



THE CARTER CENTER

Zimbabwe Harmonized Elections
August 2023

Final Report
Election Observation Mission
Zimbabwe Harmonized Elections
August 23-24, 2023

Feb. 12, 2024

*Note: This is a pre-publication version of the report
Annexes, photos, and graphics will be added to the final publication.*



THE CARTER CENTER

Zimbabwe Harmonized Elections
August 2023



Zimbabwe Harmonized Elections
August 2023

Table of Contents

Map of Zimbabwe	5
Common Terms and Abbreviations	6
Executive Summary	7
The Carter Center in Zimbabwe	15
Historical and Political Background	17
Election Observation Methodology	19
Introduction	19
Criteria for Election Assessment.....	19
Election Observation Phases	21
<i>Preelection</i>	21
<i>Election Day</i>	22
<i>Postelection</i>	23
Legal Framework for Elections	23
Electoral System	27
Constituency Boundary Delimitation	29
Election Stakeholders and Processes	30
Election Administration and Management.....	31
Voter Registration	33
Party and Candidate Registration.....	36
<i>Political Party Registration</i>	36
<i>Candidate Eligibility Requirements</i>	36
<i>Candidate Nomination and Registration</i>	37
<i>Candidate Scrutiny Process</i>	37
Voter and Civic Education	38
Preelection Political Space and the Campaign Period	40
<i>Campaign Finance</i>	46
<i>Legal Framework</i>	48
<i>Media Landscape</i>	51
<i>Social Media Landscape</i>	52
<i>Party/Candidates' Representation Online</i>	54



Zimbabwe Harmonized Elections
August 2023

<i>Social Media Monitoring Findings</i>	56
<i>Women Candidates Online</i>	57
Gender, Marginalized Populations, and Participatory Rights.....	58
Participation of Women in the Electoral Process.....	58
Participation of Youth in the Electoral Process	62
Participation of People With Disabilities in the Electoral Process	63
Election Dispute Resolution	65
Complaint Procedures and Bodies Involved in Review	65
Role of Multi-Party Liaison Committees	69
Complaints and Appeals	69
Election Observation.....	71
Voting, Counting, Tabulation, and Announcement of Results	73
Postal Voting	73
Election Day	74
Election Results.....	76
<i>Announcement of Results</i>	76
Postelection Period.....	77
Postelection Environment	77
Recalls of Elected Officials.....	79
Conclusions and Recommendations	81
Appendices.....	90
Annex A: Acknowledgements	90
Annex B: The Carter Center Observation Delegation and Staff List.....	90
Annex C: Statements	90
Annex D: Deployment Plan	90
Annex E: Checklists	90
Annex F: Government of Zimbabwe Letter Approving Follow-up Visit	90



Map of Zimbabwe





Zimbabwe Harmonized Elections
August 2023

Common Terms and Abbreviations

ACDEG	African Charter on Democracy, Elections, and Governance
AU	African Union
BVR	Biometric Voter Registration
CSO	Civil Society Organization
CCC	Citizens Coalition for Change
ERC	Election Resource Center
EU	European Union
FPTP	First-Past-The-Post Majoritarian System
IDEA	International Institute for Democracy and Electoral Assistance
LTO	Long-Term Observer
MP	Member of Parliament
MDC	Movement for Democratic Change
MPOA	Maintenance of Peace and Order Act
MDC-T	Movement for Democratic Change - Tsvangirai
MPLC	Multiparty Liaison Committee
NGO	Nongovernmental Organization
NPRC	National Peace and Reconciliation Commission
PVO	Private Voluntary Organization
SADC	South African Development Community
STO	Short-Term Observer
ZANU-PF	Zimbabwe African National Union-Patriotic Front
ZEC	Zimbabwe Electoral Commission
ZESN	Zimbabwe Election Support Network
ZGC	Zimbabwe Gender Commission
ZHRC	Zimbabwe Human Rights Commission
NPRC	National Peace and Reconciliation Commission



Executive Summary

The Carter Center’s election observation mission found that Zimbabwe’s 2023 elections took place in a restricted political environment and that the administration of the elections lacked independence and transparency in key areas. Parliament did not pass several critically important electoral reforms and instead adopted legislation targeting the country’s vibrant civil society, effectively silencing reform advocates and political opponents in the months leading up to the vote. Several critical technical aspects of the process were implemented poorly or opaquely, reducing the transparency and credibility of the elections.

While voting day was largely peaceful and well implemented by polling staff, Carter Center observers found delayed openings caused by ballot shortages in several areas, including in some wards considered to be opposition strongholds. Some delays lasted as long as 12 hours, which likely depressed voter turnout. In addition, critical election information, including the final voters’ roll and the list of polling stations, was not readily available to stakeholders. Observers also reported numerous instances of assisted voting in rural areas, raising concerns that the secrecy of the vote may have been compromised. Agents from the two main parties were present in most polling stations and tally centers in which the Center observed, and there was a widespread presence of citizen observers. However, Zimbabwean authorities conducted a raid on election night and shut down the nonpartisan citizen observation efforts of two respected civil society groups. The Center urges the government of Zimbabwe to drop all pending charges against the civil society activists and respect their right of political participation.

The Zimbabwe Electoral Commission (ZEC) announced the Aug. 23 presidential election results on Aug 26. The ZEC reported voter turnout at 68.9% (a 16.1% drop from the 85% turnout reported in the 2018 general election). Incumbent President Emmerson D. Mnangagwa received 2,350,711 votes (52.6%), and the leading opposition candidate, Nelson Chamisa, received 1,967,343 votes (44%). The results for the National Assembly first-past-the-post (FPTP) seats and the local authority were announced at the constituency and ward level, respectively. Zimbabwe African National Union-Patriotic Front (ZANU-PF) won 176 seats in the National Assembly, and Citizens Coalition for Change (CCC) won 103. In the Senate, ZANU-PF won 33 seats and CCC 27. No other political party secured any seats. The ZEC published the results on its webpage; however, technical problems made the site difficult to access and led to limited public access to information in the immediate election period.

Overall, the 2023 electoral process did not adequately respect Zimbabwe’s regional and international commitments for democratic and inclusive elections, and substantially undermined candidates’ ability to compete on an equal basis and prevented the genuine expression of the will of the Zimbabwean people.

Legal and Electoral Framework: While Zimbabwe’s constitution safeguards fundamental human rights – including the freedoms of opinion and expression, assembly and association – subordinate legislation unduly limits those rights, including in the context of campaigning, and is not fully consistent with international standards. This includes advance notice requirements for



Zimbabwe Harmonized Elections
August 2023

public gatherings and demonstrations resulting in de facto authorization, which posed undue limitations on organizers and limitations of freedom of expression under the so-called Patriotic Act. Also, constitutional amendments in 2017 and 2021 increased the president's powers to appoint members of the judiciary and to extend the appointment of senior judges beyond the official retirement age, undermining the independence of the courts.

Repressive provisions in laws such as the Maintenance of Peace and Order Act (MPOA) and the Patriotic Act, as well as the Private Voluntary Organizations (PVO) legislation, need to be revisited to allow for citizens' full participation in public affairs, including respect for the freedoms of assembly, speech, and the press, as established under the Zimbabwean Constitution and in line with the country's regional and international human rights commitments. To ensure a coherent electoral framework, the Electoral Act should be further reviewed and aligned with Zimbabwe's 2013 Constitution, regional and international standards adopted by Zimbabwe, and best practices for democratic elections. A meaningful and comprehensive reform process should take place well in advance of the next election period and as part of an inclusive and transparent consultation process.

Election Administration: The legal framework gives wide discretion to the ZEC to regulate and supervise the election process; register voters; delimit constituencies; design, print, and distribute ballot papers; approve the form of, and procure, ballot boxes; establish and operate polling centers and stations; and accredit citizen and international observers, media, and party agents. The Electoral Act provides that the regulations and statutory instruments issued by the ZEC shall not have effect until they are approved by the Minister of Justice, Legal, and Parliamentary Affairs and published in the Gazette, which effectively impedes the full independence of the commission.

The administration of elections lacked transparency in key areas, as the ZEC did not provide critical information, including the printing of ballots and the voters' roll, in a timely manner during various stages of the process, which undermined public and stakeholder confidence in its management of electoral processes. To increase and maintain transparency and enhance its credibility, the ZEC should provide all election-related information of public interest on a regular basis and allow for meaningful observation of its activities. Restrictions and limitations on the work of national and international election observers, including an arduous process for and the late provision or denial of accreditation, severely hindered important independent transparency efforts. Information on the ZEC's decision-making and all other activities should be made available to the public through briefing papers posted on its website, along with regular briefings for candidate representatives and observers in a timely and consistent manner. Consideration should be given to developing a proactive communication strategy for the public in general and for political parties in particular.

Electoral legislation should enhance the autonomy of the ZEC and acknowledge its constitutional mandate through administrative and regulatory measures without requiring approval from the Ministry of Justice. The Center also recommends introducing mechanisms to address the lack of public confidence in the impartiality and inclusivity of the ZEC's appointment mechanisms as well



Zimbabwe Harmonized Elections
August 2023

as recruitment of lower-level election commission members. Finally, the accreditation of observers should be the sole responsibility of the ZEC.

Constituency Boundary Delimitation: The boundary delimitation of constituencies in Zimbabwe does not fully ensure the principle of equal suffrage guaranteed by the 2013 constitution and provided for by international best practice. Instead of allowing a maximum 20% variation as expressed in the constitution, the ZEC's formula allowed for variations of up to 40% between some constituencies, which does not provide for equality of the vote. Constituency boundary delimitation should be carried out in line with constitutional requirements to uphold the principle of equality of the vote. The constituency delimitation should take place well in advance of the next election period and within a transparent consultation process.

Voter Education: While the ZEC conducted voter education and publicly invited civil society organizations, private voluntary organizations, and faith-based organizations to apply for ZEC accreditation as voter educators in May 2023, some interlocutors reported that they were only granted approval in August, just days before the election. This prevented effective and timely voter education by a range of qualified organizations. The Center recommends that CSO accreditation should remain consistent with international and national guidelines and principles; accreditation should be standardized for voter education as well as for observation of various stages of the electoral process.

