



27 March 2022
5:00 pm

Preliminary Statement on the Process of the 26 March By-Elections

Yesterday, 26 March 2022, Zimbabweans across 28 constituencies and 122 local authorities went to the polls to cast their votes for the long delayed parliamentary and local authority by-elections. The indefinite delay was reasoned on the basis of the COVID-19 pandemic and upheld under Statutory Instrument 225A of 2020 (SI 2020-225A) and (COVID-19 Prevention, Containment and Treatment) (Amendment) Regulations, 2020, No 4). Ordinarily, and in line with Section 158(3) of the Constitution and Sections 39 and 121 of the Electoral Act, by-elections to fill in vacancies are held within 90 days of the vacancy having arisen. For these by-elections, the Election Resource Centre (ERC) and Zimbabwe Election Support Network (ZESN) deployed more than 400 trained and accredited election day observers including deploying 206 observers to six priority constituencies; Binga North, Chivi South, Epworth, Kwekwe Central, Murewa South, and Mutasa South where Sample-Based Observations (SBOs) were conducted using a statistically representative sample of polling stations. Given the timing, it was not possible to conduct SBOs for all 28 by-elections. These six constituencies were selected to provide geographic spread and to reflect the political diversity of the country.

This statement on the conduct of the elections is based on ERC and ZESN's direct observation of the processes of voting, counting and posting of results for those six constituencies and follows ERC and ZESN's situational statements on the opening and set-up of polling stations released 25 March 2022. The political environment during the pre-election period was marred by political violence resulting in the loss of life for a CCC supporter in Mbizo, Kwekwe District, and election-related intimidation. ERC and ZESN unreservedly condemn any form of violence and the attempt to limit electoral competition through the restriction of campaign activities. Political rights are protected in Section 67 of the Constitution and all stakeholders are enjoined to always promote the Constitution. The ERC and ZESN noted activities that qualify as vote buying during the campaign period which included the use of food to sway voters. Voter information and education associated with the voter registration process has not been comprehensive enough ahead of the by-elections. This shortcoming in public engagement, when viewed alongside the administration of the two different voters' rolls in constituencies where there are concurrent elections for the National Assembly and Ward by-elections, has resulted in confusion amongst voters in the affected areas. Stakeholders have also expressed concern over the quality and integrity of the voters' roll,

which was further compounded by the delay by the Zimbabwe Electoral Commission's (ZEC) in sharing the official voters' roll for analysis.

Overall, ERC and ZESN observers reported that the election day was peaceful and generally well administered, but with concerns about community coercion in rural areas undermining the right to vote. Of the six constituencies observed, so far results have been announced for Epworth, Murewa South and Mutasa South. The results for Binga North, Epworth, Kwekwe and Murewa South reflect the ballots cast, however, it is not possible to verify the results for Mutasa South as community coercion and a close election undermine the credibility of the election and legitimacy of the outcome. ERC and ZESN will verify the results for Chivi South when it has been announced.

ERC and ZESN are still processing the data received from its additional stationary and mobile observers and will provide the findings from all the complementary observation methodologies in a forthcoming comprehensive report.

Voting, Counting and Results Announcements Process

Voter Verification

Only voters with their names appearing on the voters' roll and who had appropriate identity documents were permitted to vote. ERC and ZESN observers reported that at 100% of polling stations voters had their names checked against the polling station based voters' roll and identification verified before being permitted to vote.

Indelible Ink

ERC and ZESN observers reported that all voters had their fingers marked with ink before being issued ballot papers. However, in their situational statement ZESN and ERC observers reported concerns over the quality of indelible ink being used by ZEC. Observers found that at 100% of polling stations, voters' fingers were checked for indelible ink before being permitted to vote and there were no incidents of attempts to vote twice/again.

Voters Turned Away

Observers reported that there were numerous instances where 25 or more persons were turned away and not allowed to vote at some polling stations, reasons being; presenting wrong identity documents and showing up at the wrong polling stations. Out of the six constituencies where ZESN and ERC conducted SBO, high numbers of voters turned away were recorded, 29% of observers in Binga North constituency (Matabeleland North) 25% of observers in Epworth Constituency (Harare Metropolitan Province), and 26% of observers in Kwekwe Central Constituency (Midlands Province) reported seeing many voters turned away.

Assisted Voters

ERC and ZESN observers noted instances of high numbers of people being assisted to vote. In the six constituencies observed under the SBO, the constituencies where observers reported instances of many individuals requesting assistance in casting their ballots included Epworth 59%, Chivi South 36% and Binga North 59%.

