



**PRESENTATION BY THE CHIEF ELECTIONS OFFICER TO THE
PARLIAMENTARY PORTFOLIO COMMITTEE ON JUSTICE, LEGAL
AND PARLIAMENTARY AFFAIRS**

**The Honourable Chairperson of the Parliamentary Portfolio Committee on
Justice, Legal and Parliamentary Affairs, Honourable Mataranyika**

**Honourable Members of the Committee and your Secretariat Staff here
present**

**The Chairperson of the Zimbabwe Electoral Commission, Honourable
Justice P.M. Chigumba**

Commissioners here present

Fellow ZEC Secretariat Staff

Ladies and Gentlemen

All protocol observed



A. PREPARATIONS FOR THE 26 MARCH 2022 BY-ELECTIONS

Proclamation and ZEC Notices

As we are all aware, the President proclaimed that the National Assembly by-elections be held on the 26th of March 2022. In line with the proclamation, the Zimbabwe Electoral Commission also issued notices to the effect that the election for the vacant local authority wards be held on the same day.

A total of 28 National Assembly Constituency and 122 Local Authority vacancies were proclaimed and notified respectively.

Nomination Courts

Nominations Court for the 26 March 2022 By-Elections were successfully conducted on 26 and 28 January 2022. These sat at designated Provincial Magistrate Courts and Local Authorities Council Boardroom as proclaimed in Statutory Instrument No. 1 of 2022 dated 6 January 2022 and the ZEC Notices dated 8, 11,12 January and 8 February 2022. The Inspection of Nomination Court Papers followed the sitting of the Nomination Courts.

The results of the Nomination Courts were gazetted and published in the Government Gazette and the Press of 4 February 2022.

Uncontested Ward

Ward 14 Umguza RDC was uncontested and the only successful candidate to lodge his nomination papers **Mr Ncube Delay** from ZANU PF



Party was duly elected as the councilor of that ward with effect from the 26 January 2022.

Withdrawals

The Commission received withdrawals from three candidates as shown in the table below:

<i>Candidate</i>	<i>Party</i>	<i>Local Authority</i>	<i>Ward</i>
Chigaro Josephat	MDC-Alliance	Chinhoyi Municipality	14
Chipetu Charles	MDC-Alliance	Masvingo Municipality	7
Nyathi Bekithemba	CCC	Bulawayo Municipality	9
Rungwave Munetsi	MDC-Alliance	Chiredzi RDC	16

Appointment of Constituency, Deputy Constituency Election Officers and Ward Election Officers

The Commission has selected and appointed Constituency Election Officers and their Deputies including Ward Election Officers for the contested Constituencies and Wards.

The names of those appointed and their business addresses were published in the government Gazette Notice 268 of 2022 dated 11 February 2022 in line with the legal provisions.



PWD Senate Vacancy

The Commission is liaising with the Director of Social of Welfare and the National Disability Board in an endeavour to fill the vacancy among the PWDs in Senate following the death of an incumbent female Senator in August 2021. It is anticipated that the filling of the vacancy will be harmonised with the 26 March 2022 By-Elections.

Polling Stations for 26 March 2022 By-Elections

Polling Stations will be published in the print media at least three weeks before poll and on polling day.

Covid-19 Mitigation

The Red Cross Society has been engaged to assist with Covid-19 and Health related issues such as temperature checks, sanitisation, and first aid among others. This collaboration is set to enhance the implementation of the ZEC Covid-19 Policy for the safety of the voting public.

Procurement of Materials and Equipment

Procurement of election material such as voting ink, ballot paper printing, vehicle hire, fuels, and sanitisers is currently underway.

Funding

The Commission is receiving financial support from Treasury for all electoral activities.



Accreditation of observers

As at 28 February 2022, a total of 352 observers had been accredited broken down as follows:

Local Observers – 342

Foreign observers – 10

Voter Education

Voter Education is being provided to the electorate through various platforms which include among others Radio and TV Programmes, Road Shows and Outreach Programmes.