Positively, ZEC conducted voter education specifically targeting women and youth, especially first-time voters, in line with the commission's commitment to develop inclusive voter registration materials. Regrettably, voter education in minority languages remained scarce. Some parts of the process were covered extensively, including information about what constitutes various electoral offenses, information on the free SMS service to identify one's polling station, and the candidate registration process. However, the ZEC did not provide detailed and sufficient information on voting procedures, including ballot secrecy, the voters' roll, or the tallying of results. Commendably, the ZEC's public outreach on Facebook and X (formerly Twitter) relied on visuals and infographics, avoiding any bandwidth challenges posed by videos for users with limited access to the internet.

The Carter Center encourages the ZEC to conduct greater and more comprehensive voter education over a longer period. Its efforts should focus on all voting procedures, including ballot secrecy, the voters' roll, and the tallying of results. In addition, the ZEC should promote further CSO engagement in voter education and allow them to use their own materials and methods.

Voter Registration: Prior to the elections, the ZEC registered 451,811 new voters and transferred 191,738 registered voters to new locations. Although the voters' roll was posted for inspection, public confidence in it remained low because of inaccuracies and errors and limited public information about the commission's efforts to update the register. There were many reports during the inspection period of voters who found their names through the SMS system but not on the



Zimbabwe Harmonized Elections
August 2023

physical voters' roll. The ZEC attributed this to new ward boundaries and the addition of polling stations following the boundary delimitation exercise. The ZEC did not promptly provide electoral stakeholders with a copy of the final voters' roll that could be easily reviewed or audited.

To increase transparency and contribute to building trust in the accuracy of the voter registration process, the ZEC should publish regular, detailed, disaggregated updates about the voters' roll, which benefits from continuous voter registration. Additional steps should be taken to improve the comprehensiveness and accuracy of the voter registry for future polls. To further increase the transparency of its work, the ZEC should provide copies of the final voters' roll in a user-friendly electronic format and in a timely manner.

Candidate Registration: The candidate nomination courts sat on June 21, 2023, to process candidates for all levels of the election, including for the party lists. The ZEC issued directives on how the party lists should be structured just one day before the courts deliberated, which constrained the ability of some parties to provide adequate numbers of women for provincial council party lists. Parties were allowed to resubmit lists, but this caused delays. In addition to the required set of documents, which included supporting signatures from registered voters, candidates were required to pay significantly high nomination fees: US\$20,000 to run for president and US\$1,000 to run for the National Assembly.

The mechanism to pay nomination fees was complicated and created additional barriers for aspirants. A significant number of aspiring candidates were not approved, many because they had not paid nomination fees, among other reasons cited. The rejected candidates had the right to appeal to an Electoral Court. However, because the courts do not have legal deadlines to render a decision and there are no legal time limits to challenge registration, a number of cases were still pending on election day, which effectively prevented some candidates from standing for office. The courts' delay in rendering decisions delayed the printing of ballots, which the ZEC cited as the reason for the late delivery of ballots in some areas. Only the ruling party, ZANU-PF, managed to submit party lists and candidates for every constituency and ward election. ZANU-PF ran uncontested in about 10% of wards. The Center recommends that the ZEC consider lowering nomination fees and simplifying payment procedures to allow all citizens an equal opportunity to engage in political processes and stand as candidates.

Political Environment: Though incidents of political violence were fewer than in the 2018 election cycle, tensions and polarization increased in the months preceding voting, as legislation was introduced or considered that restricted individuals' freedoms of speech, movement, and association, such as the Criminal Law (Codification) Amendment Act [Patriotic Act] and the PVO Amendment Bill. While the PVO legislation was not signed into law and lapsed when parliament was dissolved, its *potential* enactment, coupled with the Patriotic Act, produced a stifling effect on Zimbabwean civil society during the electoral period and beyond.



Zimbabwe Harmonized Elections
August 2023

Campaign Period: The campaign took place in a restrictive and highly polarized environment. Authorities reportedly banned more than 300 public gatherings, making it extremely difficult for parties and candidates to engage with potential supporters and the electorate. There were isolated instances of violent intraparty and interparty clashes. Interparty violence resulted in the death of a CCC supporter in an attack by suspected ruling party supporters outside of Harare on Aug. 3, 2023. Fifteen people were arrested and charged with incitement of public violence. The Patriotic Act, adopted in July, further stifled the right to freedom of peaceful assembly and negatively affected the exercise of rights of freedom of association and expression, especially in the context of campaigning.

The Electoral Act does not include any measures pertaining to the misuse of state resources during campaigns, contrary to international obligations and best practices. Various interlocutors expressed concerns about the ruling party's use of government resources to campaign, blurring the lines between party and state, which, coupled with regulatory requirements that effectively restricted opposition campaign efforts, created an uneven playing field among political parties.

The Carter Center recommends the Electoral Act be amended to introduce provisions prohibiting the misuse of state resources and the advantage of incumbency to promote and contribute to a level playing field. Authorities should be sensitive to all instances of abuse of state resources and take timely and effective action to address any violations that occur.

In some provinces, traditional leaders violated the constitution through active participation in politics by intimidating their constituents and instructing them to vote for specific parties and candidates, and threatening to punish anyone who defied their orders. The Center recommends establishing effective enforcement mechanisms, including proportionate sanctions, to discourage traditional leaders and state and local officials from engaging in partisan activities.

Campaign Finance: Campaign finance is not regulated by law in Zimbabwe, which undermines the transparency and accountability of the electoral process. Two political parties, ZANU-PF and MDC-T, qualified to receive public funding. Foreign funding is prohibited. The absence of regulations to limit donations from individual donors and the lack of caps on campaign spending, as well as inadequate procedures of reporting and oversight, keep the playing field uneven and enable the misuse of state resources for campaign purposes. Also, the absence of requirements to publish party finance reports undermines the transparency of campaign finance. There are no legal provisions on party finance that encourage gender equality in political parties' identification and selection of candidates.

Most parties and their candidates, as well as independent candidates, reported struggling to raise funds for nomination and campaigning, including parties that accessed public funding. The Carter Center observed that only the main opposition party, CCC, and the governing ZANU-PF party had enough campaign resources to run their campaigns effectively.



Zimbabwe Harmonized Elections
August 2023

The Carter Center recommends introducing regulations on campaign expenditures, including regular submission of financial reports; the publication of financial reports accessible to the public; and the introduction of graduated sanctions for violations of campaign finance regulations. The Center further recommends introducing a mechanism to ensure that political parties and candidates comply with any campaign finance regulations put in place, and that trained and competent professionals in an independent institution audit campaign expenses.

Information Environment and Social Media: Despite reforms to align the legal framework with the constitution, Zimbabwe's laws still criminalize legitimate speech and provide for harsh prison terms, contrary to the country's international commitments. The lack of accountability mechanisms in the law governing coverage of the election created an unlevel playing field in the media. Traditional and social media were vehicles for spreading misinformation, negative campaigning, derogatory speech, and incendiary content by both major parties, and their supporters or shadow accounts. Government-run media targeted political opponents, international observers, and even the electoral process itself, contributing to an environment of insecurity, which exacerbated the potential for violence. Gender-based violence online was of particular concern during the electoral process. Social media platforms, especially WhatsApp, provided venues for parties to campaign. ZANU-PF campaign messages appeared more organized, relying in part on officials' and state-owned media accounts.

The Center recommends that the legal provisions criminalizing free speech online and offline, such as those in the Criminal Law Codification and Reform Amendment Act, 2023 (Patriotic Act) and the Cyber and Data Protection Act (CDPA), should be repealed. The ZEC should ensure the timely public release of media-related information and should consider publishing regular media monitoring results during the process. Also, the ZEC should provide detailed and easily accessible information on its media-related complaint mechanisms.

Participation and Inclusion: Zimbabwe's constitution and legal framework contain commitments to ensure gender parity. Temporary measures are provided to promote the participation of women. However, these measures are not fully enabled in subordinate legislation, and no sanctions are in place for noncompliance. As a result, women's participation was lower in 2023 than in previous elections, as political parties failed to ensure gender balance among their nominated candidates for directly elected seats, relying on seats reserved exclusively for women to provide for their inclusion. The large increase in candidate nomination fees limited the ability of all but the wealthy from running for National Assembly seats.

Zimbabwe's political parties also failed to take steps to promote the participation of youth and people with disabilities as candidates. Existing mechanisms aimed at promoting women's participation should be reviewed to ensure higher representation of women in elective offices, in line with the constitution and in close consultation with all relevant stakeholders. All changes to the legislation and electoral system should take place well in advance of the next elections. Consideration could be given to the introduction of legally binding provisions requiring political parties to ensure that they field an equal number of female and male candidates. Selection and



Zimbabwe Harmonized Elections
August 2023

nomination of female candidates by political parties, including for proportional representation seats, should be regulated to ensure equal opportunities for all candidates as well as compliance with constitutional provisions requiring representation of young women and women with disabilities on party lists. These regulations should be supported by sanctions and financial incentives to ensure their effective compliance.

Role of Civil Society and Election Observers: Civil society plays a critical role in ensuring support for institutional electoral processes as well as the development of democratic space in a country. Notwithstanding pressure from authorities, Zimbabwe enjoys a vibrant civil society. Several hours after polls closed on Aug. 23, Zimbabwean security forces raided the offices of the Zimbabwe Electoral Support Network (ZESN) and the ERC, two accredited and well-known civil society election observation groups, arresting about 40 people and confiscating equipment. The individuals were later charged with attempting to release election results before the official results were announced and were released on bail on Aug. 25. Their court cases are pending.

The raid and detentions were an unnecessary, disproportionate, and serious restriction of the fundamental civil and political rights of these organizations and individuals, and prevented their efforts to contribute to the transparency of the election, including independent verification of officially announced results. ZESN continues to report harassment against its members. Civil society leaders and the diplomatic community, among other stakeholders, have condemned these actions and called on the government of Zimbabwe to drop all pending charges against the civil society leaders and respect their rights of political participation. The Center emphasizes that efforts should be made to protect space for participation in public affairs for all stakeholders and to reassure civil society and other stakeholders that they are free to operate and can do so without repercussions.

