

ZIMBABWE ELECTION SUPPORT NETWORK



REFENDUM REPORT

16 MARCH 2013

Final

1. Executive summary

Zimbabwe held its constitutional referendum on the 16th of March 2013. The Referendum came as a consequence of Article 6 of the Global Political Agreement (GPA) which mandated parties in the inclusive government to facilitate the writing of a citizen driven constitution. The political parties in the inclusive government were namely ZANU PF, MDC-T and MDC.

ZESN observed the entire process that led to the drafting of the new constitution. It was clear that the parties in the inclusive government had problems starting the process as it was delayed by over 12 months. Once the process started the parties had difficulty agreeing on the issues that needed to be key in the constitution hence the continuous haggling and stops starts that characterized the writing of the new constitution. After much anxiety about whether Zimbabwe would have a new constitution, the Select Committee published a draft which was to be put to referendum. The draft was not without problems as for a while there was confusion about which was the correct Parliamentary Select Committee draft given the many drafts that had been “leaked.” This was the environment that characterized the writing of the new constitution.

During the run-up to the Referendum there was a disturbing pattern of intimidation against civic organizations involved in citizen election observation. These incidents were condemned by ZESN and other CSOs particularly given the timing as they painted and confirmed that the political environment prevailing in the run-up to the referendum was unfavourable.

In order to observe the process, ZESN had three levels of observers deployed on Election Day. These included 210 polling station observers were deployed in the country's 210 constituencies. These observers also observed collating at the constituency level. In addition were 118 supervisors who were mobile whose main role was to support the polling station observers. The last level of observers were polling station observers who utilized a checklist which guided how they would observe.

The referendum day was generally peaceful with a significant portion of Zimbabwe going out to vote. ZESN observers reported compliance on many levels including ballot papers stamped with the ZEC seal being issued and voters' fingers marked with indelible ink. Observers at polling stations reported that voters without a proper ID identifying their citizenship were not permitted to vote. Campaigning within 100 metres of polling stations was not permitted and there were no incidents of violence or intimidation or attempts to disrupt the process. In addition, the processing of voters was efficient which reduced waiting time for most voters. However, ZESN received some reports of unauthorized persons inside the polling station as well problems with assisted voters being unable to select the person who would assist them to vote.

The report is an analysis of the conduct of the Constitutional Referendum which the Zimbabwe Election Support Network observed. The report makes an analysis of events building up to the Constitutional Referendum and the referendum on the 16th of March 2013. These events include the untimely resignation of the then Zimbabwe Election Commission (ZEC) Chairperson Justice Simpson Mutambanengwe.

The report details the observation methodology utilized by the network and analysis of the Referendum Day processes including arrival, set-up of polling stations, voting, counting and results. From the referendum, ZESN learnt a number of lessons and proffers the following recommendation:

For the harmonized elections, ZEC should ensure:

- Police officers are deployed outside of polling stations as stipulated in the law (not inside);
- Sufficient voter education is conducted (inclusively involving civic organisations) to ensure voters bring the correct identification documents to polling stations
- Polling officials are fully trained on the procedures for assisted voting, and voters are informed about their right to make their own choice of who will assist them, and that voters requiring assistance are permitted to select a person of their choice to assist them;
- Polling officials post the official results outside of all polling stations for public inspection. This will ensure a transparent process.
- The voters' roll is amended and updated.
- Further early decentralization of the accreditation process to make it less cumbersome and cost effective.

ZESN again notes that additional electoral reforms are needed before the harmonized elections take place. These reforms should include:

- Providing in-depth understanding of the proportional representation system to the electorate. The ZEC Commissioners, as an entity rather than the Chief Elections Officer, announce all election results
- Repressive laws, such as the Public Order and Security Act (POSA) should be repealed before new elections
- All political parties must be able to have equal access to and coverage by the state electronic media and all political parties must be able to campaign in every province and constituency

- The campaign of intimidation against civic organizations must stop immediately and they must be allowed to conduct civic and voter education as well as observe the electoral process if the harmonized elections are to be credible

2. Introduction

On 13 February, Minister of Constitutional and Parliamentary Affairs, Eric Matinenga (MDC-T), announced that the Referendum would be held on Saturday 16 March 2013. On Friday 15 February the date for the Referendum was officially published in the Government Gazette. This date provided very little time for the ZEC to prepare, or for COPAC to conduct comprehensive awareness campaigns for citizens to make an informed decision on the draft constitution. So, the referendum was finally conducted on the said date 16 March 2013. This was also promulgated by calls from ZANU PF for the harmonised elections to be conducted by June 2013 while MDC T initially supported the idea of holding elections by end of June MDC preferred later during the year citing the need for reforms.

ZESN noted that these countless statements and speculation around the dates but notwithstanding that, as an organisation it continued to amplify its calls for significant electoral reforms that would create an enabling political environment and a level playing field. On top of its priority lists ZESN has called for a conducive political environment that is violence free and that is peaceful. In addition the organisation also observed that the coalition government also failed to make any changes to laws that have been used to severely curtail basic rights through vague defamation clauses and draconian penalties such as the Access to Information and Protection of Privacy Act (AIPPA), the Public Order and Security Act (POSA), and the Criminal Law (Codification and Reform) Act.

In the run-up to the referendum, there were a number of concerns that ZESN conveyed which impacted on the holding of credible elections and or policy direction. These include the untimely departure of the Zimbabwe Electoral Commission (ZEC) Chair Justice Simpson Mutambanengwe; the extremely limited time provided to ZEC to prepare for the Referendum; the inadequacies in voter education on the contents of the draft constitution, the inadequate and subsequent delay in allocating funding to ZEC.

In addition, the harassment of civic organisations, during the run-up to the Referendum was disturbing. The pattern of organisation that were intimidated showed that civic organizations that were targeted were also involved in citizen election observation and violence monitoring. In relation to ZESN, on 19 February its Masvingo office was broken into and materials stolen; on 20 February the organisation's main office in Harare was raided by the police; and on 21 February the Masvingo office was broken into again at gun- point, seven unidentified people (3 men and 4 women) and a PC monitor, a fan, a landline handset, three electricity adapters, a

blackberry mobile phone model-8310, 800 T shirts, two top drawers from the Field Officer's desk with all the contents, 8 boardroom chairs, a printer and another computer were taken on both break-ins.

In spite of the above challenges, ZESN managed to observe the referendum. In its preliminary statement of the referendum, the organisation managed to stress that;

“As a non-partisan body, ZESN observes elections to ensure that Zimbabweans are able to freely exercise their right to vote and to provide citizens with independent information on the process. As an umbrella network we take no position on the merits or demerits of the new draft constitution. ZESN conducts its observation efforts in conformity with the Declaration of Global Principles for Citizen Election Observation and Monitoring which was launched at the United Nations on 03 April 2012¹ as well as the Principles for Election Management, Monitoring and Observation in the SADC Region (PEMMO). Our findings and recommendations 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”.

3. Methodology

During the Constitutional Referendum the Zimbabwe Election Support Network, utilized a 223-pronged methodology. This methodology focused on the pre-election and referendum stage.

ZESN preparations for the Referendum were five fold.

- a. A members' workshop was held in February to plan for the Referendum and this included discussing the observation plan.
- b. The ZESN secretariat then recruited 210 polling station observers (one per constituency), 210 constituency observers to observe collating at the constituency level, 118 supervisors/ mobile observers and observers at national level. The observers were recruited from the 31 ZESN member organisations.
- c. A training of trainers was conducted to train facilitators on the ZESN election observation methodology.
- d. Observers were trained from the 9th to the 12th of March, by a team of 20 trainers. Bulawayo and Harare were the 2 main training centers.
- e. The final stage was accreditation of the observers and then deployment.

¹ see <http://www.gndem.org/declaration-of-global-principles>

Pre-Referendum

The pre-referendum methodology was premised on collecting data utilizing 210 Long-term observers (LTOs) who were deployed in each of the country's 210 constituencies. These observers monitored the environment and political developments as they were unfolding. The observers utilized the ZESN General Observation form which is generally centered on the operating environment, legislative reforms, human rights and fundamental freedoms. The LTOs were also given a checklist which assessed the COPAC constitutional outreach stage which focused on informing citizens on the contents of the draft.

Referendum

The ZESN methodology had to be modified because of the untimely announcement or proclamation of the Referendum date, which gave the network a month to prepare for the Referendum. Thus the network had to reduce the planned numbers from 2500 to nearly 600 observers.

ZESN had three levels of observers who were deployed on Referendum Day. 210 polling station observers were deployed in the country's 210 constituencies. 210 were constituency observers who observed collating at the constituency level, 118 were supervisors and/or mobile observers whose main role was to support the polling station observers. The polling station observers utilized a checklist which guided how they would observe.

The ZESN deployed covered all ten provinces and both rural and urban areas, and findings focus on the polling stations observers visited or were confined to.

Communication Centre

In addition to the ZESN methodology, the organisation also managed to set up a National Communication which was based at Holiday Inn Harare. The Communication Centre was the focal point of all ZESN's communications with its observers, media, other civic society organisation, regional observers and other external and international stakeholders.

A number of activities were organized at the National Communication Centre and these include, press briefings, one on one interviews on the referendum, alerts and press statements.

The Communication Centre was also housing the Situation Room, a model borrowed from West African countries. The Situation Room model is an idea that was used in other countries to enable organisations to share information and to collaborate on election related matters. The following organisations expressed interest in taking part in the Situation Room notwithstanding the short notice; Counseling Services Unit (CSU), Election Resource Center (ERC), Heal Zimbabwe, Zimbabwe Lawyers for Human Rights, Evangelical Fellowship Zimbabwe (EFZ),

Human Rights NGO Forum, NASCOH and ZESN. 2 representatives from each organisation were present in the Situation Room throughout the referendum till 17 March.

This initiative was basically a platform where CSOs could share information on referendum day. Thus it provided ZESN and other CSOs with easy accessibility to organisations that provide legal and medical service that is ZLHR and CSU respectively as they were also part of the situation Room. The platform enabled ZESN to undertake its leadership role of coordinating election related activities particularly on Election Day. This increased the ability of CSOs to respond in real time or timeously to any election related incidents that prevailed during the referendum day.

