity to provide electoral education at the Global Elections Day Commemorations which were hosted by the Elections Resource Centre. ZESN together with other CSOs working on elections, human rights and governance made an exhibition

at the venue of the commemorations. ZESN interacted and shared voter education materials with over 250 people who visited the ZESN stand.

4.2. Voter Registration

Voter registration is provided for in Section 17A of the Electoral Act (Chapter 2:13). In keeping with the requirement to provide voter registration continuously.

The number of persons registered to vote in Ward 44 of Harare was 11,125 and 3,750 for Ward 15 of Mwenezi. Although the ZEC registration centres at the Provincial and District offices remain open throughout the electoral cycle, the voting populations for both Harare and Mwenezi have not change significantly since 2018 for both by-elections. ZESN appreciates that voter registration is done on a purely voluntary basis according to the law. Nevertheless, ZESN is of the opinion that all electoral stakeholders, including political parties need to do more to mobilise voters in their respective constituencies to register to vote and not wait for the periodic voter registration blitz that are conducted by ZEC at different intervals.

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.

ZANU-PF and MDC-Alliance conducted vibrant campaigns in both by-elections. Their campaigns included rallies, door to door meetings, and distribution of campaign posters, flyers and party regalia. In Ward 44 of Harare, the NCA party also fielded a candidate but, according the ZESN observers' reports, the party did not conduct any visible campaigns.

ZESN observer reports indicated that the contesting political parties utilised the following campaign methods during the campaign season for both by-elections²:

Political Party	Campaign Methods				
	Rallies	Meetings	Door to Door Campaigns	Posters	Flyers
Movement for Democratic Change A [MDC-A]	✓	✓	✓	✓	✓
National Constitutional Assembly [NCA]				✓	✓
Zimbabwe African National Union Patriotic Front [ZANU-PF]	✓	✓	✓	✓	✓

6. 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. As in past elections, 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.

None of the political parties fielded female candidates. This trend of low participation of women running for elected office is in keeping with past by-elections.

7. ELECTION DAY OBSERVATIONS

The findings in this section of the report are mainly informed by the observations made by ZESN observers who were deployed at the polling stations listed below:

² The table with summary of campaign methods utilized by electoral contestants is informed by ZESN observers' reports (what ZESN observers witness)

Mwenezi Ward 15	Harare Ward 44
Mbizi Section Compound- Tent	Kuwadzana 8 A -Primary School
MRDC Clinic (Sosonye)- Tent	Kuwadzana 8 D -Primary School
Nuanetsi Ranch HQ- Tent	Kuwadzana phase 4 Municipal Sub office -Tent
Turf Primary School- School	Kuwadzana 3 High A
Valley Primary School- Tent	Kuwadzana 3 High C
Vezvi Primary School- School	Kuwadzana 3 High E

Set up and opening of polling stations

All polling stations in Kuwadzana and Mwenezi, where ZESN had observers, were reported to have opened on time, in accordance with the law. The polling booths were set up in a manner that allowed voters to secretly cast their ballots, consistent with the key principle of secrecy of the vote in democratic elections. Further, ZESN observers reported that all essential polling materials used for polling, such as ballot boxes, ballot papers, indelible finger markers, voters' rolls, the ZEC official stamps, were available at all polling stations where ZESN had observers.

Polling officials

Reports from ZESN observers show that polling stations in Kuwadzana and Mwenezi had an average of seven polling officials and most of the polling officials were male. In the interest of gender equality, ZESN implores ZEC to consistently ensure that gender balance is achieved during the recruitment of polling officials³.

Voting process and procedures

At all polling stations where ZESN had observers, voting procedures were reported to have been dully followed from opening through to the closing, in accordance with the provisions of the law. Commendably, the elderly and people with disabilities were given the privilege to cast their ballots without having to join queues.

Political parties' agents

³ Objective 2 of the ZEC gender policy seeks to promote gender equality and inclusivity in electoral processes.

It is commendable that ZANU-PF and the MDC Alliance deployed party agents to track the polling process at all the polling stations where ZESN observers were deployed, in both Kuwadzana and Mwenezi. ZESN encourages other parties that contest in elections, to deploy agents who observe polling processes on their behalf. While the NCA participated in the Kuwadzana by-election, no party agents were present at polling stations where ZESN had observers.

Assisted voters

ZESN observers witnessed a few voters being assisted to vote in Kuwadzana. None of the ZESN observers in Kuwadzana reported numbers of assisted voters exceeding five. Reasons given for those who were assisted to vote include visual impairment and illiteracy. By contrast, higher numbers of assisted voters were recorded in Mwenezi. For example, about 30 or more voters were assisted to vote at Valley Primary School and Turf Primary School polling stations. Some voters brought a person of their own choice to assist them, as permitted at law.