The Zimbabwean government invited the Carter Center on July 5 to carry out an election observation mission for the Aug. 23 elections. However, authorities did not accredit 30 of the Center's short-term observers (STOs), who had already arrived in the country. This action represented a severe and unwarranted obstruction of the Carter Center's mission, inconsistent with commonly recognized and respected norms and practices. It disrupted the Center's methodology, forcing last-minute adjustments to ensure credible observation activities while maintaining its core principles of independence, impartiality, and fact-based reporting. The Center and some other international observer missions experienced challenges accessing representatives of state institutions at the national level, including ZEC officials. Also, false and hostile comments about the Center and other international observer missions were published in local media affiliated with the government, which introduced doubts about the government's commitment to allow observers to carry out a comprehensive, accurate and credible observation in line with their mandate.

Election Dispute Resolution: Despite the mandate given to the ZEC in the constitution to receive and address complaints, both the constitution and the Electoral Act lack specific details concerning the types of complaints accepted, the correct procedures for filing complaints, and the guidelines for the ZEC's decision-making process. Additionally, the ZEC had the option to receive



Zimbabwe Harmonized Elections
August 2023

complaints through the Multi-Party Liaison Committees (MPLCs) and subsequently refer them to relevant entities such as the police, the Zimbabwe Commission for Human Rights (ZCHR), or the Media Commission for investigation and feedback. The ZEC demonstrated little interest in dealing with election disputes, and the effectiveness of the MPLCs were dependent on the engagement and commitment of parties involved. As a result, the courts became the main avenue for examining election-related complaints. While efforts were made to determine the appropriate jurisdiction based on the type of case filed, petitioners could bypass the designated Electoral Courts and file election-related matters before the High Court, whose timeline for procedures is not tailored to accommodate the expeditious nature of electoral matters. This challenge was amplified by the large number of nomination challenges filed in front of the High Court for the 2023 harmonized elections.

This lack of expedited procedures and clear timeframe resulted in delays of the electoral process and disruption of the electoral calendar, including for the printing and delivery of ballot papers and postal voting.

The Center recommends that the legal framework be revised to clearly delineate the jurisdictions of the High Courts and the Electoral Courts to avoid any overlap or delays. The timeframe for election-related disputes should be shortened to ensure adjudication of cases under expedited procedures, especially if filed on election day or in the days before.

The ZEC has the option to receive complaints through the MPLCs. The Center recommends that the ZEC utilize these bodies as an alternative dispute resolution mechanism. MPLC meetings should be held on an agreed-upon schedule and their work based on clear processes to enable the ZEC to resolve disputes expeditiously. Even though the Electoral Act provides for MPLC meetings no sooner than six months prior to the elections, consideration could be given to extending or establishing permanent committees to have a continuous forum for intraparty dialogue before and during the electoral process.

Election Day: Carter Center observers reported that the voting process ran smoothly at most polling stations. However, in some areas, particularly in Harare, Bulawayo, and Manicaland), polling stations opened late – in some cases more than 11 hours late. Although the ZEC extended voting hours, and the government officially proclaimed Aug. 24 as an additional election day, various stakeholders expressed concerns that logistical delays may have depressed voter turnout in those areas, some of which are considered opposition strongholds.

The Center strongly recommends that the ZEC complete all preelection preparations, including delivery of ballots to polling stations, within the legal deadlines to give voters equal access to voting. Carter Center observers noted that the vast majority of polling stations did not make the voters' roll available for public scrutiny prior to election day. While the ZEC made efforts to help voters identify their polling stations with the use of an SMS service, a significant number of voters experienced challenges in identifying their polling stations and were sometimes turned away after spending hours in line. Voters generally had sufficient understanding of ballot procedures.



Zimbabwe Harmonized Elections
August 2023

However, Carter Center observers reported many instances of assisted voting, particularly in some rural areas. Some interlocutors expressed concerns about the overuse of voter assistance, which could have compromised the secrecy of votes.

The ZEC held a press conference late on Aug. 26 to announce the results of the presidential election. Results were published on the ZEC's website; initially, however, technical problems made the site difficult to access and led to limited public access to the information. Voter turnout was reported at 68.9%. To enhance transparency of the process and trust in the results, Center recommends that ZEC should ensure prompt publication of scanned protocols and election results, disaggregated by polling station.

Recalls of Members of Parliament and Councilors: Following the election, two letters were filed with the parliament to recall several newly elected MPs, senators, and locally elected councilors representing the CCC, on the basis that they were no longer members of the party. The recall campaign was initiated by Sengezo Tshabangu, who presented himself as the party's interim Secretary-General. By mid-November, a total of 28 CCC MPs, 14 senators and 69 councilors had been recalled without being consulted or involved in the decision-making process, sparking an interparty dispute that was unsuccessfully contested in court.

Following two rounds of recalls and declaration of vacant seats by the Speaker of Parliament, by-elections took place on Nov. 11 and Dec. 9, 2023 and were scheduled to be held again on Feb.3, 2024, to fill vacancies in the National Assembly and in local government. Though the CCC announced it would not participate in the by-elections, the recalled MPs applied to stand as CCC candidates, and the High Court barred them from re-contesting. As a result of the duly elected individuals being deprived of political representation and of participation in by-elections, as well as low turnout, the ruling party has secured a parliamentary majority. The by-elections had a significantly lower voter turnout compared with the August general elections and, considering the number of eligible voters in the respective areas, indicate erosion of the trust and confidence in the election process, political disillusionment, and voter apathy.

In a democracy, the power to recall a representative from public office is an important mechanism to ensure that elected officials remain accountable to their constituents. Once elected to office, representatives must therefore be accountable to citizens as well as to their political parties. The Center recommends that Sections 129 and 278 of the Zimbabwe Constitution, which outline various circumstances for the termination of an MP, senator or local authority councilor, should be revised to include more safeguards to ensure they are not open to abuse or manipulation by political parties and leaders seeking to settle political scores.

The Carter Center in Zimbabwe

Former U.S. President Jimmy Carter and The Carter Center have had a long-standing interest in the development of democracy in Zimbabwe. While in office in 1980, President Carter recognized the newly independent state of Zimbabwe and advocated for the development of robust and durable democratic institutions in the formation of the new government.



Zimbabwe Harmonized Elections
August 2023

The Carter Center began working in Zimbabwe in 1989 with the Project Africa initiative, designed to improve food security by increasing food production in rural villages. The initial success of this program contributed to Zimbabwe's role as a breadbasket for the region prior to the onset of the country's economic crisis and hyperinflation.

Over time, as the country's democratic institutions and economic prospects came under increasing pressure, the Center explored several potential governance projects. In 2002, the Carter Center expressed interest in observing the general election, and a team traveled to Harare to meet key stakeholders to discuss preparations for the polls and the prospects for a credible, democratic election. Ultimately, the Zimbabwean government decided against extending an invitation to the Center to observe the polls. The Center issued a short statement indicating that the preelection period fell short of international standards and was "seriously flawed."

In 2013, The Carter Center carried out a preelection visit to Zimbabwe in advance of voting to assess whether its engagement in the process would be welcomed by stakeholders. During the visit, several interlocutors, including representatives of the three major political parties, indicated they would welcome a Carter Center observation presence. However, the ZEC's accreditation committee later declined the Center's application, and there was no observer mission.

In 2018, the Center was invited to observe Zimbabwe's harmonized presidential and parliamentary elections and deployed an expert mission to assess key aspects of the electoral process. The Center conducted a preelection assessment in March 2018 and established a presence in May 2018. The team analyzed Zimbabwe's legal and electoral framework, election administration, political and electoral environment, campaign period, women's participation, civil society engagement, and electoral dispute resolution. It did not conduct election day observation in a systematic and comprehensive manner. The Center issued a statement expressing concerns about postelection tensions and the violent clashes that occurred between armed security forces and protestors in Harare, which resulted in multiple casualties and one death. It called on Zimbabwe's political leaders to set an example by refraining from inflammatory rhetoric, which could incite further violence, and on security forces to protect citizens and avoid disproportionate use of force.

Together with the African Union Election Observation Mission (AUEOM), the Commonwealth Election Observation Mission, the SADC Election Observation Mission, the SADC Parliamentary Forum Election Observation Mission, ECF-SADC Mission, COMESA Election Observation Mission, the European Union Election Observation Mission, and the joint international observation mission deployed by the International Republican Institute and the National Democratic Institute, the Center issued a joint statement condemning postelection violence. In addition, Carter Center experts provided technical assistance to the Zimbabwe Election Support Network (ZESN), a leading citizen observer organization, to support its data-collection efforts for long-term observers (LTOs) and with two Zimbabwean CSOs on fact-checking. The expert mission remained in Zimbabwe through Aug. 12, 2018, and issued a final report on its findings.



Historical and Political Background

Since its independence in 1980, Zimbabwe has been governed as a multiparty constitutional democracy with a strong presidential system; this structure was introduced in 1987 when the government amended the constitution to introduce the executive presidency.¹ Zimbabwe's government is composed of the executive presidency, parliament, and local authorities. The country has been governed exclusively by ZANU-PF for the past 43 years, except for a brief interlude in 2009-2013 when ZANU-PF co-governed the country with the opposition Movement for Democratic Change (MDC) in a national unity government that aimed to resolve the political conflict and polarization caused by a dispute over the 2008 presidential election results. Although several parties have contested elections since 1980, ZANU-PF's dominance of electoral politics was shaken only in the 2000 parliamentary elections, when the MDC party (newly formed in 1999 and led by Morgan Tsvangirai, a former trade union leader) won 57 of 120 elected seats, against ZANU-PF's 62 seats.²

Since the MDC's formation, the dominant political parties in Zimbabwe's elections have been ZANU-PF, led by Robert Mugabe – who was the party's leader from 1975 and the country's first post-independence president until his removal from the leadership of both ZANU and Zimbabwe in a November 2017 military coup³ – and the MDC, which was led by its founding leader, Morgan Tsvangirai, until his death in February 2018. Although Nelson Chamisa was poised to assume the MDC's party leadership, the court declared his takeover unconstitutional and therefore null and void. In January 2022, Chamisa formed the Citizens Coalition for Change (CCC).⁴

Since 2000, Zimbabwe's elections have been disputed. There have been allegations of widespread electoral manipulation, including vote buying, gerrymandering of parliamentary and ward constituencies, and ballot stuffing to predetermine election results. Disputes have centered on the general lack of transparency in electoral processes, including in the voters' roll, vote counting, and transmission of results.⁵ There also have been widespread complaints by both opposition parties and election observers about restrictions on the ability of opposition parties to campaign and access public media, particularly national radio and television, both of which have a wide national reach.