Background and Political Environment

The environment largely remained peaceful, though there were incidences of violence and harassments. ZESN deployed 210 long term observers who monitored human rights, violence, intimidation and harassment, among other issues. During the period under review observers made the following observations:

Civil society organisations: There was continued persecution of human rights defenders and their organizations ahead of the constitutional referendum. Several arrests were made on activists such as WOZA, ZESN, Zimbabwe Peace Project (ZPP), Zimbabwe Association of Human Rights (ZimRights) and the National Youth Development Trust (NYDT) in what was seen as a mission to frustrate democratic efforts. “The clampdown is clearly meant to instill fear and daunt civil society organizations from conscientising the masses on voter registration and the voting process, a responsibility ZimRights has been carrying out” (SW Radio Africa, 15 January 2013).

A replica of events that unfolded at the Zimbabwe Peace Project (ZPP) offices unfolded at the Zimbabwe Electoral Support Network (ZESN) on the 19th of February with seven police officers descending on the property. Police in plain clothes descended on the ZESN office, knocking the Dura wall down before entering the offices with a warrant of arrest. The warrant indicated that they were searching for illegal immigrants “unlawful occupants, occupiers, tenants or residents”, “any subversive material, documents, gadgets or recordings”, “suspected possession of articles for criminal use as defined in Section 40 of the Criminal Law (Codification and Reform) Act Chapter 9:23.” Several documents were appropriated in the presence of ZLHR lawyers. In the same breath, unknown assailants are suspected to have broken into ZESN’s Masvingo offices the morning of the 19th February at 01.00am where they also took t-shirts and other materials. The ZESN Masvingo offices, were again broken into on the morning of 21 February at 01.00 am and a monitor, T-shirts, desk drawers among other items were taken. The National Youth Development Trust offices in Bulawayo were also raided with police searching

for alleged voter registration certificates and documents “containing information that may adversely affect”. During the same month, Radio Dialogue a community radio initiative was also raided and 180 radios were seized. The group’s programming head, was charged with possession of ‘smuggled’ radios, as well as possessing the radios without a ZBC license. He was also interrogated about the source of the radios, which were recently declared illegal by the police.

As noted in this report, the countrywide police crackdown on civil society groups continued to intensify as the country headed for the referendum.

Human rights: There seemed to be tension in some of the provinces in Zimbabwe and this political tension remained a major challenge in many constituencies during the period leading to the Referendum. Observers reported generalised lack of freedom of association and expression. While ZESN has been reporting on the reduction of cases overt violence, the politically motivated violence in Headlines where a 12 year old child was burnt to death. In addition, observers continued to report the presence of intolerance to political diversity. It is critical to note that freedom of expression was generally experienced in fewer constituencies in the provinces mostly urban constituencies and rural constituencies continued to have their freedom of expression infringed. Elections entail the ability of citizens to express themselves and once citizens’ freedom of expression is curtailed it has implications for their ability to make electoral choices freely.

ZESN observers reported the existence of discrimination on party lines by political parties in their various constituencies. Discrimination was experienced in terms of access to services and aid or other ancillary services in the constituencies. Access to services, to aid in some cases has been predicated by which political party one belongs to. Access to land, to housing stands and to food aid has not been free from discriminatory practices. The GPA recognizes the distribution of food to every Zimbabwean in need yet reports showed that distribution of food is being done on partisan basis. This has been observed in the following constituencies under observation: Bindura North, Hurungwe Central, Mutoko East, Chitungwiza, Zengeza, Muzarabani South Chinhoyi, Chegutu East, Gutu North, Matobo South, Insiza, Lupane and Tsholotsho.

Observers in provinces such as Manicaland, Mashonaland West, Mashonaland Central, Mashonaland East, Harare, Masvingo and Matabeleland North and South noted traces of youth militia activities. These were allegedly led by the youth officers who were stationed in each ward.

The major political parties in the Government of National Unity (GNU) campaigned for a Yes vote. The National Constitutional Assembly (NCA) and the Progressive Teachers Union Zimbabwe (PTUZ) campaigned for a No vote.

4. Legal Framework

The key legal instruments governing elections in Zimbabwe are the Constitution of Zimbabwe as amended by Constitution Amendment No. 19 of 2009, the Electoral Act [Chapter 2:13] as recently amended by Electoral Amendment Act No. 3 of 2012 and the Referendum Act [Chapter 2:10]. In addition to these, Referendum Regulations (Statutory Instrument 26, 2013) were gazetted shortly before the Referendum. The Constitution makes provisions for the overarching electoral architecture and defines the key electoral issues such as elected institutions and their terms, voter and candidate eligibility, the establishment, powers and functions of the country's election management body known as the Zimbabwe Electoral Commission (ZEC)².

The detailed electoral arrangements are spelt out in the Electoral Act (Chapter 2:13), the latter recently amended extensively by the Electoral Amendment Act No. 3 of 2012. There are many other pieces of legislation that have either a direct or indirect bearing on the running of elections in the country including but not limited to the Referendum Act, the Zimbabwe Human Rights Commission Act of 2012, the Access to Information and Protection of Privacy Act (AIPPA), the Zimbabwe Media Commission Act, the Broadcasting Services Act (BSA), the Public Order and Security Act (POSA), and the Criminal Law (Codification and Reform) Act. The Constitution and these statutes collectively define the country's juridical architecture for elections and referenda.

Standing above the thicket of statutes is the Electoral Act which has been for a long time a terrain of bitter contestation between those political actors in power and those who aspire to get in. Since 2009, both the former ruling party (ZANU-PF) and the erstwhile main opposition party (MDC-T) are incumbent in the GNU, a development that qualitatively differentiates the present pre-election period from previous post-2000 elections.

General Principles of Democratic Elections in Zimbabwe

The Electoral Act (as amended by the Electoral Laws Amendment Act of 2008 and the Electoral Amendment Act, No. 3 of 2012) explicitly outlines the general principles undergirding democratic elections and the cardinal principle is that:

The authority to govern derives from the will of the people demonstrated through elections that are conducted efficiently, freely, fairly, transparently and properly on the

² Wilbert P. Mandinde, "Legal Framework – An Analysis of the Electoral Amendment Act", 2012, 1.

basis of universal and equal suffrage exercised through a secret ballot [Zimbabwe's Electoral Act, Section 3 (a)]

One of the most significant changes introduced by the Electoral Amendment Act was repealing the Zimbabwe Electoral Commission Act and incorporating its provisions into the Electoral Act. The net effect of the Amendment was to put all electoral issues in one basket with the exception of those aspects of other pieces of statutory law that also have a bearing on elections as already highlighted above. Below, the Report discusses some of the key tenets and processes covered under the new Electoral Act. The Electoral Act operationalizes the Zimbabwe Electoral Commission (ZEC)³ which is provided for in Constitutional Amendment 19. It was one of four independent commissions, the other three being the Zimbabwe Media Commission (ZMC) covering the mass media, Zimbabwe Human Rights Commission (ZHRC) covering human rights, and the Anti-Corruption Commission (ACC) to fight corruption.

As already noted, the amended Electoral Act now consolidates almost all statutory provisions related to elections except those noted below. It is the Report's opinion that the juridical foundation for the autonomy of the electoral body is now reasonably robust and certainly much firmer than it has ever been.

However, the legal framework falls short in respect of Section 100C (1) (b) i.e. the supervision of the voter registration. The actual registration of voters and preparation of the voters roll is to be done by the Registrar-General's Office. ZEC is constitutionally an independent commission but whose 'parent' ministry is the Ministry of Justice whereas the Registrar-General's Office is a separate department falling under a different ministry, that of the Ministry of Home Affairs. An anomalous situation is thus created whereby ZEC supervises another government department of the same rank or more specifically, the ZEC chairperson supervising the Registrar-General. It may be remembered that the Registrar-General's Office (and the present RG) has for a long time been one of the most controversial agencies in the elections chain.

However, the Minister of Justice vigorously defended the delegation of voter registration to the RG's Office: "The R.G. has offices in every Administrative District which has all this data and to have ZEC doing the registration means a duplication of all that data which could be very costly and clearly unnecessary"⁴. Notwithstanding the Minister's robust defence of the arrangement, the issue is one that merits further attention, ideally before the next elections.

There are also other areas of concern that tend to undermine the independence of the electoral agency. Particularly troublesome is that the Commission does not get a direct

³ Also referred generally to as the Electoral Management Body (EMB)

⁴ Parliament of Zimbabwe, Parliamentary Debates, House of Assembly, Vol. 38, No.47, 10 July 2012, 4028-4029.

budgetary allocation from the Consolidated Revenue Fund but from the Ministry of Justice. In fact, the larger issue is about the problematic formal relationship between ZEC and the Ministry. Why should a constitutionally independent body be treated like a parastatal organisation that falls under a given 'parent' ministry? It appears the root of the problem lies in the fact that Zimbabwe has no tradition of *independent* commissions which the Government continues to treat like extensions of a given government ministry.

Compounding matters is that any donation offered to ZEC must be approved by two Ministers, the Minister of Justice and the Minister of Finance. Informed commentators point out that this "takes away the independence of ZEC provided in the Electoral Amendment Act"⁵. It is therefore imperative that ZEC gets a direct allocation from the Consolidated Review Fund and be free, with the usual requirements for transparency and accountability, to receive donations from donors and bona-fide well-wishers.

Another problem area is more political than legal and its resolution therefore lies in the political domain. This is that ZANU-PF's coalition partners and many in civil society have expressed reservations about lower tiers of ZEC. They contend that, despite the appointment of a new ZEC Board (that makes policy), the old ZEC Secretariat (which implements policy) remains in place despite the credibility blemishes arising from its management of the 2008 elections. This is a matter that has been an 'outstanding issue' in the negotiations for crafting a roadmap for elections as mandated by SADC. The two MDC formations in the coalition and their civil society allies allege that the Secretariat is staffed by many serving and retired security personnel⁶.