Turned away and redirected voters

ZESN observers reported on cases where some voters were turned away because they had invalid identification documents, for example a photocopy of an ID card and a driver's licence. This was the case in both Kuwadzana and Mwenezi. The numbers of redirected voters and turned away voters were not high, at polling stations where ZESN had observers. At Turf Primary polling station, for example, about nine people were turned away because their names were not on the register of voters.

Counting and results collation

All ZESN observers were permitted to observe counting and results collation. They reported 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 to which the party agents all appended their signatures after agreeing that the results were correct and official.

By-election results

Both ZANU-PF and MDC Alliance retained the seats that their respective parties won during the 2018 harmonised elections. The Harare Municipality Ward 44 by-election was won by the MDC candidate (table 1 below) while the Mwenezi RDC Ward 15 by-election was won by ZANU-PF (table 2 below).

Table 1 below, compares the by-election results for 2020 Harare Municipality Ward 44 with those for the election held for the same Ward during the 2018 harmonised election.

Harare Municipality Ward 44 (Kuwadzana)							
2020 by-election				2018 harmonised elections			
Candidates	Sex	Political party	Votes	Candidate	Sex	Political party	Votes
Makurwe Lloyd	M	ZANU-PF	718	Gabaza Anesu Cleopas	M	ZANU-PF	2042
Shoko Adonis	M	MDC Alliance	1517	Mabika Edward	M	ZIPP	72
Ndoya Wenell	M	NCA	12	Masunda Renias	M	MDC Alliance	6870
				Mukono Anxious	M	Independent	124
				Ndoya Wenell	M	NCA	67
				Svinurai Peter	M	PRC	44
Valid Votes Cast	2247			9219			
Votes Rejected	9			76			
Total Votes Cast	2256			9295			
Voter Population	11125			11180			
Percentage Poll	20%			83.14%			

Table 1: Harare Municipality Ward 44

Mwenezi RDC Ward 15 was one of the uncontested Wards in the 2018 harmonised elections. The by-election results for the Ward are shown in table 2.

Mwenezi RDC Ward 15							
2020 by-election				2018 harmonised elections			
Candidate	Sex	Political party	Votes	Candidate	Sex	Political party	Votes
Kwinika Samuel	M	ZANU-PF	1811	Chauke Edson	M	ZANU-PF	Unopposed
Dzuda Shepherd Tiripamwe	M	MDC Alliance	27				
Valid Votes Cast			1838				
Votes Rejected			30				
Total Votes Cast			1868				
Voter Population			3750				
Percentage Poll			50%				

Table 2: Mwenezi Rural District Council Ward 15

Analysis of results

In Mwenezi, the MDC Alliance lost to ZANU-PF by a margin of 1,784 votes. The seat was uncontested in the 2018 harmonised elections. Turnout was comparatively higher in Mwenezi where 50% of the registered voters turned up to vote while only 20% turnout was recorded in Harare's Ward 44⁴. On the other hand, all parties that contested the Harare Ward 44 by-election received less votes in 2020 than they received during the 2018 Harmonised Elections.

Difference in Votes received by Parties in past election				
Harare Ward 44 (Kuwadzana)	2018 Harmonized Elections	2020 By-election	Difference In votes Cast in 2018 & 2020	% Decrease

⁴ During ZESN's Voter education campaign in Kuwadzana Ward 44, residents indicated a lack of interest in participating in the upcoming by-election as their focus was on securing the livelihood of their families.

ZANU-PF	2,042	718	1,324	64.8 %	↓
MDC Alliance	6,870	1,517	5,353	77.9 %	↓
NCA	67	12	55	82 %	↓

Table 3: Comparison on Votes received by political parties during the Harmonised elections and the 2020 By-election.

8. RECOMMENDATIONS

Following the observations highlighted in the report, ZESN proffers the following recommendations.

- I. Political parties should encourage their supporters to participate in municipal by elections so as to address voter apathy.
- II. Civic and voter education efforts by ZEC and civil society organizations should emphasize the importance of by-elections and on the need for eligible voters who have not yet registered to utilize voter registration centers that remain open throughout the electoral cycle.
- III. All political parties that contest in elections should comprehensively deploy party agents to monitor polling processes at all polling stations.

9. CONCLUSION

The Network commends voters in Mwenezi Ward 15 and Harare Ward 44 for casting their votes in peace but is nevertheless dismayed by the voter apathy during municipal by-elections which continues to be observed in the country. ZESN remains committed to sustained engagement with Government and other electoral stakeholders in pursuit of appropriate political, electoral and legislative reforms that can foster the creation of a more enabling environment for credible elections. ZESN invests in observation of electoral processes throughout the electoral cycle and will be making evidence based recommendations at various stages of the cycle.