



**Zimbabwe Election  
Support Network** ■  
Promoting Democratic  
Elections In Zimbabwe

**Press Statement**

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## ZESN STATEMENT ON THE ELECTORAL AMENDMENT BILL

**Harare – 22 November 2022.** The Zimbabwe Election Support Network (ZESN) expresses concern over the scope of the proposed changes that are contained in the recently gazetted Electoral Amendment Bill. The gazetted Bill which seeks to amend the Electoral Act [Chapter 2:13] proposes the removal of the driver's license as proof of identity for electoral purposes; seeks to disqualify previously convicted persons from contesting in elections and provides a timeframe (21 days) when a candidate may withdraw from contesting in a National Assembly or local authority elections. The Bill also provides for the incorporation of the youth quota in the National Assembly and the women's quota in local authorities which are both products of the Constitution of Zimbabwe Amendment (No. 2) Act, 2019.

ZESN believes that the Bill addresses nominal and administrative reforms whilst ignoring pertinent reforms that may have a direct bearing on the transparency and credibility of elections in Zimbabwe. For instance, the removal of a driver's license as proof of identity is purely nominal as the Zimbabwe Electoral Commission (ZEC) has always declined it as proof of identity for election purposes for example during voter registration and voting.

ZESN is irked by the fact that the Electoral Amendment Bill is silent and does not address some of the key principles of electoral systems and processes on the conduct and management of credible, peaceful, free and fair elections as enshrined under Section 155 of the Constitution. Section 155 (2) of the Constitution states that, "*The State must take all appropriate measures, including legislative measures to ensure that effect is given to the principles set out in subsection (1).....*". These principles include peaceful, free and fair elections, conducted by secret ballot, based on universal adult suffrage and equality of votes, which are free from violence and other electoral malpractices.

Further, ZESN is concerned by the lowering of Constitutional standards as elaborated in the recently gazetted Electoral Bill. The Bill creates a ceiling of *thirty per cent (30%)* of women councillors as part of the quota system for women's representation. However, this does not represent the fullness of the Constitutional Amendment (No. 2) provision which seeks to create a minimum threshold for women in local government at *thirty per cent (30%)* on a ward basis through a Proportional Representation (PR). The Bill contains a *proviso* which will result in the decrease of the women's quota within a political party that fails to present a full list of

candidates for the local authority women's quota. The provision makes women losers for their political parties' negligence, maladministration or incompetence.

ZESN calls the government to consider the quota system design that ensures the minimum *thirty per cent* (30%) seats are within the existing ward boundaries through a portion of Proportional Representation and therefore ensuring equality in how representatives of the country take up public office in direct election seats as guided by the Constitution Amendment (No. 2). This will give relevance to the roles that women in the quota play at local authority level, which deals with day-to-day service delivery issues among others. An additional quota to the existing wards will make these women redundant, add an extra burden to taxpayers by having councillors without wards, perpetuate their marginalisation and subject them to name calling as is the case with the National Assembly quota. We, therefore, reiterate our call on the need for the government to reconsider a formula that does not jeopardize the women's quota as provided for by the Constitution. The need for the government to sincerely drive the agenda for equality in representation cannot be overemphasised.

Since 2018 ZESN working with several other CSOs and other key electoral stakeholders in Zimbabwe have been calling for several electoral reforms which include strengthening the independence of the ZEC; transparent procedures for procurement, designing, printing, and distribution of ballot papers; strengthening the roles of other Chapter 12 Commissions in electoral processes; enhancement of equal media coverage of elections and access to information; effective enforcement of prohibited political conduct during poll; tightening the provisions on results management to enhance transparency; reviewing legal provisions around voter registration and the voters' roll; expansion of provisions relating to voter education and election observation; inclusion of Persons With Disabilities (PWDs) within the women and youth quotas; and effective electoral dispute resolution mechanisms among a plethora of other gaps in the legislative framework.

ZESN, therefore, calls upon the government to adopt a holistic approach to the electoral reform process taking into account the Constitution of Zimbabwe, SADC Principles and Guidelines Governing Democratic Election, the recently ratified African Charter on Democracy, Elections, and Governance (ACDEG), as well as recommendations made by Election Observer Missions in the 2018 harmonised elections. Furthermore, ZESN reminds the government of the need to expedite the electoral reform process to ensure that the legal, administrative and procedural changes are understood and implemented well ahead of the 2023 harmonized elections and beyond. //ENDS

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**FOR COMMENTS AND FURTHER DETAILS CONTACT**

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