A debilitating challenge that ZEC faces is in terms of the requisite operational resources. For instance, due to the financial stress faced by the EMB, it was announced in mid-December 2012 that there will be no fresh delimitation of constituencies: "There is no delimitation this time around. The 210 constituencies will remain like what they are now. Even in wards, we will use what is there now,"⁷ announced Joyce Kazembe, the Deputy Chair of the electoral management body.

5. Election Management

The Zimbabwe Electoral Commission (ZEC) Chair Justice Simpson Mutambanengwe resigned on the 12th of February 2013. The resignation was viewed as untimely by ZESN as ZEC was faced

⁵ ZESN, Report on CSOs Election Strategy Conference, Harare: 15 November 2012, 12.

⁶ ZEC has always been mandated to recruit temporary workers for its work from the state sector but the gripe among the non-ZANU-PF parties and civil society has been that the pool for such recruitment has predominantly been from the security sector, especially in respect of the key Secretariat positions in the EMB.

⁷ Takunda Maodza, "ZEC slashes poll budget ... No cash for delimitation commission, Constituencies remain unchanged", *The Herald*, 15 December 2012. ZEC was briefing senior Government officials on preparations for elections.

with two major elections, the referendum and harmonized elections. Since the resignation of Mutambanegwe, ZESN observed the Deputy Chair Mrs Leticia Kazembe taking over. However concerns were raised by ZESN again together with other CSOs on the qualification of Kazembe to run the elections. ZESN in its statements restated that the position of the ZEC Chairperson required a person of high integrity who was supposed to be a judge or qualified to hold office as a judge. On the eve of the referendum on 15 March 2013, the President swore in Justice Rita Makarau to take over as the new ZEC Chairperson.

In terms of the logistics and preparations of the elections we noted there was extremely limited time provided to ZEC to prepare for the Referendum. Thus this impacted on the inadequacies in voter education on the contents of the draft constitution because it was not done comprehensively. Though a few CSOs were accredited to compliment and assist ZEC in undertaking voter education, funding challenges was a major limitation. ZEC also reported that there was inadequate and subsequent delay in securing funding for the elections.

Despite calls by a number of CSOs on the professional conduct of the ZEC secretariat, the referendum was conducted by the same ZEC secretariat that ran the 2008 elections. In terms of the conduct of the secretariat, ZESN noted improvement as some of the concerns that the organisation raised during the elections were dealt with expeditiously. However concerns over the overhaul of the secretariat still exists as people still lack confidence in the secretariat after conducting a sham election of 2008.

The ZEC raised concerns about the date, especially that they were not consulted when proclamation was made. The ZEC set up the following committees:

- i) National Logistics Committee: this was divided into subcommittees: Human Resources; Transport and Communication; Finance; Infrastructure. Members of were drawn from Ministries and their departments and parastatals. Both ZEC and the subcommittees visited provinces to assess progress.
- ii) Media Committee: to monitor media reporting on the Referendum and ensure they fulfil obligations laid down in the Electoral Act to give equitable and fair coverage to all sides, be accurate, factual and fair, rectify errors promptly, refuse to promote stakeholders encouraging violence, avoid language encouraging discrimination or inciting hatred, violence or contempt.
- iii) Observer Accreditation Committee: In terms of Section 40 H (1) of the Electoral Act Chapter 2:13 ZEC established an Observers Accreditation Committee (OAC) to accredit observers. The committee comprised of the ZEC Chairperson, Deputy

Chairperson, 3 commissioners, representative from the Ministry of Justice, Ministry of Foreign Affairs, Home Affairs and a representative from the President's Office, to give direction on the accreditation of observers. This included vetting and approving lists and setting accreditation fees for local and foreign observers.

Accreditation

In terms of Section 192 of the Electoral Act (Chapter 2:13), ZEC made regulations on accreditation, cited as SI 26A of 2013. The regulations set accreditation fees to be paid in terms of Section 401 (6) (c) of the Act by an observer. Local observers accreditation fees was pegged at \$10, observers representing CSOs and faith based organisations from any country in Africa were required to pay \$20, \$50 was pegged for those representing diplomatic missions stationed in Zimbabwe from any country outside Africa and observers from any country outside Africa accreditation fees was pegged at \$300.

Fifteen CSOs applied for accreditation to observe the referendum. For the first time ZEC added a third accreditation centre in Masvingo. This was a positive step, making it easier for citizens to exercise their right to observe the electoral process. ZESN hopes that the accreditation of observers will be decentralised to all the country's 10 provinces even down to the district levels.

ZEC refused to accredit all ZESN members as observers under the umbrella body as has always been the case over the years. Instead, ZEC required ZESN member organisations to resubmit their applications as separate bodies to "unbundle the membership". In addition to being administratively burdensome, this violated the ZESN members' fundamental right to association. Further, the accreditation process appeared discriminatory as other networks were accredited as single entities yet they are also coalitions.

Worse, ZEC made the arbitrary decision to refuse to accredit ZIMRIGHTS and the Director of the Zimbabwe Peace Project (ZPP), Ms Jestina Mukoko, who is also a Board member of ZESN, on the grounds that they were "under police probe". We have since raised concerns over this issue given that the two organisations have not been found guilty of any crime and are protected by the constitutional right to be presumed innocent until proven guilty. ZEC should apply the rules uniformly and put in place a clear accreditation criterion well in advance.

Training of Officials: ZEC managed to train the 70 000 plus polling and other staff needed for the Referendum – this included 56 736 polling officers, with the rest made up of supervisors and returning officers. ZEC drew on the pool of personnel used by ZEC previously, drawn from the Public Service Commission; local authorities; statutory bodies; and the Health Services Board. First, trainers were trained, who then trained the other necessary staff. Training was decentralised to provincial and district levels.

Deployment: In terms of deployment, one returning officer and six referendum officers were deployed at each polling station. The deployment took into account gender. Because of transport logistics most personnel were deployed several days before polling.

Polling stations: 9 456 polling stations were identified and set up, as well as command centres at provincial, district and constituency levels. Polling booths and translucent ballot boxes were provided at every polling station, along with indelible ink for marking voters' fingers.

Ballot Papers: 12 million ballot papers were printed and distributed according to anticipated demand per province. Given that according to the voters' roll close to 6 million people were registered to vote, ZEC's rationale for printing double the ballot papers was that since the country was going to be used as one constituency, where people could vote from any ward, polling station or constituency there could not determine in advance how the numbers of people who would visit each centre. Hence they printed more ballot papers to ensure that there were extra ballot papers at each polling station.

Indelible Ink

Like in previous elections, indelible ink was used in the referendum.

Registration of Voters

The Referendum Act (Chapter 2:10) does not provide for the registration of voters. A Zimbabwean citizen, who is 18 years and above can vote upon production of National Identity Card.

Voter Education

Voter education is absolutely essential for people to be able to participate in the overall voting process including: registering to vote after providing the required documentation; inspecting the voters' roll to make sure one's name is recorded and that it is correctly recorded; turning out to vote and how to do it; and, more critically, making the right electoral choices. ZEC has historically been found wanting in this regard.

Defining voter education

The Building Resources in Democracy, Governance and Elections (BRIDGE)⁸ handbook defines voter education also known as electoral education as programmes aimed at people of the voting age and over and addresses voters' motivation and preparedness to participate fully in elections. The manual further explains that voter education is basically concerned on giving the types of electoral systems and electoral process and concepts such as basic human rights and voting rights, the role, responsibilities and rights of voters, the relationship between elections and democracy, conditions necessary for democratic elections, secrecy of the ballot, why each vote is important and its impact on public accountability and how votes translates into seats.

While civic education includes both school and community based education and deals with all aspects of human rights, active citizenship, systems of governance and elections. Voter information or awareness (more accurately referred to as voter awareness or information programs) happens just before an electoral event – usually they are one-off events and dwell on how to, where to and when to vote. They aim to provide basic information enabling qualified citizens to vote, including the date, time, and place of voting; the type of election; identification necessary to establish eligibility; registration requirements; and mechanisms for voting.

While in Zimbabwe, the Electoral Amendment Act 2012 defines voter education as, “any course or programme of instruction on electoral law and procedure aimed at voters generally and not offered as part of a course in a law or civic or any other subjects for students at an educational institution;”.

According to the Electoral Act, ZEC has the sole mandate to conduct voter education but the same Act allows the Commission to approve and authorise other organisations and individuals provided they apply and are vetted to conduct voter education. The electoral agency also approves the education materials and programmes before dissemination to the public. As part of the preparations for the expected 2013 elections, the EMB announced in September that it had finalised the manual for voter education to prepare people for elections and ensure that they are familiar with the electoral processes

In early October 2012, ZEC invited civic organisations interested in conducting voter education to register with it within four days; for the referendum, it was reported that the EMB had accredited approximately 15 civic society organisations which were trained to assist in voter

⁸ BRIDGE is an initiative by five leading organisations in the democracy and governance field, which have jointly committed to developing, implementing and maintaining a comprehensive curriculum and workshop package, designed to be used as a tool within a capacity building framework. BRIDGE partners are the Australian Electoral Commission (AEC), International Foundation for Electoral Systems (IFES), International Institute for Democracy and Electoral Assistance (IDEA), United Nations Development Programme (UNDP), and the United Nations Electoral Assistance Division (UNEAD).

education. Although ZESN had made an application to the Commission to conduct voter education, the organisation was not accredited neither did it receive a formal regret from the Commission. There were also advertisements and public notices in the mainstream media and fliers that were distributed. In addition, political parties carried out voter education, primarily via party rallies and the mass media. In the rural areas, traditional authorities also played the role of voter educators.

The organisation also noted the presence of a parallel accreditation process which was called for by COPAC where civic society organisations were invited to conduct awareness on the contents of the draft upon signing a Memorandum of Understanding (MOU) with COPAC. ZESN also noted that on page 6 of the MOU, Schedule A was stating that, "CSOs to partner with COPAC in Campaigning for a "YES" vote. A number of organisations were accredited under COPAC and because of this clause which removed neutrality and independence ZESN therefore did not apply to be one of the "Vote Yes" Campaigners.