Closing and Counting

All observers were permitted to observe closing of polls and counting of the ballots at all the polling stations where they were deployed. ERC and ZESN observers noted some isolated incidents in which individuals without authorization to enter polling stations did so. Further observers reported that before counting, all ballot box seals were confirmed to be untampered with before counting commenced.

Party Agents

Political parties are key stakeholders in the electoral processes and their presence at polling stations increases trust and accountability in the election. During the counting process, observers reported 100% of CCC and ZANU PF were present, while 63% of agents present were from the MDC-A. In all circumstances none of the observers reported party agents requesting for recounts of ballots.

Table 1: Distribution of Presence of Agents Representing the Top 3 Parties

| Political Party | Coverage |
|------------------------|-----------------|
| CCC | 99% |
| ZANU PF | 100% |
| MDC Alliance | 62% |

Results Posted

97% polling stations posted the results Form V11 outside for the public to see. While party agents were given copies of the same in almost all the reported polling stations, 6 cases of not providing agents with V11 forms were reported in Mashonaland East and 4 in Harare.

Community Coercion

ERC and ZESN observers recorded high turnout as well as high vote share for a single party at multiple rural polling stations across Murewa South and Mutasa South, when compared to their respective constituency turnout and vote shares. These are indicators of community coercion. For Murewa South the average turnout was approximately 49%, but for these polling stations turnout was 60% and above. Similarly, for Mutasa South the average turnout was approximately 35%, but for these polling stations turnout was over 50%. For both constituencies the vote share for ZANU PF was over 90% - much higher than for other polling stations. This pattern calls into question

where voters were able to freely participate in the process and if the results truly reflect their preferences.

Table 2: Polling Stations with high turnout and ZANU vote share than average in Murewa South and Mutasa South constituencies

| Polling Station | Constituency | Turnout | % ZANU PF |
|-------------------------------|---------------------|----------------|------------------|
| Higlover Farm Tent A | Murewa South | 67% | 99% |
| Vanguard Farmhouse Tent A | Murewa South | 66% | 96% |
| Welcome Home Clinic A | Murewa South | 64% | 93% |
| Howgate Farmhouse Tent A | Murewa South | 60% | 96% |
| Five Streams Primary School A | Mutasa South | 60% | 94% |
| Premier Primary School A | Mutasa South | 59% | 96% |
| Chidazembe Primary A | Mutasa South | 58% | 92% |
| Hawling Farm Tent A | Mutasa South | 51% | 91% |

SBO Results Verification

The SBO is an advanced Election Day observation methodology which allows ERC and ZESN to confidently comment on the voting and results tabulation processes for all polling stations in the select constituencies including those that did not have observers, including an independent verification of the results announced by the ZEC. ERC and ZESN selected six priority constituencies to deploy the SBO methodology for the by-election which included Binga North (Matabeleland North province), Chivi South (Masvingo province), Epworth (Harare Metropolitan Province), Kwekwe Central (Midlandsprovince), Murewa South (Mashonaland East Province), and Mutasa South (Manicaland province). These six constituencies were selected to provide geographic spread and to reflect the political diversity of the country.

Binga North

SBO observers were deployed to 25% of polling stations in the Binga North Constituency (Matabeleland Province). Here is a comparison of ZEC results with SBO estimates:

Table 3: Comparison of the ZEC official Results with ERC and ZESN SBO estimates for Binga North Constituency.

| Comparison of the ZEC official results with ERC and ZESN SBO Estimates for Binga North Constituency | | | | | | |
|--|------------------------|--------------------|----------------------|---------------------------|---------------------------|---------------|
| Candidate Name | Political Party | ZEC Results | % ZEC Results | SBO Lower Estimate | SBO Upper Estimate | Match? |
| Mudima Peggie | MDC-A | 356 | 1.9% | 1.2% | 2.6% | Yes |
| Mukuli Disciple | Independent | 220 | 1.2% | 0.8% | 1.6% | Yes |
| Munsaka Kudakwashe M. | ZANU PF | 7,971 | 42.4% | 36.4% | 46.8% | Yes |
| Muzamba Clive | UDA | 136 | 0.7% | 0.4% | 1.0% | Yes |
| Sibanda Dubeko Prince | CCC | 10,120 | 53.8% | 49.4% | 59.8% | Yes |

In addition, the estimated SBO turnout falls between 53.7% and 59.7% with rejected ballots between 1.0% and 1.8%.