More critically, Zimbabwe's elections since the country's independence in 1980 have been characterized by the overwhelming use of violence and intimidation of voters and candidates, particularly by leaders and supporters of the ruling party and government security forces, including members of the army, police and the intelligence units.⁶ The 2002 and 2008 elections, in particular, were conducted amid widespread political violence that resulted in the deaths and maiming of many Zimbabweans before, during, and after the elections.⁷ Human Rights Watch reported that 200-300 people, mainly opposition party supporters, were killed during the 2008 electoral cycle; more than 5,000 people were beaten and tortured; and about 36,000 were displaced. In 2002, 33 people were reportedly killed, and many opposition activists and polling agents were threatened, abducted, arrested, and detained.

Following widespread condemnation of the use of politically motivated violence by members of the government, security services, and the governing ZANU-PF party during the 2008 elections,



Zimbabwe Harmonized Elections
August 2023

electoral violence decreased until the country's last general election held on July 31, 2018. As with previous elections held in the post-2000 period, the 2018 election results were disputed on suspicion of cheating in vote counting and in the transmission of ballots from ward polling centers to the provinces and the ZEC vote tallying center. The incumbent, President Mnangagwa, was declared the winner with 51.4% of the vote, while the opposition MDC Alliance's Nelson Chamisa came in second, with 45% of the vote. ZANU-PF won 179 of the elected seats, while the MDC Alliance won 88. The peaceful conditions that prevailed were disrupted, however, on Aug. 1, 2018, when government soldiers shot at opposition party supporters protesting a delay in the announcement of presidential election results, killing six and maiming 35 civilians.⁸

While election violence declined in the past two general elections, political intimidation subsisted. There has been a shift toward the use of more covert and subtle forms of political violence, intimidation, and voter manipulation.⁹ These nuanced forms of intimidation, previously highlighted by local observer groups, include exclusion or threats to exclude opposition party supporters from government social services, jobs, and business opportunities.¹⁰ Electoral violence and intimidation in Zimbabwe over the past few years also has moved into the cyber realm. Candidates and voters reported increasing cases of cyberbullying in the 2018 election. Women and girls have been most affected by electoral cyberbullying.¹¹

Zimbabwe has experienced historic challenges in organizing free, fair, and credible elections that meet international and regional standards. Nonetheless, there has been some progress over the years in addressing certain challenges through constitutional and electoral law reform. The most significant reforms made in the past few years include the passing of the 2013 Zimbabwe Constitution, which has several provisions designed to guarantee important political freedoms and civil rights. The constitution also has several provisions that provide legal clarity on electoral practices and processes in Zimbabwe, including clarifications regarding the formation of the ZEC and appointment of its commissioners; the ZEC's roles and responsibilities; the delimitation of electoral boundaries; and the timeframe for electoral processes.

Amendments to the Electoral Act in 2008, 2012, and 2018, including the inclusion of the Electoral Code of Conduct into the Act in 2018, all helped to provide further legal clarity on key aspects of the electoral processes, including voter registration; the preparation, compilation, and maintenance of the voters' roll; voter eligibility; and candidate nomination for parliament, the presidency, and local authorities. Some amendments made over the years, particularly the guidelines for voting and counting procedures, have helped to address historical electoral challenges in Zimbabwe. In 2017, the ZEC also introduced a biometric voter registry (BVR). The previous registry was difficult to audit and contained duplicate and deceased voters. The BVR system stores voters' physical and biological characteristics to identify them easily at polling stations. Though Zimbabwe has introduced some progressive electoral management laws and policies over the past decade, the government's continued lack of political will to put them into action remains a challenge.



Election Observation Methodology

Introduction

The Carter Center has observed more than 115 elections in 40 countries around the world. It is one of more than 50 intergovernmental and international nongovernmental organizations that have endorsed the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observation, endorsed at the United Nations in 2005.¹ As such, the Center is committed to conducting its activities in line with the principles of impartial and professional observation enshrined in it.

The Center's election observation methodology is premised on a belief that international observers can play an important supporting role during democratic transition processes by providing impartial and credible assessments of elections, including recommendations on how to improve the conduct of future elections. Its methodology is based on a recognition that election day is part of an election cycle, and longer-term observation and engagement with a wide spectrum of stakeholders is essential to inform its assessment of an election.

Criteria for Election Assessment

Zimbabwe has ratified several international treaties relevant to political and electoral rights. Given the country's commitment to conduct elections in line with internationally recognized principles, The Carter Center based its assessment of the electoral process on Zimbabwe's national legal and regulatory framework as well as a comprehensive body of international provisions, including Article 25 of the ICCPR.² References to international principles and guidelines for democratic elections are included throughout this report, and elements of the election process are introduced with the respective international standards used to make assessments.

¹The Declaration and the accompanying Code of Conduct are available [here](#).

² Article 25 of the ICCPR states that "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country."

Zimbabwe Harmonized Elections
August 2023

Authoring Body	Treaty/Declaration	Status	Date Ratified²
AU	African Charter on Human and Peoples' Rights	Ratified/Acceded	May 30, 1986
AU	African Charter on Democracy, Elections, and Governance (ACDEG)	Ratified/Acceded	June 4, 2022
AU	African Union Convention on Preventing and Combating Corruption	Ratified/Acceded	Dec. 17, 2006
AU	African Youth Charter	Ratified/Acceded	March 16, 2009
AU	Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa	Ratified/Acceded	April 15, 2008
SADC	Protocol on Culture, Information, and Sport	Signed	Aug. 14, 2001
SADC	SADC Protocol Against Corruption	Ratified/Acceded	Oct. 8, 2004
U.N.	Convention on the Political Rights of Women	Ratified/Acceded	June 5, 1995
U.N.	Convention on the Rights of Persons with Disabilities ³	Ratified/Acceded	Sept. 23, 2013
U.N.	Convention on the Rights of the Child ⁴	Ratified/Acceded ⁵	Sept. 11, 1990
U.N.	International Convention on the Elimination of All Forms of Racial Discrimination	Ratified/Acceded	May 13, 1991
U.N.	United Nations Convention Against Corruption	Ratified/Acceded	March 8, 2007
U.N. (CEDAW)	Convention on the Elimination of All Forms of Discrimination against Women	Ratified/Acceded	May 13, 1991
UNGA	International Covenant on Civil and Political Rights	Ratified/Acceded ⁶	May 13, 1991
UNGA	International Covenant on Economic, Social and Cultural Rights	Ratified/Acceded	May 13, 1991



Zimbabwe Harmonized Elections
August 2023

Election Observation Phases

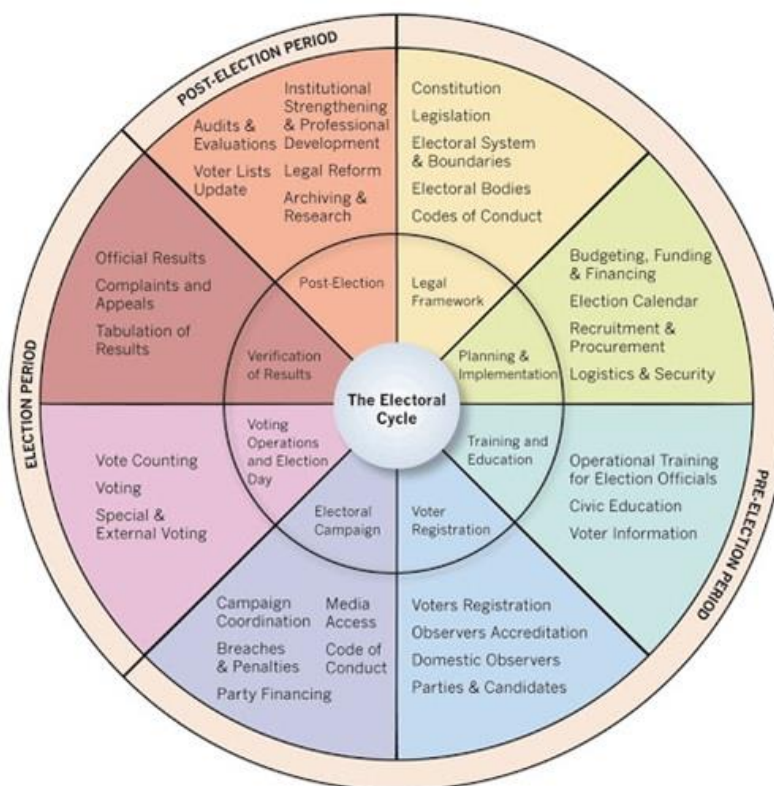


Figure 1: The Electoral Cycle³

The Carter Center uses an election cycle model to frame the processes that define the preelection, election, and postelection periods. Throughout the election cycle, the Center observes and analyzes the political, electoral, and security environment as well as the operational activities of an election. The inclusion of social media monitoring has evolved in response to its wide adoption by stakeholders (parties, candidates, media, and election officials).

Preelection

The Carter Center started its outreach to stakeholders and preparations for the Zimbabwe mission in 2022, and, following the announcement of the election on May 30, applied for accreditation by the ZEC in early June 2023. The Center's request for permission to deploy the core team in advance of the electoral campaign in June was denied. Due to the lack of confirmation of visas, the team's

³ Source: https://aceproject.org/ero-en/images/the-electoral-cycle/image_view_fullscreen.



Zimbabwe Harmonized Elections
August 2023

deployment was postponed for nearly a month, and core team experts worked remotely from abroad. Members arrived in Harare on July 29 and were accredited on August 3, 2023.

In the preelection period, the core team focused their analyses on the legal framework; planning and implementation of the election law; election staff training, voter education; voter registration, candidate nomination, complaints and appeals; and the electoral campaign period.

Preparations for LTO deployment commenced in July and continued after the core team's arrival in Zimbabwe. This included the preparation of an observer deployment plan and a pre-deployment briefing with materials. Initially, in accordance with election observation methodology, the Center planned to deploy 16 LTOs in pairs across Zimbabwe. The deployment plan took its final shape in Harare after the arrival of most LTOs in early August.⁴ One observer was not allowed into the country by the border police and returned home. The deployment plan was adjusted to include seven observation teams.

After the observers were accredited and briefed,⁵ they were deployed in provincial capital cities. Five teams were responsible for one province apiece. Two teams were responsible for Zimbabwe's largest metropolitan areas and a neighboring province: Harare and Mashonaland Central, and Bulawayo and Matabeleland North.