ZEC did put in place a voter education process by deploying two voter educators per ward for a week (6-13 March 2013) to inform the electorate on their constitutional right to vote, the nature of identity documents required in order to vote, the voting process and other ancillary issues. The teams used door to door visits, addressed gatherings and meetings and distributed pamphlets. There were however complaints that the ZEC voter educators seemed to have been hastily trained and deployed and were not competent to answer some queries from the public. ZESN observers also reported that there was an outcry from people for not having had access to the actual COPAC Draft Constitution. ZESN observed that those organisations that were not accredited were conducting civic education and not voter education during the referendum.

Given the vagueness in the definition provided in the Electoral Act, ZESN has since called upon ZEC to clarify the distinction between voter information, voter education, and civic education and urged the reviewing of the Act to mandate CSOs and any interested players and talk about voter education and civic education while ZEC focuses on providing Voter Information. It is therefore important that ZEC seriously considers early accreditation of civic society organisations in order to ensure that the voter education is comprehensive. ZESN also makes reference to the constitutional referendum which had a total of 56,627 votes being rejected given that the ballot paper was very simple with either 'Yes or No'; this again points to the need to scale up early voter education programmes for the impending harmonised election.

According to various media reports, COPAC produced an estimate of 90 000 copies of the draft constitution. Of these, 20 000 were translated into 10 vernacular languages (Shona, Ndebele, Venda, Shangaan, Tonga, Nambya, Chewa, Xhosa, Kalanga and Sotho). Five hundred copies were printed in braille.

a. Media Coverage

The objective of monitoring the media is to measure how far the media under scrutiny adhere to generally recognized ethical journalistic standards. This report assesses the content and presentation of news on radio, television and the print media. During elections this entails measuring balance and fairness in news and current affairs, accuracy and impartiality in voter education and equity in direct access. It is only within such a context can the media serve society in an ethically responsible and constructive manner. Therefore this summary examines the media's performance in the 2013 constitution referendum based on the local, regional and international standards on election reporting.

International standards on media coverage of elections are premised on Article 19 and 21 of the Universal Declaration of Human Rights, which guarantees freedom of expression and the right of everyone to take part in the governance of their country through free elections. These principles have been expanded to give more detailed standards. One of the most important elaborations on these principles is found in the UN Special Rapporteur on freedom of opinion and expression's 1999 annual report. He recommended;

- Media, and especially the government- controlled media, should engage in voter education, including the provision of information on how to use the voting process, when and where to vote, how to register to vote and verify proper registration, the secrecy of the ballot, the importance of voting, functions of the offices under contention and other matters

Summary of Findings

All the media gave widespread coverage to the holding of the constitutional referendum on March 16th.

According to figures released by the Zimbabwe Electoral Commission (ZEC), 3,079,966 people voted for the adoption of the draft constitution, while 179,489 voted 'No'. A total of 56,627 ballots were rejected, bringing the total number of votes cast in the referendum to an historic 3,316,083 (ZBC, 19/3, 8pm and *The Herald, Daily News & Newsday*, 20/3).

Following ZEC's announcement of this extraordinary result, all the media responded by publicising congratulatory messages from a wide cross-section of Zimbabwean society, the region and the international community, endorsing the referendum as having been 'credible' and 'peaceful'. Peace during the referendum was never an issue. All media were at least united in documenting the process as being held under generally peaceful conditions.

However, there appeared very little media scrutiny of the administration of the vote itself. For example, none of the media investigated or sought information from ZEC and other election

watchdogs on how post voting procedures had been conducted and managed. That is, none showed an interest in examining the transparency of the vote counting, tabulation and verification of the results and how these had been conducted.

This lack of hands-on journalism manifested itself in the way the private media failed to compare its earlier reports of widespread voter apathy to the massive turnout eventually announced by ZEC. This gap remains to be explained.

Although some of the private media reported the NCA and the MDC-T accusing ZEC of rigging the results (*Daily News*, *Financial Gazette* and *Zimbabwe Independent*, 21, 28, 29/3 and SW Radio Africa, 9/4), none of them investigated these claims. In one such case, the *Daily News* (21/3) reported NCA chairman Lovemore Madhuku telling a news conference in Harare that his organization did not recognize the results on the grounds that the figures were “doctored” by ZEC. Madhuku claimed that the “conduct of the referendum was neither credible nor satisfactory”, adding: “To claim that there was close to a million more voters in the referendum than in the March 2008 harmonized elections is to take the public for fools” (*Daily News*, 21/3).

Madhuku cited several reasons, including that of an inadequate notice period; that copies of the draft were unavailable; that State and donor resources were only available for the “Yes” campaign; that the police banned many vote “No” rallies; and that those opposed to the draft were subjected to hate speech by Prime Minister Tsvangirai, who described them as “*nhinhi*” (stubborn) and as having “*mamhepo*” (possessed evil spirits) at a Bulawayo rally.

In another story, the *Independent* (29/3) reported MDC-T secretary-general Tendai Biti claiming that exit polls conducted by his party’s polling agents indicated the referendum figures were “tweaked” by between 10 and 15%. Speaking at a public discussion hosted by the Sapes Trust think-tank NGO in Harare, Biti alleged discrepancies between ZEC’s figures and those collated by MDC-T agents, whom he claimed, “covered all the polling stations nationally” (*Independent*, 29/3).

Biti claimed he was dismayed that some constituencies and districts recorded a higher voter turnout than the population ordinarily resident in the areas according to the last census statistics: “We did not announce our own set of results out of respect for ZEC and (Justice) Rita Makarau, but we are fairly convinced by our parallel processes”. The previous day (28/3), the *Financial Gazette* reported the findings of the Elections Resource Centre (ERC) stating that there were anomalies in ballot counting, mostly citing the case of Glen View South constituency, while SW Radio Africa (9/4) reported UK based Zimbabwean activist Ephraim Tapa, who was visiting Zimbabwe, claimed “widespread voter apathy”.

The *Financial Gazette* reported the Election Resource Center (ERC) as saying that returning officers at some counting centres “*were not at liberty to either disclose or display the results as they were being channelled directly to the national command centre*”.

In conclusion, without the media taking any investigative interest in these issues, such claims of electoral irregularities by the MDC-T, the NCA and other election watchdogs in civil society risk being dismissed as lone voices in the wilderness.

Such lack of interest is an indictment of the media’s watchdog role to encourage transparency and accountability in national processes and ensure that the citizenry is informed and empowered.

Fig 1. Statistical Overview of the stories

Government Media	Private Media	Administrative Issues	“Yes” vote stories	“No” vote stories	Other general
105	163	107	49	26	64

Fig: 2 Breakdown of advertisements per paper

Paper	COPAC	ZEC	ZESN	CCJP	VERITAS	ZANU PF	MDC-T	MDC-N
<i>The Herald</i>	1 (Vote Yes)	2 (Public notices)	1 (Neutral)	1 (Vote Yes)	1 (Neutral)	1 (Vote Yes)		
<i>Daily News</i>	1 (Vote Yes)	2 (Public notices)			1 (Neutral)		1 (Vote Yes)	
<i>NewsDay</i>	1 (Vote Yes)	2 (Public notices)	ZCTU (Vote No)		1 (Neutral)			1 (Vote Yes)

Media Section written by ZESN Member – Media Monitoring Project of Zimbabwe

International Observers

ZANU PF has always maintained stance that observers from the European Union and America are not welcome to observe elections in Zimbabwe. During the referendum observers from these countries were not welcome as well, except 5 local staff from accredited embassies.

The following African observer teams were present:

- SADC: The 100-strong SADC observer mission was headed by Tanzanian Foreign Minister Bernard Membe, representing President Kikwete, who is the current chairperson of the SADC Organ on Politics, Defence and Security. The team was in the country until the 20th of March 2013.
- SADC Parliamentary Forum: This was a 40-member team including parliamentarians from 11 SADC countries. They stated that they would be guided by international and regional instruments guiding the conduct of credible polls.
- SADC-Election Commissions Forum (ECF-SADC) which was invited to observe the Referendum by ZEC. The Forum is a well respected and recognised body that was established in 1998 and is based in Botswana, where it is housed by the Botswana Independent Electoral Commission.
- Other observer missions also included the SADC –Election Support Networks, COMESA and other missions.

African observer teams and individual observers from African countries and African organisations have not been subjected to the same restrictions as those from certain countries outside Africa. The restrictions applied have included a ban on sending in observer teams, large or small, from outside and limiting observers from embassies in Harare to five persons per embassy, who must be nationals of the foreign countries concerned. So the United States and the EU and its member states have not been allowed the large teams of observers they had applied for.

6. Referendum Day

a. Setting up and opening of polling stations

The setup and opening of polling stations generally went well with most polling stations having adequate materials to commence voting. In isolated incidents, ZESN observers reported that polling stations opened late.

ZESN received three isolated reports of accredited observers initially being denied access to polling stations, but these issues were ultimately positively resolved.

There were a few reports of missing materials at polling stations, such as the official ZEC stamp (four) and indelible ink (five). The vast majority of polling stations were set up so that voters could mark their ballot paper in secret.

ZESN received reports of the presence of police officers inside polling stations, yet Section 19 of the Electoral Act as read with Schedule 2 of the Electoral Regulations 2005 as amended by Statutory Instrument 32 of 2008, states that only members of the Zimbabwe Electoral

Commission, electoral officers on duty, election agents and accredited observers are allowed within the polling station.

b. Voting

ZESN observers reported compliance on many levels including ballot papers stamped with the ZEC seal being issued and voters' fingers marked with indelible ink. Observers at polling stations reported that voters without a proper ID identifying their citizenship were not permitted to vote. Campaigning within 100 metres of polling stations was not permitted and there were no incidents of violence or intimidation; or attempts to disrupt the process.

In addition, the processing of voters was efficient which reduced waiting time for most voters. However, ZESN received several reports of unauthorized persons inside the polling station as well problems with assisted voters being unable to select the person who would assist them to vote.

c. Counting

Counting processes went on well except for a few incidents reported by observers. All ZESN polling station observers reported that the seals on the ballot box were intact when counting started.