Multi-Party Liaison Committees (MPLCs)

The convening of MPLCs at National, Provincial and District level after the closure of the nomination is on-going.

Preparations for the forthcoming By-Elections are on course.

B. VOTER REGISTRATION

The national voter registration exercise commenced on the 1st of February 2022 and ended on the 28th of February of the same month. The Commission deployed an average of **three** bvr kits in each of the **210** constituencies in the country's ten provinces. In addition, all the Provincial and District Offices were registration centres and these remain open.

The exercise took off fairly well in all provinces with a few challenges in the initial stages owing to the incessant rains that were being



experienced throughout the country. The itineraries for the mobile teams were published to inform the public about the centres and dates. In addition, voter educators were also deployed to sensitize the public on the location of the centres and the requirements for registration.

Phase two of the voter registration exercise will be conducted from 11 – 30 April 2022.

It should be noted that this mobile voter registration exercise is not meant for the upcoming by-elections as the voters rolls are already closed for that purpose but for the delimitation exercise expected to be conducted after the national population census.

The Commission was funded by Treasury after presenting a ZWL 4.5 billion for the mobile voter registration exercise.

It is important for our stakeholders to note that when one has gone through the voter registration process and is given a slip, it does not mean that they are already on the voters roll. The BVR machines are not on line hence data recorded by individual machines in the field is collated manually and uploaded at district centres for online transmission to the AFIS to remove duplicates. The centres are then incorporated on the national voters roll. This means that voter registration statistics recorded in the field do not necessarily reflect the actual entries that are finally added to the voters roll.

As at 27 February 2022, a total of **76 661** initial registrants had come forward for registration while a total of **50 486** transfers had been effected. The data for the initial registrants will be run through AFIS and



only after that will the total number of people who will have been enrolled on the voters roll be known.

C. ALLEGATIONS ON THE VOTERS' ROLL

Of concern to the Commission, are the various allegations which relate to the mandate of the Commission that have been highly publicised in the social media which have a damaging effect of casting aspersions on the credibility of our electoral processes. The Commission being aware that it is not accountable to the social media has chosen to present itself before this honourable committee in order to provide a true and considered response to some of the allegations that are being made in the social media.

First and foremost, it is important to note that most if not all the allegations that are being raised in the social media, have not been formally brought to the attention of the Commission save through unorthodox means. A shadowy group called Team Pachedu has been on the forefront of raising some of the allegations on the social media especially regarding issues related to the national voters roll. It is only on the 25th of February 2022 that the Commission received a letter from the Citizens Coalition for Change party on allegations that relate to the national voters roll.

For your own information Honourable Members, the Commission is still investigating the circumstances under which an alleged national voters' roll was issued to the said party and which alleged copy we presume is the subject of the damaging allegations which are being flighted on social media. The Commission still insists that the copy that was furnished



to the said party was released without following normal administrative procedure and undergoing the proper procedure aimed at ensuring that all its information is up to date and correct as at the date of issue.

The Commission wishes to dissociate itself from the said alleged voters' roll for these two reasons:

1. It does not have a request on record from the stakeholder concerned. The normal administrative procedure for anyone requiring a voters roll in terms of **Section 21(3)** of the Electoral Act [Chapter 2:13] as follows;
 - A person makes a written request to the Chief Elections Officer.
 - The Chief Elections Officer acknowledges the request
 - The Chief Elections Officer approves the request and advises the person so requesting to approach the designated office for assistance
 - There are forms that are filled by the person so requesting and that person is then advised of the date of collection.

The Commission was taken aback, because as far as it was concerned, it had not issued a voters roll to that particular stakeholder and did not have such request on its record.

2. As much as the national voters roll is a public document, it is also a security document containing voters' personal details. Any abuse of it attracts legal consequences and the Commission has a duty to protect voters' information which they supplied in confidence. The advent of social media has exacerbated challenges related to security of information of citizens.



The publication of voters' information on social media as was now being done and without seeking clarification from the Commission is highly deplorable and puts voters at risk. The Commission's doors are always open to its stakeholders and it recognises their right to seek for clarification.