Election Day

To reinforce the election observation mission's capacity, 47 short-term observers arrived in Harare on Aug. 17-18. Regrettably, the ZEC denied accreditations to 27 Carter Center delegates who were slated to observe on election day. Following this decision, the Center adjusted its observation plan, deploying fewer observer teams, while maintaining a presence in each province. The Center deployed staff as short-term observers, and had some delegates assume staff responsibilities in support of the mission deployment. Despite delays and denial of accreditation for several observers, the Center conducted a pre-deployment briefing in Harare on Aug. 19-20. The observer delegation received an overview of the political background, campaign, electoral framework and preparations, mission logistics, and security protocols to guide their participation in the overall mission. The observers also were trained on the Carter Center's data collection methodology and ELMO, the tool used to fill out and submit observer checklists via mobile phones on election day. In addition, LTOs provided regional briefings to the STOs on their areas of deployment.

Two days before election day, long- and short-term observers were deployed in teams of two to all 10 provinces of Zimbabwe. The deployment period allowed the STO teams to familiarize themselves with their deployment areas and prepare for election day observation by meeting local election commissions, security officials, polling station staff, observers, and other relevant

⁴ After the delayed deployment of the core team, the LTO arrival was scheduled for Aug. 1 and 2. The delay was caused by a delay in the confirmation of entry visas for the observers by the Government of Zimbabwe.

⁵ The observer briefing focused on the observation methodology, Zimbabwe's election operations and legal framework, as well as the Carter Center and the ZEC's Codes of Conduct for observers.



Zimbabwe Harmonized Elections
August 2023

stakeholders to gain a better understanding of the local election environment. Observers also were able to plan a route for the observation day from among a list of randomly selected polling stations and observe compliance with the campaign silence period, when no active campaigning by the candidates, or publishing news or opinion articles that favor any of the candidates, is allowed.

On election day, 53 observers visited 234 polling stations to observe election procedures, including balloting, counting, and tabulation processes. Observer teams assessed the process in 19 tallying centers at ward and constituency levels. LTOs continued to observe the tabulation process in provincial tally centers through Aug. 24-28. In total, the Carter Center followed the tabulation in all 10 provinces in Zimbabwe. On Aug. 25, STOs were debriefed in Harare.

Postelection

The Carter Center international election observation mission publicly released its preliminary statement of findings and conclusions on the election process on Aug. 25 (see *Annexes*). After election day, the mission continued to observe tabulation, announcement of results, and the postelection environment. LTOs remained in their assigned areas and continued to follow developments, including activities of ZEC provincial commissions, political parties/candidates, CSOs, and media.

Although the initial schedule provided for the continued deployment of LTOs to observe the postelection environment for a few weeks, the observers' stay in Zimbabwe was cut short when the Ministry of Foreign Affairs refused to extend visas. The LTO teams returned to Harare on Aug. 29, debriefed on Aug. 30, and observers departed Zimbabwe on Aug. 31. The core team left Zimbabwe on Sept. 4, 2023, before the entire election process has been completed. Nevertheless, the Carter Center observer mission continued to follow the final stages of the election processes, such as election dispute resolution, as well as the recalls of elected CCC parliamentarians and councilors and the subsequent conduct of by-elections in November and December. On Nov. 20-27, 2023, the Carter Center's observer mission conducted a follow-up visit to present its key findings and conclusions to government representatives, parliament, independent constitutional bodies, political parties, civil society, and other relevant stakeholders, and to discuss any reactions they had to the preliminary statement, as well as accompanying recommendations to the authorities and other stakeholders on how the election process could be improved and possible future follow-up activities or assistance with election authorities and other relevant officials. The Center continued to experience challenges accessing representatives of the relevant state institutions, including ZEC officials, during the follow-up visit.

Legal Framework for Elections

According to international treaty law, a legal framework for elections should be transparent and readily accessible to the public and should address all the components of an electoral system necessary to ensure democratic elections.⁶ Moreover, the SADC Principles for Election

⁶ ICCPR, Article 25; U.N. Human Rights Committee, General Comment 25, paras. 5, 7, 9, 19, 20.



Zimbabwe Harmonized Elections
August 2023

Management, Monitoring, and Observation in the SADC region provide that the constitutional and legal frameworks are fundamental documents of the state that provide the context and legal environment in which elections take place. The constitution of any country should both provide the legal framework for that country and serve as the basis for the conduct and delivery of free, fair, credible, and legitimate elections.

Zimbabwe is a party to the main regional and international instruments related to holding of democratic elections.⁷ While the country’s constitutional and legal framework provides for holding democratic elections in line with international standards, if implemented correctly, the Electoral Act and other laws governing the exercise of one’s fundamental freedoms are not fully aligned with the constitution, inhibiting the conduct of fully democratic elections and the political rights of Zimbabwe’s citizens. In addition, Carter Center interlocutors expressed concerns regarding public access to the full text of amended laws and regulations critical for the electoral process, which, coupled with the lack of public access to newly passed legislation, undermines the principles of accessibility and predictability of law.

Elections are primarily regulated by the 2013 constitution (as amended in 2021) and the 2004 Electoral Act (as amended in 2018), and supplemented by ZEC regulations and decisions, the Political Parties (Finance) Act, the 2004 Criminal Code, the Maintenance of Peace Order Act (MPOA), and other legal instruments.

The Zimbabwe Constitution upholds key democratic election principles, including the right of all political parties to operate and campaign within legal boundaries, the importance of free, fair, transparent, and efficient elections to reflect the will of the people, and the need for impartial state-owned media that provides a platform for diverse viewpoints.

While the constitution safeguards fundamental human rights and freedoms – including the opinion and expression, assembly, and association – subordinate legislation unduly limits those rights, including in the context of campaigning, and is not fully consistent with international standards.⁸

⁷ African Charter on Democracy, Elections and Governance; African Union Declaration on the Principles Governing Democratic Elections in Africa, AHG/Decl.1 (XXXVIII), 2002; African Charter on Human and Peoples' Rights (1986); African Union Convention on Preventing and Combating Corruption (2006); Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2008); SADC Protocol Against Corruption (2004);

SADC protocol on Gender and Democracy (2008); SADC Principles and Guidelines Governing Democratic Elections; Convention on the Rights of Persons with Disabilities (2013), Convention on the Political Rights of Women (1995); International Convention on the Elimination of All Forms of Racial Discrimination (1991); United Nations Convention against Corruption (2007); Convention on the Elimination of All Forms of Discrimination against Women (1991); International Covenant on Civil and Political Rights (1991); among others.

⁸ Paragraph 73 of UNHRC [General Comment 37 on Article 21](#) to the ICCPR states that “where authorization regimes persist in domestic law, they must in practice function as a system of notification, with authorization being granted as a matter of course, in the absence of compelling reasons to do otherwise.”



Zimbabwe Harmonized Elections
August 2023

The 2013 constitution was amended in May 2021 to include provisions to enhance the representation of women and youth in the National Assembly and to allow for the president to extend the tenure of the incumbent chief justice, head of the constitutional court and the Supreme Court. Given the latter's key role in considering electoral disputes, various stakeholders questioned the extension of the judge's term in office and expressed concern regarding the independence of the judiciary and potential for undue political influence over electoral outcomes. Among other restrictions, the Maintenance of Peace Order Act – Act 9 of 2019 requires conveners of public gatherings to provide local regulating authorities a seven-day advance notice of their demonstrations and a five-day advance notice for public meetings. While this requirement drops to three days in case of public meetings during an election period, the act effectively requires conveners of gatherings to obtain authorization from police who are granted broad powers, often resulting in bans on assemblies in certain locations and restrictions on types of assemblies.⁹ The requirement posed undue limitations on organizers of the election-related events. Failure to give notice is a criminal offense punishable by imprisonment for up to one year.¹⁰

In the lead-up to the elections, the Criminal Law (Codification and Reform) Amendment Act 2023, commonly called the Patriotic Act, was published in the Gazette and came into force on July 14, 2023.¹¹ The act criminalizes “willfully injuring the sovereignty and national interest of Zimbabwe.” This is broadly defined as participating in meetings to consider or plan armed intervention in Zimbabwe, subverting or overthrowing its government, or implementing or extending sanctions or trade boycotts against Zimbabwe. Loss of citizenship, denial of the right to vote, and death are among possible penalties. The provisions are not in line with the principle of legality and proportionality, and lack legal certainty.

Additionally, on Feb. 1, 2023, the parliament approved draft amendments to the Private Voluntary Organizations (PVO) Act that, among other things, would have imposed a variety of restrictive regulatory requirements on CSOs if it had been signed into law by the president. If enacted, the legislation would have allowed a government minister to designate PVOs as vulnerable to misuse by terrorist organizations and required the government's approval for any “material change” in registered organizations, including changes to their internal management and funding. It would

⁹ Article 7 of MPOA requires advance notice to be given of all gatherings, leaving no room for spontaneous assemblies regardless of the number of individuals exercising the right. If two or more people demonstrate in a street or public space, or conduct a procession, or if more than 15 people hold a meeting in a public space, the regulating authority must be notified.

¹⁰ Disproportionate sanctions are at odds with international best practices. Paragraph 71 of the [Guidelines on Freedom of Association and Assembly of the African Commission on Human and People's Rights](#) (African Commission) states that “a. A notification regime requires that the presumption is always in favor of holding assemblies, and that assemblies not be automatically penalized, through dispersal or sanction, due to failure to notify, subject to the provisions further detailed below. b. Lack of notification shall not be understood to make an assembly illegal”. [ICCPR, Article 21](#); [U.N. Human Rights Committee, General Comment 37, paras. 67, 71](#). Para. 36 of the 2020 ODIHR and Venice Commission [Guidelines on Freedom of Peaceful Assembly](#) (3rd edition) states that “offences such as the failure to provide advance notice of an assembly or the failure to comply with route, time and place restrictions imposed on an assembly should not be punishable with prison sentences, or heavy fines.”

¹¹ Criminal Law (Codification and Reform) Amendment Act, 2023



Zimbabwe Harmonized Elections
August 2023

also have granted appointed ministers the power to interfere and replace the management of an organization and impose penalties, including imprisonment, if an organization opposes or supports a political party or a candidate.¹²

The bill was not signed by the president prior to the election and instead lapsed when parliament was dissolved. However, immediately before polling day in the general election, civil society interlocutors and international nongovernmental organizations, among others, told the Carter Center that its mere existence, coupled with the Patriotic Act, has had a stifling effect on civil society and, during the campaign period, resulted in self-censorship, including hesitancy to meet with representatives of international election observation missions.