Public posting of results took place in most polling stations except in a few cases (six) where ZESN observers reported that the official results were not publicly posted.

d. Critical Incidents

The ZESN Information Centre, located at the Holiday Inn, received a total of 178 voting incidents – primarily from its mobile observer teams – of which 142 have been confirmed.

The largest number of incidents, 38 reports, relate to violations of the voting procedures followed by 22 reports of unauthorized persons in the polling stations. There were also isolated reports of ZEC polling officials lacking identification badges and an incident of a ZANU-PF supporter in Mataga, Midlands Province, positioned within a five-metre radius of the polling station taking down names of the people who were voting.

The largest number of incident reports was received from Bulawayo, Harare and Masvingo provinces with 27, 22 and 22 reports respectively.

f. Tabulation of Results

ZESN deployed 210 constituency observers at the constituency collation centres. Of these 114 were given the results slip as mandated in the law. 205 managed to observe tabulation at

constituency centre, 2 observers were denied access to the process by the presiding officer and 3 observers failed to observe because of personal reasons. The results are outlined in annexure 2.

g. Announcement of Results

The Constitutional Referendum results were announced on the 19th of March, 3 days after the Referendum and falling within the 5 day period in which election results have to be announced. The announcement was done by the Chief Elections Officer, Mr. Lovemore C. Sekeremayi. The Yes votes amounted to 3,079,966, No votes 179,000 and the rejected votes 56,627 and the official turnout was 3,317,695. The graph below shows the percentage voter turnout.

10. Lessons Learned and Recommendations

Despite the short notice, the ZEC was able to organize a generally smooth and credible Election Day process. However, there were shortcomings that ZEC should address in advance of the harmonised elections.

For the harmonised elections, ZEC should ensure:

- Ø Police officers are deployed outside of polling stations as stipulated in the law (not inside);

- Ø Sufficient voter education is conducted (inclusively involving civic organisations) to ensure voters bring the correct identification documents to polling stations;
- Ø Polling officials are fully trained on the procedures for assisted voting, and voters are informed about their right to make their own choice of who will assist them, and that voters requiring assistance are permitted to select a person of their choice to assist them;
- Ø Polling officials post the official results outside of all polling stations for public inspection. This will ensure a transparent process.
- Ø The voters' roll is amended and updated to ensure that it is accurate, comprehensive and complete and ZEC is given full mandate to maintain the register.
- Ø Further, early decentralisation of the accreditation process to make it less cumbersome and cost effective.
- Ø ZEC should release not only national but also provincial and polling station results.

ZESN again notes that additional electoral reforms are needed before the harmonised elections take place. These reforms should include:

- Ø Providing in-depth understanding of the proportional representation system to the electorate
- Ø The ZEC Commissioners, as an entity rather than the Chief Elections Officer, announce all election results
- Ø Repressive laws, such as the Public Order and Security Act (POSA) should be repealed before new elections
- Ø All political parties must be able to have equal access to and coverage by the state electronic media and all political parties must be able to campaign in every province and constituency
- Ø The campaign of intimidation against civic organisations must stop immediately and they must be allowed to conduct civic and voter education as well as observe the electoral process if the harmonised elections are to be credible.

Further, the campaign targeting and intimidating civic organisations must stop immediately and they must be allowed to conduct civic and voter education as well as observe the whole electoral process if the harmonised elections are to be credible.

Annexure 1:

About ZESN

The Zimbabwe Election Support Network (ZESN) is a coalition of 31 non-governmental organisations formed to co-ordinate activities pertaining to elections. The major focus of the Network is to promote democratic processes in general and free and fair elections in particular.

It was also established to standardise the NGOs election related activities and methodology as well as to ensure wider geographical coverage and co-ordination of activities. The broad aim of the Network is therefore to enhance the election process in Zimbabwe in order to promote democracy and good governance in general as well as free and fair elections in particular whilst adhering to internationally acceptable standards.

The vision of ZESN is a Zimbabwe where a democratic electoral environment and processes are upheld and its mission is to promote democratic elections in Zimbabwe.

The objectives of ZESN are:

- To enhance citizen participation in issues of governance and democracy.
- To promote democratic free and fair electoral processes through objectively and impartially monitoring and observing elections.
- To promote the creation of legal framework and election culture for free and fair elections.
- To effectively gather, disseminate and communicate objective information about elections and other democratic processes.

In pursuing its vision, mission and objectives, ZESN is guided by the following values:

- o Democratic, Free and Fair Elections
- o Secrecy of the ballot
- o Democracy
- o Mutual respect and tolerance
- o Respect for human rights
- o Transparency
- o Accountability
- o Peace
- o Informed citizen participation
- o Non-discrimination
- o Gender equality
- o Gender sensitivity
- o Non-partisanship

- o Honesty
- o Independence
- o People oriented
- o Credibility
- o Impartiality

ZESN focuses on the following activities;

Election Monitoring and observation

The monitoring and observation of elections is vital as it enhances the electorate's confidence in the electoral process and curbs electoral malpractices. This programme undertakes training and deployment of observers in all major elections in Zimbabwe. Election monitoring and observation enhances the legitimacy of the final results and therefore contributes to the post-election democratic governance. Over the years this process has given the organisation greater insight to scrutinize election laws, regulations and processes as well as the need for voter education and information dissemination.

Public Outreach

The purpose of the Public Outreach Programme is to bring together members of ZESN and the provincial coordinating teams to discuss the methods and strategies for carrying out an effective grassroots based democracy education outreach programme in order to enhance citizen participation in issues of governance and democracy. Activities carried out by the programme include outreach activities such as community workshops, focus group meetings, public meetings and dissemination of materials such as posters, flyers and calendars, print and electronic media inserts.

Research and Advocacy

The activities of this programme focus on research into electoral issues including electoral reforms and the voters' roll, which has long been identified as one of the key problem areas in the electoral process in Zimbabwe. The taskforce also seeks to promote and advocate for good practices in the whole electoral process of Zimbabwe that are in line with regional and international best practices.

Media and Information

The overall goal of the programme is to gather and disseminate electoral information to all interested stakeholders. The programme also works with the media and encourages them to become and act as a constructive and objective partner in strengthening the electoral process in Zimbabwe.

MEMBERS OF THE ZIMBABWE ELECTION SUPPORT NETWORK (ZESN)

1. Association of Women's Clubs (AWC)
2. Bulawayo Agenda (BA)
3. Catholic Commission for Justice And Peace (CCJP)
4. Civic Education Network Trust (CIVNET)
5. Combined Harare Residents Association (CHRA)
6. Counselling Services Unit (CSU)
7. Evangelical Fellowships of Zimbabwe (EFZ)
8. Federation of African Media Women (FAMWZ)
9. Legal Resources Foundation (LRF)
10. Media Institute of Southern Africa (MISA)
11. Media Monitoring Project (MMPZ)
12. National Constitutional Assembly (NCA)
13. National Association of Societies for the Care of the Handicapped (NASCOH)
14. Organisation for Rural Association for Progress [ORAP]
15. Progressive Teachers Union of Zimbabwe (PTUZ)
16. Rooftop Promotions
17. Transparency International Zimbabwe (TIZ)
18. Women's Action Group (WAG)
19. Women's Coalition (WCoZ)
20. Women's Trust
21. Zimbabwe Association for Crime Prevention and Rehabilitation of the Offender (ZACRO)
22. Zimbabwe Civic Education Trust (ZIMCET)
23. Zimbabwe Congress of Trade Unions (ZCTU)
24. Zimbabwe Council of Churches (ZCC)
25. Zimbabwe Human Rights Association (ZimRights)
26. Zimbabwe Lawyers for Human Rights [ZLHR]
27. Zimbabwe National Students Union (ZINASU)
28. Zimbabwe Students Christian Movement (SCM.Z)
29. Zimbabwe Union of Journalists (ZUJ)
30. Zimbabwe Peace Project (ZPP)
31. Zimbabwe Women Lawyers Association (ZWLA)

ZIMBABWE ELECTION SUPPORT NETWORK



ZESN'S PRE-REFERENDUM PRESS STATEMENT

Harare-15 February 2013- The Zimbabwe Election Support Network (ZESN), a network of 31 non-governmental organisations working on the promotion of democratic elections in Zimbabwe is observing the referendum set for tomorrow 16 March 2013. ZESN is deploying approximately 600 observers across the country, drawn from some of its member organisations.

This referendum, which is a culmination of efforts by the Government of National Unity (GNU) to draft a new constitution according to the demands of the Global Political Agreement (GPA), is a historic moment for Zimbabwe. ZESN therefore urges all citizens to go out and exercise their right to vote in the referendum regardless of how they intend to vote. ZESN is a strictly non-partisan organization and as a network takes no position on the merits or demerits of the draft new constitution. Our role is simply to observe the process in order to help ensure that all Zimbabweans can freely exercise their right to vote.

ZESN notes that, the referendum will go ahead tomorrow amid concerns regarding the timing, funding, and lack of adequate awareness campaigns undertaken nationwide on the contents of the draft. ZESN hopes that despite the aforementioned problems, ZEC will be able to deliver a credible referendum. Already ZEC has conducted two observer briefings and ZESN would like to commend the Commission for the briefings which provided essential guidelines for observing the referendum.

However, ZESN notes with concern some of the new regulations introduced by ZEC, for instance, there is now a limitation on the number of observers allowed in a polling station at a given period. ZESN believes that this will imply that at some point our observers will be asked to leave the polling station or rotate with other observers and this will compromise observation methodologies of local observers who normally want to observe the whole process from opening till counting. It would be rational if this provision was only applicable for regional and international observers who will be roaming from one polling station to another. We urge ZEC to reconsider this decision to enable local observers to carry out a comprehensive polling observation exercise to enable them to report empirically.