Since there have been allegations made against the Commission, it has to respond to make the record straight. Failure to respond may be misconstrued as accepting the assertions made.

Gazetting of 39 957 removals

The Gazetting and removal of deceased voters is an ongoing exercise. The exercise was hampered by budgetary constraints and the COVID 19 pandemic. The move to gazette deceased voters was mooted way back in 2019 but it could not be implemented due to astronomical costs associated with the exercise. As we are all aware, all government and state institutions had to close or scale down at one time on staff which made it impossible to strictly adhere to requirements of some legal provisions. This is partly the reason why we are now preparing for the conduct of elections which we were supposed to hold way back in line with constitutional provisions. The Commission is working on the issue and will eventually gazette all the names of the deceased voters in line with legal requirements. The delays are therefore mostly to do with reasons that are beyond the control of the Commission.



3. Duplicates

There are allegations that there are duplicates in the alleged copy furnished to the stakeholder concerned. As a policy, the Commission does not issue copies of voters' rolls which have duplicates. As I have already stated, every voters roll issued to a stakeholder should be updated, corrected and issued as at a particular date. The reason why any person who purchases a voters roll from the Commission is given a collection date is to grant an opportunity to the Commission to remove any duplicates update any information by adding on new registrants and removing the deceased before the copy is issued out.

Section 32 of the Electoral Act [Chapter 2:3] obliges the Commission to ensure that no person is registered as a voter more than once on the voters roll for any polling station and empowers it to remove duplicates. That is why the Commission procured an Automated Finger Identification System to guard against double registration.

4. Same Address but moved to new wards/constituencies

The movement of voters is also partly to do with the updating and correcting of voters roll. The Commission is empowered through its voter registration officers to alter the voters rolls to correct obvious mistakes or omissions in terms of Section 35(1)(a) and (b) of the Electoral Act. In conducting a national voter registration blitz like



the one the Commission is undertaking, some mistakes are made which are discovered later on as the Commission cleans and updates the roll.

Registered Voters with no addresses enlisted

The Commission accedes to the fact that there are voters in the voters roll whose addresses are indicated as unknown. The Commission also takes note of the point raised that if the information is to be retained as is in the voters it would appear as if the Commission has contravened the provisions of the Electoral Act on residential requirements.

To allay any fears, it is the manner of the data entry that some of our officers were using that resulted in this happening. The point has been taken. Our own assessment has indicated that this anomaly arose mostly on voters who reside in institutional accommodation such as Old People's homes, schools, orphanages, police camps etc where it is not possible to allot a house number or stand number. It has since been resolved that this could be circumvented by stating the institution as the address. This information is already there on the voter registration form (VR1) filled in by the voter. However, because of the absence of the house number or stand number, some officers entered "unknown" on the address for the voter. As already stated, corrective action has been taken in that regard.

Polling Station Changes (additions, merging and splitting)

It is alleged that changes have been made to the polling stations established in 2018 which contravene the provisions of the law. Section 22A of the Electoral Act gives the Commission powers to determine



thresholds of voters per polling station for ease of administration of the poll. The current maximum administrative threshold the Commission is using per polling station is **1,000** voters per polling station. What should be understood by stakeholders is that the polling station does not change but where the threshold is exceeded, the system automatically splits the voters' roll so that the polling station concerned becomes composite. This denoted in the voters' roll by the creation of suffixes on the station code. In the same vein, if the number reduces owing transfers, deaths, disqualification or some other factor, the system automatically merges the split voters' roll into one and removes the suffix.

For instance, looking at some of the examples given by some stakeholders, the voter population in 2018 of the polling station cited exceeded the maximum threshold of **1,000** voters. For ease of administering the vote, the system split the voters roll into two. For example, at Ngondyore Primary School in Bikita West in Masvingo there were a total of **1,015** voters. The system divided that number by two to come up with two voters' rolls for that polling station one with **507** and the other with **508** voters. A composite polling station with two polling points was established at the polling station where these voters exercised their right to vote. If you look at the voter population for that polling station in 2022, it is now **999** and below the maximum threshold of **1,000** voters. The two polling points have now been merged into one because it is now under **1,000 voters**. However, take note that the polling station remains Ngodyore Primary School. So we wish to debunk the myth that there are any new polling stations established or merged without consulting stakeholders. The Commission is simply implementing its powers in terms of section 22A(1) (b) of the Electoral Act.