Such disproportionate limitations restrict the right to freedom of peaceful assembly and negatively affect the exercise of the rights of freedom of association and expression, especially in the context of elections.¹³

Repressive provisions in laws such as the Maintenance of Peace and Order Act (MPOA) and the Patriotic Act, as well as the Private Voluntary Organizations (PVO) legislation, should be revisited to allow for full participation of citizens in public affairs, including respect for the freedoms of assembly, speech, and the press, as established under the Zimbabwean Constitution and in line with the country's regional and international human rights commitments.

The registration and operation of political parties remain largely unregulated. The legal framework governing ZEC operations does not fully ensure institutional independence. This includes the need to obtain approval from the Minister of Justice for legislative amendments proposed by ZEC, among other requirements.

The Zimbabwe Constitution stipulates that after the president's proclamation for elections, no changes to the electoral law or to any other law related to the elections shall have effect, which reaffirms that the stability of electoral law is a key element of credibility of the electoral process.¹⁴ Following the call for elections on May 31, 2023, however, the Electoral Act was amended and statutory instruments were adopted, which is at odds with the constitution and international best practices.¹⁵ The Electoral Act was amended in July 2023 to incorporate a quota system for women

¹² The Private Voluntary Organizations (PVO) Amendment Bill, H.B. 10, 2021. Under the law, the Minister of Public Service, Labour and Social Welfare or any other minister to whom the president may, from time to time, assign the administration of this act, can exercise this authority.

¹³ See more at Country Visit [Report](#) of the Special Rapporteur on the rights to freedom of peaceful assembly and of association.

¹⁴ Zimbabwe Constitution S157 (5).

¹⁵ The Electoral Amendment Act 2023 was published on July 19, 2023. See ECOWAS, Protocol on Democracy and Good Governance, Article 2(1), The Code of good practice in electoral matters (CDL-AD(2002)023rev, item II.2.B) states: "The fundamental elements of electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment less than one year before an election, or should be written in the constitution or at a level higher than ordinary law." ((Council of Europe (Venice Commission), 2005, para. I, II.4)).



Zimbabwe Harmonized Elections
August 2023

and youth; however, as the president had already proclaimed the election, the quotas were not supposed to be applied to the 2023 vote.¹⁶ While these steps are welcomed for future elections, several long-standing recommendations intended to increase the inclusivity of Zimbabwe's polls remain unaddressed, including those related to the voting rights of diaspora, homebound voters, and voters in hospitals and penitentiary institutions.¹⁷

One statutory instrument changed the composition of provincial and metropolitan councils to require an equal number of men and women candidates on party lists; a second statutory instrument, amended by the ZEC, aimed to implement new constitutional provisions providing for increased women's representation on local councils; and the third extended the time for sending in postal votes by 11 days, after the printing of ballots was delayed.¹⁸

Despite the lack of implementation of the constitutional provisions in the Electoral Act and lacunas in regulations, the ZEC opted to apply the provisions on gender and youth quotas directly. This undermined the principles of legal predictability and legal certainty in terms of how votes are translated into seats and demonstrated that the regulatory framework in this respect was insufficient. While Zimbabwe's constitution safeguards fundamental human rights and freedoms – including the freedoms of opinion and expression, assembly and association – subordinate legislation unduly limits those rights, including in the context of campaigning, and is not fully consistent with international standards.

To ensure a coherent electoral framework, the Electoral Act should be further reviewed and aligned with Zimbabwe's 2013 Constitution and brought into full alignment with regional and international standards adopted by Zimbabwe, as well as good practices. The electoral reform process should take place well in advance of the next election period and within an inclusive and transparent consultation process.

Electoral System

Fundamental to any genuine democratic election is the principle that citizens can freely choose their representatives and hold them to account for their exercise of power. The electoral system, which defines how votes are translated into seats, is a pivotal feature of the election architecture

¹⁶ Elections in Zimbabwe are administered under the Electoral Act as it stands prior to the proclamation date of the election under Section 157 (5) of the Constitution. Any change to the electoral law after this date are applied to future elections. The president proclaimed the election date on May 31, 2023. The Electoral Amendment Act of 2023 was passed July 19, 2023.

¹⁷ Section 67 of the Electoral Act [Chapter 2:13]

¹⁸ The first statutory instrument, 114 of 2023, issued by the Law Reviser, corrects errors in the Constitution of Zimbabwe Amendment No. 2 Act. The constitution stipulates that an act of parliament may provide for the election by a system of proportional representation of at least 30% of the total members of the local council elected on ward basis as women, and elections to local authority councils must be conducted in accordance with the Electoral Law, which must ensure that women for the additional 30% seats are elected under a party list system of proportional representation. The statutory instrument also specifies the number of reserved seats in each local authority council, corresponding to the 30% requirement. SI 2023-115 Electoral Act (Women's Quota in Local Authorities) Notice, 2023. The third statutory instrument was 17 SI 140A of 2023.



Zimbabwe Harmonized Elections
August 2023

to enact this principle. International law does not prescribe any specific electoral system but emphasizes that states are obligated to “guarantee and give effect to the free expression of the will of the electors.”¹⁹

The 2013 constitution establishes Zimbabwe as a unitary, democratic, sovereign republic. The current electoral system is multi-party, ensures regular elections by secret vote based on universal and equal suffrage, and prescribes an orderly transfer of power following elections. Presidential, parliamentary, and local elections are harmonized and are required at least every five years, with the precise date set by the president.

The president is directly elected through a majoritarian electoral system for a five-year term in a single nationwide constituency and can be re-elected for a second five-year term. If no candidate obtains more than 50% of the valid votes cast, a second round is held between the two candidates with the highest number of votes.

The Zimbabwean parliament is bicameral and is composed of the Senate and National Assembly. The National Assembly consists of 280 members of parliament (MPs). Of these, 210 are elected directly in single-member constituencies through a first-past-the-post system. Seventy additional seats for women and youth (60 for women and 10 for youth) are elected through a proportional representation party-list system. Sixty of the 80 Senate seats, plus 10 provincial and metropolitan council seats for each province, are elected through a party-list system as well. The allocation of these seats is determined based on the results of the direct elections to the National Assembly. Two of the seats in the Senate are reserved for persons with disabilities; the remaining 18 are allocated to traditional leaders, who are selected through a chiefs-only electoral college.

Local councilors are elected directly in a ward-level elections. In 2023, for the first time, additional seats were reserved for women elected on a proportional representation-based quota, increasing the overall number of local council seats by 30%. This amendment was applied, despite the respective change to the legal framework coming into force after the proclamation of the elections.²⁰

While the constitution provides for elections at regular intervals by secret vote, and guarantees the universal suffrage and equality of vote, legal gaps and, in some instances, the incorrect application of laws, undermined universal and equal suffrage. This includes restrictions on the right to stand as a presidential candidate and for Zimbabweans in the diaspora to exercise their right to vote.

¹⁹ UDHR, Article 21(3), and ICCPR, Article 25. See also UNHRC, General Comment 25, Para. 21: “Although the [ICCPR] does not impose any particular electoral system, any system operating in a state party must be compatible with the rights protected by Article 25 and must guarantee and give effect to the free expression of the will of the voters.”

²⁰ The Electoral Amendment Act 2023 was published on July 19, 2023. The ZEC also published Statutory Instrument 115 of 2023 (Electoral Act [Women’s Quota in Local Authorities] Notice, 2023) as a supplement to the Zimbabwean Government Gazette Extraordinary, dated June 20, 2023.



Constituency Boundary Delimitation

Under international obligations and commitments, constituency boundaries should be drawn in such a way that the principle of equal suffrage is preserved, so every voter has roughly equal voting power. According to international standards, boundary delimitation should be managed by an independent and impartial body representative of society as a whole to ensure that electoral boundaries do not discriminate against or favor any particular social group or political interest.²¹

The constitution stipulates that no constituency or ward of the local authority concerned may have more than 20% more or fewer registered voters than the other such constituencies or wards; that the ZEC must conduct a new delimitation of the electoral boundaries every 10 years, as soon as possible after the completion of a population census; and that the delimitation exercise must be completed at least six months before an election to which it applies.²²

A delimitation exercise was conducted in 2008. It proved impossible to conduct a new census prior to the 2018 elections, but given the considerable populations since 2008, there was broad agreement that new delimitations were required prior to the next elections. That census was delayed by the COVID-19 pandemic and thus did not begin until April 2022. Data collection was completed in May 2022.

A notice regarding the delimitation of constituencies, wards, and other electoral boundaries was published in the Gazette on May 24, 2022, and the ZEC began its formal delimitation exercise in September 2022. Before starting the delimitation process, the ZEC organized stakeholder meetings and public consultations. The commission submitted the preliminary delimitation report to the president for consideration by the Senate and National Assembly in December 2022. An ad hoc committee, established by parliament to consider the report, identified a significant flaw in the report, in addition to other irregularities. Instead of allowing a maximum 20% variation as expressed in the constitution, the ZEC's formula allowed for variations of up to 40% between constituencies, which does not provide for equality of the vote. In its report, the committee also outlined other concerns regarding the ZEC's use of census data and inadequate descriptions and maps. The two houses debated the report and presented their recommendations to the president on Jan. 19, 2023.

During this period, seven ZEC commissioners also wrote a letter to the president stating that the current draft delimitation proposal “does not meet the minimum standards expected regarding transparent procedures that strengthen stakeholders’ confidence and dispel potential gerrymandering allegations; and further concerned that the current delimitation proposal is not

²¹ The Electoral Institute for Sustainable Democracy in Africa and Electoral Commission Forum of SADC Countries, Principles for Election Management, Monitoring, and Observation in the SADC Region, p. 13. CoE (Venice Commission), Code of Good Practice, sec. 1.2.2.15.: “While true equality in delimitation may not always be possible, the 2002 Venice Commission Code of Good Practice in Electoral Matters (Code of Good Practice) states that seats be evenly distributed among constituencies with the permissible departure of not more than 10-15%, except in special circumstances.”

²² 2013 Constitution of Zimbabwe, Section 161(1) and (2).