On the issue of mobile phones, ZESN is satisfied by the explanation given by ZEC that these gadgets could be used to intimidate voters and agrees that cell phones should not be used to take photographs at polling stations. However, observers should be allowed to discretely use their cell phones at polling stations as long as they do not interfere with the process. It is against this backdrop that we strongly deplore the continued introduction of new regulations as noted in the

two observer briefings. We believe such spontaneous additions create an atmosphere of uncertainty which might culminate in the loss of confidence in the Commission as well as the whole electoral process.

Furthermore, ZESN is concerned by the refusal to accredit ZIMRIGHTS and the Director of the Zimbabwe Peace Project (ZPP) and a board member of ZESN, Ms Jestina Mukoko citing that they are “*under police probe*” and that ZIMRIGHTS in particular “*committed a gross electoral fraud*”. Given that the two organisations have not been pronounced guilty in the courts of law. ZESN strongly urge ZEC to accredit these organisations to avoid the appearance of taking the law into its own hands. The ZEC should let the courts decide on the merit of the cases against these organizations. Failure to do so would mean ZESN as an organisation will observe this referendum under protest given that the ZIMRIGHTS and ZPP are its long standing members.

In pursuit of its legitimate mandate to promote a democratic electoral environment and processes, ZESN will be observing the entire polling process in the different political provinces across the country. ZESN encourages Zimbabweans to participate peacefully in this process and to exercise their democratic right. ZESN has also set up hotlines for the citizens to share their views and comments about the referendum and its contact numbers will be: 0774584669, 0715596701, and 0738918420. Citizens can also participate on our social media platforms; <https://www.facebook.com/pages/Zimbabwe-Election-Support-NetworkZESN>, Twitter: [#ZESN1](#) and Blog: www.blogspot.zesnblog.com.

As part of its obligation to gather and disseminate credible information ZESN will make every effort to provide credible, objective and unbiased information of the referendum processes and outcomes. ZESN intends on making is preliminary statement on the conduct of the Referendum on Sunday morning 17 March 2013./End//

PROMOTING DEMOCRATIC ELECTIONS IN ZIMBABWE

FOR COMMENTS AND FURTHER DETAILS CONTACT; +263 (04) 791443, 798193, 791803, 250736;
zesn@africaonline.co.zw / info@zesn.org.zw or visit www.zesn.org.zw

ZESN PRELIMINARY STATEMENT ON THE CONSTITUTIONAL REFERENDUM



17 March 2013 – Holiday Inn, Harare

Summary

The Zimbabwe Election Support Network (ZESN), a network of 31 non-governmental organisations working on the promotion of democratic elections in Zimbabwe, observed the Constitutional Referendum on Saturday 16 March 2013. ZESN deployed approximately 600 observers across the country, drawn from some of its member organisations.

ZESN findings show that the process was generally, peaceful and smooth with very few recorded incidents of violations. ZESN commends ZEC for putting together the logistical support within a short time.

However our pre-referendum concerns remain as they impact on the voting processes. The untimely departure of the Zimbabwe Electoral Commission (ZEC) Chair Justice Simpson Mutambanengwe; the extremely limited time provided to ZEC to prepare for the Referendum; the inadequacies in voter education on the contents of the draft constitution, the inadequate and subsequent delay in allocating funding to ZEC; as well as the intimidation/harassment of civic organisations, contribute to our concerns.

ZESN commends the ZEC officials for responding timeously and professionally to concerns of the observers despite the shortcomings highlighted earlier.

ZESN acknowledges the process is not over and continues to observe post voting procedures – counting, tallying and the tabulation of results.

Methodology

As a non-partisan body, ZESN observes elections to ensure that Zimbabweans are able to freely exercise their right to vote and to provide citizens with independent information on the process. As an umbrella network we take no position on the merits or demerits of the new draft constitution. ZESN conducts its observation efforts in conformity with the Declaration of Global Principles for Citizen Election Observation and Monitoring which was launched at the United Nations on 03 April 2012⁹ as well as the Principles for Election Management, Monitoring and Observation in the SADC Region (PEMMO).¹⁰

⁹ see <http://www.gndem.org/declaration-of-global-principles>

¹⁰ see <http://www.eisa.org.za/EISA/publications/pemmo.htm>

Our findings and recommendations are made in reference to: The laws of Zimbabwe; the Southern African Development Community (SADC) Principles and Guidelines Governing Democratic Elections¹¹ as well as other regional and African election standards.

We deployed 600 observers comprising mobile observer teams, stationary polling station observers at specific polling stations, and constituency observers deployed to ZEC Constituency Centres to witness the collating of results.

Context

On February 11 the Minister of Justice and Legal Affairs, Patrick Chinamasa (ZANU-PF), announced that the ZEC Chair, Justice Simpson Mutambanengwe, had resigned. While Justice Rita Makarau was appointed the new ZEC Chair on the eve of Referendum Day, the Referendum preparations were conducted under the ZEC Vice -Chair Ms Joyce Letitia Kazembe.

Just a day later, on 12 February, Minister of Constitutional and Parliamentary Affairs, Eric Matinenga (MDC-T), announced that the Referendum would be held on Saturday 16 March 2013. On Friday 15 February the date for the Referendum was officially gazetted. This date provided very little time for the ZEC to prepare, or for COPAC to conduct comprehensive awareness campaigns for citizens to make an informed decision on the draft constitution.

Intimidation of Civil Society

During the run-up to the Referendum there was a disturbing pattern of intimidation against civic organizations involved in citizen election observation. These incidents included:

- 13 December the ZIMRIGHTS (a ZESN member organisation) was raided by the police;
- 14 January the ZIMRIGHTS Director, Okay Machisa, was arrested by the police;
- 11 February the Zimbabwe Peace Project (ZPP a ZESN member organisation) were raided by the police;
- 19 February the ZESN office in Masvingo was broken into and materials stolen;
- 20 February the ZESN main office in Harare was raided by the police; and
- 21 February the ZESN office in Masvingo was again broken into at gun- point and again materials stolen; and
- 07 March the Police Commissioner-General, Augustine Chihuri, appeared on television demanding that the ZPP Director, Jestina Mukoko (a ZESN Board Member) turn herself in to the police.

Accreditation

For the first time ZEC added a third accreditation centre in Masvingo. This was a positive step, making it easier for citizens to exercise their right to observe the electoral process. ZESN hopes that the

¹¹ see http://www.idasa.org/our_products/resources/output/sadc_principles_and_guidelines/

accreditation of observers will be decentralised to all the country's 10 provinces even down to the district levels.

ZEC refused to accredit all ZESN members as observers under the umbrella body as has always been the case over the years. Instead, ZEC required ZESN member organisations to resubmit their applications as separate bodies to “*unbundle the membership*”. In addition to being administratively burdensome, this violated the ZESN members' fundamental right to association. Further, the accreditation process appeared discriminatory as other networks were accredited as single entities yet they are also coalitions.

Worse, ZEC made the arbitrary decision to refuse to accredit ZIMRIGHTS and the Director of the Zimbabwe Peace Project (ZPP), Ms Jestina Mukoko, who is also a Board member of ZESN, on the grounds that they were “under police probe”. We have since raised concerns over this issue given that the two organisations have not been found guilty of any crime and are protected by the constitutional right to be presumed innocent until proven guilty.

ZEC should apply the rules uniformly and put in place a clear accreditation criterion well in advance.

Setup and Opening of Polling Stations

The setup and opening of polling stations generally went well with most polling stations having adequate materials to commence voting. In isolated incidents, ZESN observers reported that polling stations opened late.

ZESN received three isolated reports of accredited observers initially being denied access to polling stations, but these issues were ultimately positively resolved.

There were a few reports of missing materials at polling stations, such as the official ZEC stamp (four) and indelible ink (five). The vast majority of polling stations were set up so that voters could mark their ballot paper in secret.

ZESN received reports of the presence of police officers inside polling stations, yet Section 19 of the Electoral Act as read with Schedule 2 of the Electoral Regulations 2005 as amended by Statutory Instrument 32 of 2008, states that only members of the Zimbabwe Electoral Commission, electoral officers on duty, election agents and accredited observers are allowed within the polling station.

Voting

ZESN observers reported compliance on many levels including ballot papers stamped with the ZEC seal being issued and voters' fingers marked with indelible ink. Observers at polling stations reported that voters without a proper ID identifying their citizenship were not permitted to vote. Campaigning within 100 metres of polling stations was not permitted and there were no incidents of violence or intimidation; or attempts to disrupt the process.

In addition, the processing of voters was efficient which reduced waiting time for most voters. However, ZESN received several reports of unauthorized persons inside the polling station as well problems with assisted voters being unable to select the person who would assist them to vote.

Counting

Counting processes went on well except for a few incidents reported by observers. All ZESN polling station observers reported that the seals on the ballot box were intact when counting started.

Observers reported 14 requests for recounts of the ballots.

Public posting of results took place in most polling stations except in a few cases (six) where ZESN observers reported that the official results were not publicly posted.

Critical Incidents

The ZESN Information Centre, located at the Holiday Inn, received a total of 178 voting incidents – primarily from its mobile observer teams – of which 142 have been confirmed.

The largest number of incidents, 38 reports, relate to violations of the voting procedures followed by 22 reports of unauthorized persons in the polling stations. There were also isolated reports of ZEC polling officials lacking identification badges and an incident of a ZANU-PF supporter in Mataga, Midlands Province, positioned within a five-metre radius of the polling station taking down names of the people who are voting.

The largest number of incident reports was received from Bulawayo, Harare and Masvingo provinces with 27, 22 and 22 reports respectively.

Recommendations

Despite the short notice, the ZEC was able to organize a generally smooth and credible Election Day process. However, there were shortcomings that ZEC should address in advance of the harmonised elections.

For the harmonised elections, ZEC should ensure:

- Police officers are deployed outside of polling stations as stipulated in the law (not inside);
- Sufficient voter education is conducted (inclusively involving civic organisations) to ensure voters bring the correct identification documents to polling stations;
- Polling officials are fully trained on the procedures for assisted voting, and voters are informed about their right to make their own choice of who will assist them, and that voters requiring assistance are permitted to select a person of their choice to assist them;
- Polling officials post the official results outside of all polling stations for public inspection. This will ensure a transparent process.