Epworth

SBO observers were deployed to 50% of polling stations in the Epworth Constituency (Harare). Here is a comparison of ZEC results and SBO estimates

Table 4: Comparison of the ZEC official Results with ERC and ZESN SBO estimates for Epworth Constituency.

| Comparison of the ZEC official results with ERC and ZESN SBO Estimates for Epworth Constituency | | | | | | |
|--|------------------------|--------------------|----------------------|---------------------------|---------------------------|---------------|
| Candidate Name | Political Party | ZEC Results | % ZEC Results | SBO Lower Estimate | SBO Upper Estimate | Match? |
| Hazvina Innocent | Independent | 441 | 2.2% | 1.8% | 3.0% | Yes |

| | | | | | | |
|--------------------------|---------|--------|-------|-------|-------|-----|
| Kureva Earthrage | CCC | 8,283 | 41.8% | 38.9% | 45.5% | Yes |
| Makari Zalera Hazvineyi | ZANU PF | 10,248 | 51.7% | 47.0% | 54.8% | Yes |
| Mhetu Togarepi Zivai | MDC-A | 745 | 3.8% | 2.6% | 5.2% | Yes |
| Musiyadzaanik wa Richard | LEAD | 92 | 0.5% | 0.4% | 0.8% | Yes |

In addition, the estimated SBO turnout falls between 26.9 % and 29.7% with rejected ballots between 1.0% and 1.6%.

Kwekwe Central

SBO observers deployed to 100% of polling stations in the Kwekwe Central Constituency (Midlands). Here is a comparison of ZEC results and SBO estimates.

| Comparison of the ZEC official results with ERC and ZESN SBO Estimates for Kwekwe Central Constituency | | | | | | |
|---|------------------------|--------------------|----------------------|---------------------|-----------------------|---------------|
| Candidate Name | Political Party | ZEC Results | % ZEC Results | SBO Estimate | % SBO Estimate | Match? |
| Dzingire Tafadzwa Lenin | UZA | 165 | 1.7% | 165 | 1.7% | Yes |
| Mapurazi John | ZANU PF | 2,883 | 29.3% | 2,883 | 29.3% | Yes |
| Ndlovu Mbekezeli | MDC-A | 145 | 1.5% | 145 | 1.5% | Yes |
| Tobaiwa Judith | CCC | 6,639 | 67.5% | 6,639 | 67.5% | Yes |

****NB- Since the SBO deployed to 100% of the polling stations in Kwekwe Central there are no upper and lower limits estimates***

Murewa South

Murewa South

SBO observers were deployed to 100% of polling stations in the Murewa South Constituency (Mashonaland East). Here is a comparison of ZEC results and SBO estimates

Table 5: Comparison of the ZEC official Results with ERC and ZESN SBO estimates for Murewa South Constituency.

| Comparison of the ZEC official results with ERC and ZESN SBO Estimates for Murewa South | | | | | | |
|--|------------------------|--------------------|----------------------|---------------------|-----------------------|---------------|
| Candidate Name | Political Party | ZEC Results | % ZEC Results | SBO Estimate | % SBO Estimate | Match? |
| Marudza Dagmore | MD-A | 309 | 2.3% | 309 | 2.3% | Yes |
| Masoka Nyasha | ZANU PF | 11,125 | 83.0% | 11,125 | 83.9% | Yes |
| Munemo Rodreck | CCC | 1,720 | 13.0% | 1,729 | 13.0% | Yes |
| Nesara Simba | UDA | 94 | 0.7% | 94 | 0.7% | Yes |

**NB- Since the SBO deployed to 100% of the polling stations there are no upper and lower limits estimates*

In addition, the estimated SBO turnout is 48.8% and rejected ballots 1.6%.

Mutasa South

It is not possible to verify the results for Mutasa South. SBO observers reported high turnout and vote share for a number of polling stations. While the average turnout for Mutasa South was approximately 35%, all of these polling stations had a turnout of over 50%. At the same time, over 90% of votes were cast for ZANU PF while for the constituency as a whole ZANU PF received only slightly over 50% of the vote. These are indicators of community coercion and that voters were not able to freely participate in the elections. Given that the official margin of victory was only 549 votes, this community coercion undermines the credibility of the Mutasa South election and the legitimacy of the outcome.

Table 6: Comparison of a high turnout and political Parties vote Share in Mutasa South Constituency

| Polling Station | Turnout | % ZANU PF | % CCC | % MDC-A | % Independent |
|-------------------------------|----------------|------------------|--------------|----------------|----------------------|
| Five Streams Primary School A | 60% | 94% | 4% | 2% | 0% |
| Premier Primary School A | 59% | 96% | 3% | 0% | 1% |
| Chidazembe | 58% | 92% | 7% | 1% | 0% |

| | | | | | |
|---------------------------|-----|-----|-----|----|----|
| Primary A | | | | | |
| Hawling Farm Tent A | 51% | 91% | 7% | 1% | 0% |
| Murewa Constituency (ZEC) | 35% | 52% | 47% | 2% | 0% |

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