Zimbabwe Harmonized Elections
August 2023

people-centered and not in an understandable format, we hereby resolve to put aside the current draft delimitation proposal, except as a reference point for a proper delimitation process to be conducted and wholly guided by Commissioners after the 2023 harmonized elections.”²³ The commissioners’ objections, however, did not affect the delimitation process.

The ZEC chair presented a revised version of the report to President Mnangagwa on Feb. 3, stating that the ZEC had addressed the concerns and adjusted boundaries based on feedback received.²⁴ Citing Feb. 17 as the date the final delimitation report was formally submitted, the president issued Proclamation 1 of 2023 (Delimitation Report) on Feb. 20.

Douglas Mwonzora, leader of the Movement for Democratic Change – Tsvangirai (MDC-T), filed a Constitutional Court challenge regarding the delimitation process in March against the ZEC, the president, the Minister of Justice, Legal and Parliamentary Affairs, and the attorney general. Mwonzora sought a declaration that the delimitation was invalid, an order for the ZEC to redo the process, and proclamation of a new election date only after a new delimitation report was approved. The Constitutional Court dismissed the case on procedural grounds, citing that it could not stop a constitutional process and concluding that “no Cause of Action has been advanced by the application.”²⁵

Voters and stakeholders had only six months to familiarize themselves with the new boundaries, which impacted party primaries and candidate selection, causing tensions and, in a few constituencies, more than one candidate from a party to register with the Nominations Court. According to some interlocutors, voters allocated to new constituencies and wards also had difficulty determining where they were meant to vote.

Given these challenges, the boundary delimitation process did not fully ensure the principle of equal suffrage guaranteed by the 2013 constitution and provided for by international good practice.

Constituency boundary delimitation should be carried out in line with constitutional requirements that no constituency or ward of the local authority concerned may have more than 20% more or fewer registered voters than the other such constituencies or wards, to uphold the principle of equality of the vote. The constituency delimitation should take place well in advance of the next election period and within a transparent consultation process.

Election Stakeholders and Processes

Electoral stakeholders are primarily composed of the election management bodies that administer the process, the political parties that contest in an open and equal environment, and the voters who

²³ See <https://www.thezimbabwemail.com/politics/is-fit-to-run-upcoming-elections/>.

²⁴ ZEC hands over revised report to president at <https://www.herald.co.zw/zec-hands-over-revised-report-to-president/>

²⁵ See ConCourt throws out Mwonzora’s delimitation report challenge: <https://www.chronicle.co.zw/concourt-throws-out-mwonzorass-delimitation-report-challenge/>.



Zimbabwe Harmonized Elections
August 2023

are provided with access to cast their votes without being unduly disenfranchised. In addition, there are secondary stakeholders including the courts, security agencies, and a large pool of administrative electoral staff who must be thoroughly trained to manage the voting processes. Also, there are observers, monitors, and organizations that conduct voter education. Collectively the coherency, functionality, and execution of elections is the responsibility of the election management body. In Zimbabwe, the ZEC manages elections, as mandated by Chapter 12 of the constitution and the Electoral Act. Based on the legal instruments, the ZEC is independent and transparent. It should be in control of all processes in the execution of the commission's duties and enjoy public trust to manage the electoral process for duly elected candidates to serve the nation as president, as members of parliament, and local councilors.

Election Administration and Management

An independent and impartial electoral authority that functions transparently and professionally is recognized internationally as an effective means of ensuring that citizens are able to participate in genuine democratic elections and that other international obligations related to the electoral process can be met.²⁶ The election management body is responsible for ensuring that the electoral process is in compliance with Zimbabwe's obligations for democratic elections and human rights. The body should also ensure accountable, efficient, and effective public administration as it relates to elections.²⁷

Elections are administered by the ZEC at the national level, headed by the chairperson and composed of eight other members; 10 permanent provincial offices, each headed by an elections officer, through which the ZEC maintains a presence in all provinces; along with 63 district offices, each headed by a district elections officer. There also are constituency and ward offices established for material distribution and management as well as tabulation purposes. For these elections, the ZEC established 12,374 polling stations.

Most ZEC commissioners were appointed in the past two years, replacing those whose terms in office had ended. These appointments were made by the president after receiving recommendations from the Parliamentary Committee on Standing Rules and Orders. Although the appointment process of the commissioners includes stakeholders' consultations and public interviews in parliament, it is perceived to be lacking independence because of its final appointment mechanisms by the president.

Introduce mechanisms to address the lack of public confidence in the impartiality and inclusivity of the appointment mechanisms of the ZEC as well as recruitment of lower-level election commission members. In addition to publishing the names of presiding officers in the official Gazette, clear selection criteria should be published prior to recruitment.

²⁶ U.N. Human Rights Committee, General Comment 25, Para. 20.

²⁷ African Union, African Charter on Democracy, Elections and Governance, Article 32(1).



Zimbabwe Harmonized Elections
August 2023

The legal framework gives wide discretion to the ZEC to regulate and supervise the election process; register voters; delimit constituencies; design, print, and distribute ballots; approve the form of, and procure, ballot boxes; establish and operate polling centers and stations; and accredit citizen and international observers, media, and party agents.²⁸ All election administration decisions are subject to judicial oversight, in line with international standards and best practices.²⁹

The Electoral Act provides that the regulations and statutory instruments issued by the ZEC shall not have effect until they have been approved by the Minister of Justice, Legal, and Parliamentary Affairs and published in the Gazette, which impedes the full independence of the commission.³⁰

The electoral legislation should enhance the autonomy of the ZEC and acknowledge its constitutional mandate through administrative and regulatory measures without approval required from the Ministry of Justice.

Contrary to the 2013 constitution, the 2004 Electoral Act, as amended, does not grant full authority to the ZEC to accredit observers. The Observer Accreditation Committee that considers applications for accreditation is composed of cross-government institutions whose involvement undermines the autonomy of the election management body. Delays in accreditation prevented effective and timely citizen observation and voter education by a range of qualified organizations and served as a severe and unwarranted obstruction on national and international observers, including the Carter Center's mission, which is inconsistent with commonly recognized and respected norms and practices.

The accreditation of observers should be the sole responsibility of ZEC.

The ZEC conducted cascade trainings for members of lower-level election bodies on election day procedures, open for party agents who had an opportunity to enhance their knowledge on polling and counting. Trainings attended by Carter Center observers were informative, practically oriented, and well attended, but often lacked any interaction.

The election administration at all levels was sufficiently resourced, and preelection preparations largely took place within legal deadlines. However, the public and electoral stakeholders expressed mistrust about numerous stages of the electoral process. Confidence in the ZEC's management of electoral processes was damaged by delays and unequal drawing of constituent boundaries; the lack of engagement and consultation about the design and printing of the ballots;

²⁸ Section 239 of the constitution.

²⁹ Sections 27-30 of the Electoral Act regulate the appeals process regarding the conduct of voter registration by the ZEC. Section 45G regulates appeals against nomination of party lists candidates, and Section 46(19) deals with appeals of any ZEC decisions regarding nominations for parliament. Section 104(3) of the Electoral Act addresses appeals concerning presidential candidate nominations. Section 161(2) of the Electoral Act states: "The Electoral Court shall have exclusive jurisdiction to hear appeals, applications and petitions in terms of the Act and to review any decision of the ZEC or any other person made or purporting to have been made under the Act."

³⁰ Electoral Act, Section 192.



Zimbabwe Harmonized Elections
August 2023

problems uncovered during the inspection of the voters' roll and the ZEC's failure to provide the voters' roll to political parties in a searchable format; failure to provide the final voters' roll used for the election; and the delayed distribution of ballots on election day, particularly in Harare, Bulawayo, and Manicaland, among other things.

The ZEC's conduct often lacked transparency, and its communications were not always effective or timely. The commission did not engage effectively with electoral stakeholders, including both domestic and international observer organizations. Collectively, these dynamics undermined the perceptions of the election management body's impartiality and independence, as well as its ability to fulfill its role effectively.

In order to increase and maintain transparency and enhance its credibility, the ZEC should provide information on a regular basis and allow for meaningful observation of its activities. Information on its decision-making and all other activities should be made available to the public through briefing papers posted on its website and through regular briefings for candidate representatives and observers in a timely and consistent manner. Consideration should be given to developing a proactive communication strategy for the public in general and for political parties in particular.

Voter Registration

Voter registration is recognized as an important means to protect the right to vote and should be made available to the broadest possible pool of citizens to promote universal and equal suffrage. An effective voter registration process upholds these principles while increasing transparency in the electoral process.³¹

Under the 2013 constitution, every Zimbabwean citizen over the age of 18 has the right to vote in all elections and referendums, and to cast a secret ballot.³² The Electoral Act contains additional residency requirements and provides for the removal of voters from the roll if they are absent from the constituency for a continuous period of 12 months or longer.³³ At odds with international standards, the constitution disenfranchises people with mental or intellectual disabilities who are detained, as well as those who have been declared by court order to be incapable of managing their affairs, so long as the court order remains in force.³⁴

³¹ U.N., International Covenant on Civil and Political Rights, Art. 25(b); AU, African Union Declaration on the Principles Governing Democratic Elections in Africa, art. 1, Section IV; U.N., United Nations Human Rights Committee, General Comment 25 to Article 25.

³² 2013 Constitution of Zimbabwe, Section 67 (3).

³³ Section 23(3) of the Electoral Act.

³⁴ Zimbabwe is signatory to the [U.N. Convention on the Rights of Persons with Disabilities](#) (CRPD). Articles 12 and 29 of CRPD require that "State Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life" and ensure their "right and opportunity [...] to vote and be elected." Para. 9.4 of the CRPD Committee's Communication 4/2011 (*Zsolt Bujdosó and others v. Hungary*) states: "Article 29 does not foresee any reasonable restriction, nor does it allow any exception for any group of persons with disabilities. Therefore, an exclusion of the right to vote on the basis of a perceived or actual psychosocial or intellectual disability, including a restriction pursuant to an individualized assessment, constitutes discrimination on the basis of



Zimbabwe Harmonized Elections
August 2023

To vote, one must register in the area where he or she resides. This enables voters to cast a ballot for the local councilor of the ward, the parliamentarian for the constituency, and the president. Citizens who are abroad and those who have been out of their home constituency for more than 12 months not only lose their status as a voter in their community but also the right to stand for office, as one must be a registered voter run for office.