- The voters' roll is amended and updated.
- Further early decentralisation of the accreditation process to make it less cumbersome and cost effective.

ZESN again notes that additional electoral reforms are needed before the harmonised elections take place.

These reforms should include:

- Providing in-depth understanding of the proportional representation system to the electorate.
- The ZEC Commissioners, as an entity rather than the Chief Elections Officer, announce all election results
- Repressive laws, such as the Public Order and Security Act (POSA) should be repealed before new elections.
- All political parties must be able to have equal access to and coverage by the state electronic media and all political parties must be able to campaign in every province and constituency.
- The campaign of intimidation against civic organisations must stop immediately and they must be allowed to conduct civic and voter education as well as observe the electoral process if the harmonised elections are to be credible.

ZESN will continue to observe the process through the tallying of results at the various levels and the announcement of the official results by the ZEC and will issue additional statements as appropriate. ZESN is encouraged that ZEC has publicly committed itself to the timely release of the results and urges ZEC to release not only the national but also the provincial and polling station results.

Further, the campaign of intimidation against civic organisations must stop immediately and they must be allowed to conduct civic and voter education as well as observe the whole electoral process if the harmonised elections are to be credible.

PROMOTING DEMOCRATIC ELECTIONS IN ZIMBABWE

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ANNEXURE 5: REFERENDUM RESULTS

REFERENDUM COMPARATIVE BY CONSTITUENCY					
ZEC REFERENDUM RESULTS		ZEC 2008 HARMONIZED PARLIAMENTARY RESULTS			
HARARE		HARARE			
CONSTITUENCY	TOTAL	CONSTITUENCY	TOTAL VOTES	WINNING PARTY	VARIANCE
Chitungwiza North	17224	Chitungwiza North	10393	MDC-T	6831
Chitungwiza South	20340	Chitungwiza South	11734	MDC-T	8606
St. Mary's	18164	St. Mary's	10365	MDC-T	7799
Zengeza East	17188	Zengeza East	12041	MDC-T	5147
Zengeza West	16555	Zengeza West	11803	MDC-T	8803
Budiriro	23879	Budiriro	16127	MDC-T	7752
Dzivarasekwa	16333	Dzivarasekwa	9906	MDC-T	6427
Epworth	36615	Epworth	11435	MDC-T	25180
Glen Norah	11817	Glen Norah	9190	MDC-T	2627
Glenview North	13955	Glenview North	9741	MDC-T	4214
Glenview South	13585	Glenview South	10751	MDC-T	2834
Harare Central	21216	Harare Central	9218	MDC-T	11998
Harare East	23242	Harare East	10964	MDC-T	12278
Harare North	19159	Harare North	10512	MDC-T	8647
Harare South	29037	Harare South	12319	ZANU PF	16718
Harare West	16273	Harare West	10988	MDC-T	5285
Hatfield	18361	Hatfield	11468	MDC-T	6893
Highfield East	16312	Highfield East	11529	MDC-T	4783

Highfield West	13106	Highfield West	9841	MDC-T	3265
Kambuzuma	11511	Kambuzuma	6319	MDC-T	5192
Kuwadzana	16972	Kuwadzana	11067	MDC-T	5905
Kuwadzana East	13086	Kuwadzana East	10004	MDC-T	3082
Mabvuku-Tafara	15886	Mabvuku-Tafara	11443	MDC-T	4443
Mbare	31690	Mbare	15112	MDC-T	16578
Mount Pleasant	13464	Mount Pleasant	7191	MDC-T	6273
Mufakose	9376	Mufakose	7679	MDC-T	1697
Southerton	13258	Southerton	8526	MDC-T	4732
Sunningdale	13002	Sunningdale	10390	MDC-T	2612
Warren Park	16852	Warren Park	12966	MDC-T	3886
Total	517458	Total	306971	MDC-T	210487
ZEC REFERENDUM RESULTS		ZEC 2008 HARMONIZED PARLIAMENTARY RESULTS			
BULAWAYO		BULAWAYO			
Constituency	Total	Constituency	Total		
Bulawayo Central	19,896	Bulawayo Central	8737	MDC T	11,159
Bulawayo East	9,931	Bulawayo East	5430	MDC T	4,501
Bulawayo South	8,727	Bulawayo South	5022	MDC T	3,705
Makokoba	10,218	Makokoba	8159	MDC T	2,059
Pelandaba/Mpopoma	10,218	Pelandaba-Mpopoma	BY ELECTION		
Entumbane/Emakhandeni	9,275	Emakhandeni-Entumbane	7481	MDC T	1,794
Lobengula	8,556	Lobengula	7149	MDC T	1,407
Luveve	11,652	Luveve	8286	MDC T	3,366
Magwegwe	7,456	Magwegwe	6589	MDC T	867

Nkulumane	12,664	Nkulumane	8449	MDC T	4,215
Pumula	10,786	Pumula	7640	MDC T	3,146
Nketa	11,837	Nketa	9592	MDC T	2,245
Total	131,216	Total	82534	MDC T	48,682
ZEC REFERENDUM RESULTS		ZEC 2008 HARMONIZED PARLIAMENTARY RESULTS			
MASVINGO		MASVINGO			
Constituency	Total	Constituency	Total		
Bikita East	14154	Bikita East	13601	MDC- T	553
Bikita South	13265	Bikita South	12502	MDC- T	763
Bikita West	16556	Bikita West	14077	MDC- T	2479
Chiredzi East	13144	Chiredzi East	9141	ZANU PF	4003
Chiredzi North	31980	Chiredzi North	21428	ZANU PF	10552
Chiredzi South	10624	Chiredzi South	8623	ZANU PF	2001
Chiredzi West	25546	Chiredzi West	12052	MDC- T	13494
Chivi Central	16618	Chivi Central	15151	ZANU PF	1467
Chivi North	12628	Chivi North	12755	ZANU PF	-127
Chivi South	16510	Chivi South	12799	ZANU PF	3711
Gutu Central	12771	Gutu Central	11165	MDC- T	1606
Gutu East	10839	Gutu East	11502	MDC- T	-663
Gutu North	9657	Gutu North	9388	MDC- T	269
Gutu South	11343	Gutu South	11220	MDC- T	123
Gutu West	15636	Gutu West	11520	ZANU PF	4116
Masvingo Central	12464	Masvingo Central	11489	MDC- T	975
Masvingo North	14924	Masvingo North	10342	ZANU PF	4582
Masvingo South	13687	Masvingo South	10572	ZANU PF	3115

Masvingo Urban	21706	Masvingo Urban	14822	MDC- T	6884
Masvingo West	12947	Masvingo West	9688	MDC- T	3259
Mwenezi East	20426	Mwenezi East	12763	ZANU PF	7663
Mwenezi West	24395	Mwenezi West	14213	ZANU PF	10182
Zaka Central	15238	Zaka Central	12490	MDC- T	2748
Zaka East	11180	Zaka East	9333	ZANU PF	1847
Zaka North	14949	Zaka North	12676	MDC- T	2273
Zaka West	10924	Zaka West	9418	MDC- T	1506
Total	404111	Total	314730	MDC- T	89381
ZEC REFERENDUM RESULTS		ZEC 2008 HARMONIZED PARLIAMENTARY RESULTS			
MANICALAND		MANICALAND			
Constituency	Total	Constituency	Total		
Buhera Central	17351	Buhera Central	17955	MDC T	-604
Buhera North	13836	Buhera North	14346	ZANU PF	-510
Buhera South	20082	Buhera South	16446	MDC T	3636
Buhera West	16904	Buhera West	15590	MDC T	1314
Chimanimani East	16734	Chimanimani East	13440	ZANU PF	3294
Chimanimani West	16018	Chimanimani West	15666	MDC T	352
Chipinge Central	19995	Chipinge Central	12239	ZANU PF	7756
Chipinge East	12566	Chipinge East	11,169	MDC-T	1,397
Chipinge South	15379	Chipinge South	16139	MDC T	-760
Chipinge West	25276	Chipinge West	12334	MDC T	12942
Dangamvura-Chikanga	18626	Dangamvura-Chikanga	15002	MDC-T	3624
Headlands	15471	Headlands	12783	ZANU PF	2688

Makoni Central	15523	Makoni Central	12400	MDC-T	3123
Makoni North	13120	Makoni North	12194	MDC-T	926
Makoni South	16532	Makoni South	14,072	MDC-T	2,460
Makoni West	11671	Makoni West	11692	MDC-T	-21
Musikavanhu	10782	Musikavanhu	13,220	MDC-T	-2,438
Mutare Central	15523	Mutare Central	10,383	MDC-T	5,140
Mutare North	21349	Mutare North	16,760	ZANU PF	4,589
Mutare South	17799	Mutare South	15,762	ZANU PF	2,037
Mutare West	20203	Mutare West	15,710	MDC-T	4,493
Mutasa Central	14590	Mutasa Central	15,712	MDC-T	-1,122
Mutasa North	14315	Mutasa North	15,955	MDC-T	-1,640
Mutasa South	16807	Mutasa South	12,028	MDC-T	4,779
Nyanga North	16029	Nyanga North	13,129	MDC-T	2,900
Nyanga South	18027	Nyanga South	13,542	ZANU PF	4,485
Total	430508	Total	365668	MDC-T	64840
ZEC REFERENDUM RESULTS		ZEC 2008 HARMONIZED PARLIAMENTARY RESULTS			
MASHONALAND EAST		MASHONALAND EAST			
Constituency	Total	Constituency	Total		
Chikomba Central	11141	Chikomba Central	10760	MDC-T	381
Chikomba East	9691	Chikomba East	9729	ZANU PF	-38
Chikomba West	19739	Chikomba West	13779	ZANU PF	5960
Goromonzi North	16596	Goromonzi North	104741	ZANU PF	-88145
Goromonzi South	26706	Goromonzi South	13646	MDC-T	13060
Goromonzi West	18783	Goromonzi West	12124	ZANU PF	6659
Maramba Pfungwe	22517	Maramba Pfungwe	17289	ZANU PF	5228