Suspicious Transfers/Movements

The Commission does not have power to stop any voter from transferring his or her registration to a ward or constituency of his choice. This issue is dealt with in terms of Section 25 of the Electoral Act. As long as a voter meets the requirements of the law, the Commission remains incapacitated from stopping them from transferring their registration. The law in Section 25(6) of the same Act gives aggrieved persons powers to appeal against the decision of the Commission to transfer a voter to a designated magistrate for the province in which the Constituency concerned is situated.

High Volumes of People Registered under same address

Some politicians are the chief culprits of this problem. The Commission has now and again deliberated on this issue in our multi-party liaison committees but to no avail. They are the ones who facilitate their supporters to be registered and some of them have been doing so during the current voter registration blitz and have set up desks where they commission Affidavits for their supporters for presentation to our registration officers as proof of residence.

Our registration is done offline and there is no way the Commission can tell that there is a high number of people who have registered under the same address. Further, the Commission does not have the capacity to determine whether the address provided is for properties which are uninhabitable. As long as the proof of residence provided meets the requirements of the law, ZEC is obliged to register that voter. The Legislature also seems to have taken this into account and provided for



objection by voter procedures in the law. In terms of Section 28 of the Electoral Act, a voter may object to the retention of any name on the voters' roll of the constituency in which the objects voter is registered and he or she may request the removal of such person's name from the voters roll. The onus to object to the registration of any name on the voters' roll is therefore squarely on those who are aggrieved.

Massive movements of voters to new polling stations

In the year 2018, the Commission was inundated by complaints that a large number of people had their registration mis-posted. As a result, some were forced to vote at polling stations that were not necessarily near their residences. Pursuant to those complaints and as part of cleaning the voters' rolls, the Commission has been attending to those complaints using powers granted to it by the law in terms of Section 35 (1)(b) of the Electoral Act. The section empowers the Commission to correct any obvious errors or omissions that appear on the voters roll. What is important for stakeholders to know is that the voters roll is a fluid document and therefore undergoes constant changes. Since voter registration is a continuous exercise in terms of Section 17A of the same Act, there are new registrants on each day, some are removed through disqualifications, deaths or transfers.

The issue of Voters with similar or almost similar national identity card numbers

The Commission acknowledges that there are cases where when running the data on registered voters it has discovered that there are people who



share the same national identity numbers. These people have not been enrolled on the voters roll but they have been flagged and placed on the exclusion list for that reason. As you may be aware, the Zimbabwe electoral Commission is not the responsible authority for the issuance of national identity cards so it has always written to the Registrar General's office each time it comes across such an issue for it to guide the Commission on the real owner of the identity particulars concerned.

On the issue of voters with almost similar national identity details, the Commission has no power to stop people with such from registering. Once the biometric details and national identity details differ by one digit or check letter they are regarded as different persons. As previously stated, the Commission is not the authority responsible for the issuance of national identity cards. The Registrar General's office is best placed to respond to that issue.

Conclusion

The Zimbabwe Electoral Commission is more comfortable with stakeholders who raise issues for clarification using established stakeholder engagement platforms. It has an open door policy and is available to provide any clarification or information requested. The challenge only arises when matters or issues are raised through the social media platform and in a manner that raises alarm and despondency. All stakeholders have to act responsibly to avoid plunging the country into



instability or undermining its institutions. There is need for constructive and responsible engagement.

Lastly, let me take this opportunity to thank the Committee for allowing the Commission to present issues that are of concern to our stakeholders. We wish to thank all members of the committee for taking time off their busy schedule to hear our side of the story.

As the Zimbabwe Electoral Commission, we are at your disposal to answer to any issues that you may require information on and are quite aware that we are accountable to Parliament on issues that relate to our mandate.

Thank you.