Marondera Central	17588	Marondera Central	12036	MDC-T	5552
Marondera East	17968	Marondera East	9891	ZANU PF	8077
Marondera West	12514	Marondera West	9671	ZANU PF	2843
Mudzi North	14205	Mudzi North	14963	ZANU PF	-758
Mudzi South	15611	Mudzi South	13854	ZANU PF	1757
Mudzi West	14205	Mudzi West	12931	ZANU PF	1274
Murewa North	17610	Murewa North	13891	ZANU PF	3719
Murewa South	19984	Murewa South	12729	ZANU PF	6347
Murewa West	17332	Murewa West	13637	ZANU PF	3695
Mutoko East	15193	Mutoko East	12566	ZANU PF	2627
Mutoko North	17871	Mutoko North	14175	ZANU PF	3696
Mutoko South	17877	Mutoko South	14654	ZANU PF	3223
Seke	20663	Seke	13241	ZANU PF	7422
Uzumba	21022	Uzumba	16366	ZANU PF	4656
Wedza North	15400	Wedza North	9853	ZANU PF	5547
Wedza South	9650	Wedza South	9313	ZANU PF	337
Total	389866	Total	385839	ZANU PF	4027
ZEC REFERENDUM RESULTS		ZEC 2008 HARMONIZED PARLIAMENTARY RESULTS			
MASHONALAND CENTRAL		MASHONALAND CENTRAL			
Constituency	Total	Constituency	Total		
Bindura North	28792	Bindura North	16181	ZANU PF	12611
Bindura South	19159	Bindura South	12940	MDC-T	6219
Guruve North	22708	Guruve North	15578	ZANU PF	7130
Guruve South	20185	Guruve South	13932	ZANU PF	6253

Mazowe Central	14246	Mazowe Central	11001	MDC-T	3245
Mazowe North	16414	Mazowe North	8704	ZANU PF	7710
Mazowe South	16968	Mazowe South	8264	MDC-T	8704
Mazowe West	15517	Mazowe West	8004	ZANU PF	7513
Mbire	18264	Mbire	15747	ZANU PF	2517
Mount Darwin East	21263	Mount Darwin East	19995	ZANU PF	1268
Mount Darwin North	17677	Mount Darwin North	14553	ZANU PF	3124
Mount Darwin South	21150	Mount Darwin South	12298	ZANU PF	8852
Mount Darwin West	22161	Mount Darwin West	15915	ZANU PF	6246
Muzarabani North	15616	Muzarabani North	12577	ZANU PF	3039
Muzarabani South	18951	Muzarabani South	won uncontested	ZANU PF	
Rushinga	24856	Rushinga	18614	ZANU PF	6242
Shamva North	19843	Shamva North	13543	ZANU PF	6300
Shamva South	23207	Shamva South	12030	ZANU PF	11177
Total	356977	Total	229876	ZANU PF	127101
ZEC REFERENDUM RESULTS		ZEC 2008 HARMONIZED PARLIAMENTARY RESULTS			
MASHONALAND WEST		MASHONALAND WEST			
Constituency	Total	Constituency	Total		
Chakari	18929	Chakari	11138	ZANU PF	7791
Chegutu East	17897	Chegutu East	13164	ZANU PF	4733
Chegutu West	14952	Chegutu West	11235	MDC-T	3717
Chinhoyi	18214	Chinhoyi	11731	MDC-T	6483
Hurungwe Central	16848	Hurungwe Central	6890	ZANU PF	9958

Hurungwe East	17653	Hurungwe East	11038	MDC-T	6615
Hurungwe North	11792	Hurungwe North	9499	ZANU PF	2293
Hurungwe West	11200	Hurungwe West	10198	MDC-T	1002
Kadoma Central	16551	Kadoma Central	10918	MDC-T	5633
Kariba	19656	Kariba	14460	MDC-T	5196
Magunje	11387	Magunje	10754	ZANU PF	633
Makonde	18253	Makonde	11417	ZANU PF	6836
Mhangura	20544	Mhangura	13402	ZANU PF	7142
Mhondoro-Mubaira	14900	Mhondoro-Mubaira	13684	ZANU PF	1216
Mhondoro-Ngezi	17450	Mhondoro-Ngezi	12880	ZANU PF	4570
Muzvezve	19510	Muzvezve	11648	ZANU PF	7862
Norton	18695	Norton	11532	MDC-T	7163
Sanyati	12930	Sanyati	10973	ZANU PF	1957
Zvimba East	15572	Zvimba East	8751	ZANU PF	6821
Zvimba North	17254	Zvimba North	9429	ZANU PF	7825
Zvimba South	17019	Zvimba South	9659	ZANU PF	7360
Zvimba West	15268	Zvimba West	11082	ZANU PF	4186
Total	362474	Total	245482	ZANU PF	116992
ZEC REFERENDUM RESULTS		ZEC 2008 HARMONIZED PARLIAMENTARY RESULTS			
MATEBELELAND NORTH		MATEBELELAND NORTH			
Constituency	Total	Constituency	Total		
Binga North	18533	Binga North	19281	MDC-T	748
Binga South	18972	Binga South	13720	MDC-T	5252

Bubi	15078	Bubi	13502	ZANU- PF	1576
Hwange Central	14277	Hwange Central	7454	MDC-T	6823
Hwange East	15121	Hwange East	10847	MDC-T	4274
Hwange West	9762	Hwange West	12719	MDC-T	2957
Lupane East	11082	Lupane East	10144	MDC-T	938
Lupane West	9722	Lupane West	8360	ZANU- PF	1362
Nkayi North	10881	Nkayi North	10802	ZANU- PF	79
Nkayi South	11926	Nkayi South	10634	MDC-T	1292
Tsholotsho North	9946	Tsholotsho North	8922	INDEPENDENT	1024
Tsholotsho South	10755	Tsholotsho South	8979	MDC-T	1776
Umguza	21223	Umguza	12812	ZANU- PF	8411
TOTAL	177278	TOTAL	148176	MDC-T	36512
ZEC REFERENDUM RESULTS		ZEC 2008 HARMONIZED PARLIAMENTARY RESULTS			
MATEBELELAND SOUTH		MATEBELELAND SOUTH			
Constituency	Total	Constituency	Total		
Beitbridge East	14141	Beitbridge East	8046	ZANU PF	6095
Beitbridge West	9092	Beitbridge West	7037	ZANU PF	2055
Bulilima East	11726	Bulilima East	8465	MDC	3261
Bulilima West	9463	Bulilima West	5413	ZANU PF	4050
Gwanda Central	14495	Gwanda Central	9768	MDC	4727
Gwanda North	8553	Gwanda North	9427	MDC	-874
Gwanda South	8564	Gwanda South	BY ELECTION		
Insiza North	13887	Insiza North	10689	MDC	3198

Insiza South	7665	Insiza South	10327	MDC	-2662
Mangwe	11762	Mangwe	8849	MDC	2913
Matobo North	10195	Matobo North	8603	MDC	1592
Matobo South	7732	Matobo South	7536	MDC	196
Umzingwane	15087	Umzingwane	11785	MDC	3302
Total	142362	Total	105945	MDC	36417
ZEC REFERENDUM RESULTS		ZEC 2008 HARMONIZED PARLIAMENTARY RESULTS			
MIDLANDS		MIDLANDS			
Constituency	Total	Constituency	Total		
Chirumanzu	12561	Chirumanzu	11,172	ZANU-PF	1,389
Chirumanzu-Zibagwe	18453	Chirumanzu-Zibagwe	12,493	ZANU-PF	5,960
Chiwundura	18003	Chiwundura	13,203	ZANU-PF	4,800
Gokwe	14315	Gokwe	11,376	ZANU-PF	2,939
Gokwe-Chireya	18920	Gokwe-Chireya	16,095	ZANU-PF	2,825
Gokwe-Gumunyu	14411	Gokwe-Gumunyu	11,745	ZANU-PF	2,666
Gokwe-Kabuyuni	16362	Gokwe-Kabuyuni	14,390	MDC-T	1,972
Gokwe-Kana	13252	Gokwe-Kana	12,191	ZANU-PF	1,061
Gokwe-Mapfungautsi	16626	Gokwe-Mapfungautsi	15,399	ZANU-PF	1,227
Gokwe-Nembudziya	16305	Gokwe-Nembudziya	15,821	ZANU-PF	484
Gokwe-Sasame	15287	Gokwe-Sasame	17,130	ZANU-PF	-1,843
Gokwe-Sengwa	12318	Gokwe-Sengwa	12,094	ZANU-PF	224
Gweru Urban	14495	Gweru Urban	9,849	MDC-T	4,646
Kwekwe Central	11349	Kwekwe Central	8,583	MDC-T	2,766
Mberengwa East	10436	Mberengwa East	9,159	ZANU-PF	1,277
Mberengwa North	17294	Mberengwa North	12,074	ZANU-PF	5,220

Mberengwa South	13872	Mberengwa South	10,484	ZANU-PF	3,388
Mberengwa West	9812	Mberengwa West	8,735	ZANU-PF	1,077
Mbizo	11828	Mbizo	9,767	MDC-T	2,061
Mkoba	13356	Mkoba	11,916	MDC-T	1,440
Redcliff	14798	Redcliff	BY ELECTION		
Shurugwi North	15011	Shurugwi North	11,523	ZANU-PF	3,488
Shurugwi South	12053	Shurugwi South	10,298	ZANU-PF	1,755
Silobela	15826	Silobela	11,544	MDC-T	4,282
Vungu	10782	Vungu	9,988	ZANU-PF	794
Zhombe	16880	Zhombe	12,856	MDC-T	4,024
Zvishavane Ngezi	18509	Zvishavane Ngezi	11,551	ZANU-PF	6,958
Zvishavane Runde	14478	Zvishavane Runde	13,115	ZANU-PF	1,363
Total	407592	Total	324551		83,041
ZEC NATIONAL RESULT	3 319842	ZEC 2008 NATIONAL RESULT	2509772		810,070