Zimbabwe has a system of continuous voter registration that the ZEC has administered since 2013. The commission maintains a permanent voters' roll of citizens ages 18 and older that is updated periodically. Biometric details started being captured in 2018 to allow for removal of duplicate entries. In addition to permanent registration centers, the ZEC also provides mobile registration before each election, commonly called a "voter registration blitz."

Registering as a voter or changing one's voter registration information is allowed at any time. There is, however, a cutoff date for voters to register for a specific election. This is done to ensure that people can inspect the voters' roll and update their details, and the roll can be made available to political parties for campaigning purposes.

For the 2023 elections, voter registration was conducted more quickly than in previous elections. It took place March 12-26, 2023, during which time the ZEC registered 451,811 voters and transferred 191,738 registered voters to new locations.³⁵ While there were some initial technical issues, these were addressed by the ZEC through a five-day extension of the process.³⁶

In accordance with Section 21(1) of the Electoral Act, the ZEC conducted a public inspection of the voters' roll from May 27 to June 1; this period also was shorter than in previous elections. While citizens could check their registration status via SMS code *265# the ZEC's online BVR portal (<https://bvrinspection.zec.org.zw/>) has been offline since 2022. During the inspection period, there were widespread reports of voters finding their registration details through the SMS system but not on the physical voters' roll.³⁷ The ZEC said that new ward boundaries and additional polling stations were the main cause of people not finding their names.

Although the ZEC removed some voters residing outside of their constituency for more than 12 months, it did not inform the public about these efforts, resulting in a selective application of the

disability." See also Para. 14 of General Comment 25 to Article 25 of the ICCPR that provides that "persons who are deprived of liberty but who have not been convicted should not be excluded from exercising the right to vote."

³⁵ "450,000 register to vote in final blitz," Sunday Mail <https://www.sundaymail.co.zw/450-000-register-to-vote-in-final-blitz>.

³⁶ The voter registration that was scheduled to end on March 21 was extended to March 26. See "ZEC extends mobile voter registration," Herald <https://www.herald.co.zw/zec-extends-mobile-voter-registration/>.

³⁷ See "Voters find their names missing from roll ahead of Zimbabwe election" https://www.sowetanlive.co.za/news/africa/2023-05-31-voters-find-their-names-missing-from-roll-ahead-of-zimbabwe-election/#google_vignette



Zimbabwe Harmonized Elections
August 2023

law. Upon challenge from a ZANU-PF activist, a candidate for president, Saviour Kasukuwere, was deregistered based on this requirement. Kasukuwere lodged an appeal, but he was disqualified from running for office on July 28.

To increase transparency and contribute to building trust in the accuracy of the voter registration process, the ZEC should communicate clearly and consider publishing regular, detailed, disaggregated updates of the voter register.

The voters' roll was closed for the 2023 election on June 2, following the proclamation of the election. The ZEC announced a total of 6,623,511 registered voters.³⁸ Despite national efforts to register citizens in 2022, during which more than 1.3 million national identity documents reportedly were issued, a significant percentage of the population in Zimbabwe remains undocumented.³⁹ According to the Zimbabwe Human Rights Commission (ZHRC), this includes descendants of migrant workers who settled in the country prior to its independence, as well as survivors or descendants of victims of the Gukurahundi massacres of the 1980s who do not possess all required documents to prove their eligibility for citizenship and/or identity documents. This has resulted in generations of undocumented people among members of minority groups such as San, Tonga, and Doma communities.⁴⁰ This lack of documentation deprives them of the exercise of rights and fundamental freedom, including the right to vote.

Furthermore, analysis of the voters' roll by a civic organization disclosed a number of voters being registered at fictitious addresses and the use of invalid ID numbers, among other things.⁴¹

Additional steps should be taken to improve the comprehensiveness and accuracy of the voter registry for future polls. To further increase transparency of its work, the ZEC should provide copies of the final voters' roll in a user-friendly format and in a timely manner.

The voters' roll is a public document, and the law obliges the ZEC to make electronic or hard copies available to those who request it. The ZEC failed to provide an electronic copy of the voters' roll in a timely manner, citing security concerns. Opposition political parties, nongovernmental organizations, and other stakeholders expressed concern about the failure of ZEC to provide the voters' roll "within a reasonable period of time," as required by law. Following various candidates' requests and legal challenges, the ZEC made copies of the voters' roll available to political parties on July 10, though not in a user-friendly format. Despite the legal requirement to set a "reasonable cost" for printed copies, ZEC set a fee of US\$187,000 (US\$1 a page) for each printed copy.

While the ZEC had taken steps to update the voters' roll for the 2023 harmonized elections and gave opportunities to voters to verify and correct their data, real and perceived problems with the

³⁸ The total number of voters for the National Assembly election was 6,597,865 and for local authorities 6,604,462.

³⁹ Ministerial statement on mobile registration exercise, extract from National Assembly Hansard [uncorrected version] for Thursday, Feb. 9, 2023

⁴⁰ National Human Rights Commission [report](#).

⁴¹ See *Team Pachedu's* [page](#) on social media for analysis of the voters' roll.



accuracy of the voters' roll, lack of communication with the public about updates of the voters' roll, and ZEC's hesitance to provide a copy of the final voters' roll to candidates in a timely fashion for campaign purposes, negatively impacted public confidence in the voter registration process and perceptions around accuracy, and challenged the principle of transparency enshrined in regional and international standards.

To increase transparency and contribute to building trust in the accuracy of the voter registration process, the ZEC should communicate clearly and consider publishing regular, detailed, disaggregated updates about the voters' roll. Additional steps should be taken to improve the comprehensiveness and accuracy of the voter registry for future polls. To further increase the transparency of its work, the ZEC should provide copies of the final voters' roll in a user-friendly electronic format and in a timely manner.

Party and Candidate Registration

All citizens have rights recognized in international law to vote and to stand for election.⁴² Any restrictions on these rights must be objective and reasonable. The right to be elected is a recognized principle in both regional and international treaties. However, it is not an absolute right and may be limited based on objective and reasonable criteria established by law.⁴³ Conditions relating to nomination dates, fees, or deposits should be reasonable and not discriminatory.⁴⁴

Political Party Registration

There are no legal regulations in Zimbabwe on the formation, registration, or internal operation of political parties. If a party wants to contest in elections, it must register with the ZEC and its candidates must comply with certain requirements and qualifications of the nomination courts. The constitution provides political parties the right to recall a member of parliament to ensure adequate representation of the elected. The practice of recalling elected representatives during their term of office violates principles of democratic elections and undermines democratic representation, where the seat belongs not to the political party but to the elected candidate of the party.

Candidate Eligibility Requirements

Every Zimbabwean citizen who is 18 or older can run for public office. Zimbabwean citizens by birth or descent are eligible to run for president. Candidates for president and Senate candidates must be over 40, and candidates for the National Assembly and provincial council must be at least 21. Zimbabwe's national legal framework stipulates several limitations on the right to stand for election, including registration as a voter in their contesting constituency, minimum age requirements, and citizenship by birth or descent, among others, some of which are not fully in

⁴² Article 21 of the Universal Declaration of Human Rights.

⁴³ ICCPR, Article 25; ACHPR, Article 13

⁴⁴ U.N. (CCPR), General Comment 25, Para. 16



Zimbabwe Harmonized Elections
August 2023

line with international standards.⁴⁵ The president and vice presidents cannot serve more than two terms under the constitution. Candidates for president and for the National Assembly may be nominated by political parties or run as independent candidates.

Candidate Nomination and Registration

The period and place of the sitting of the nomination courts are fixed in the proclamation of general elections by the president. For the 2023 harmonized elections, nomination courts across the country approved candidates for the office of the president, the National Assembly, and local councils.⁴⁶ In addition to the required set of documents, which included supporting signatures from registered voters, candidates were required to pay significantly higher nomination fees than in past elections: US\$20,000 to run for president and US\$1,000 to run for the National Assembly. In the lead-up to voting, parliament voted to increase nomination fees for the 2023 elections; fees increased twentyfold from those required in 2018.⁴⁷ Local authority candidates were not required to pay a nomination fee. Parties also paid US\$200 for each of the party lists submitted for the election to the National Assembly, Senate, and provincial and metropolitan councils. Parties were not required to pay a fee for the local authority proportional representation lists. Candidates had to submit nomination papers by 4 p.m. on June 21, 2023.

Candidate Scrutiny Process

The results of the nomination process were published on June 30, 2023.⁴⁸ A significant number of aspiring candidates were not approved, many because they had failed to pay nomination fees, among other reasons cited. Within four days of receiving notice, rejected candidates had the right to appeal to an Electoral Court judge, who could confirm, change, or reverse the decision of the nomination officer. However, there are neither legal deadlines for the court to render a decision nor legal time limits to challenge registration. As a result, a number of court cases were pending until after election day, preventing some candidates from running for office.

Carter Center interlocutors reported that the mechanism to pay nomination fees was complicated and created additional barriers for aspirants. Some candidates experienced difficulties paying by credit card or bank transfer despite the ZEC's reassurances that either option was permissible. Only those who paid in cash in U.S. dollars did not face challenges. In some cases, aspirants were

⁴⁵ Paragraph 15 of the U.N. HRC General Comment 25 to the ICCPR confirms that the “Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation. It further underlines: “No distinctions are permitted between citizens in the enjoyment of these rights on the grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

⁴⁶ Statutory Instrument 85 of 2023, Proclamation of the harmonized elections by the president. Nomination courts are held on an appointed date and location to confirm the qualifications of aspirants for public office to stand for the president, National Assembly and local council.

⁴⁷ Prior to the 2022 amendment, candidates for president were subject to a nomination fee of US\$1,000 and candidates for the National Assembly US\$50. No nomination fees are imposed on candidates for election to local councils.

⁴⁸ See [candidates](#) nominated for president, and nomination court [results for the National Assembly](#) direct elections.



Zimbabwe Harmonized Elections
August 2023

reportedly successful in paying via bank transfer; however, the ZEC refused to accept proof of payment if the amount had not cleared its account by the deadline.

As a result of these challenges, multiple aspiring candidates challenged the nomination courts' decisions in court; some were successful.⁴⁹ In effect, courts became the arbiter of the candidate nomination process. The ZEC did not publish the final (updated) list of all candidates and, in some constituencies and wards, ballots were printed and the election took place despite pending court cases challenging a candidate's nomination or registration rejection.⁵⁰ This lack of clarity on the final candidate list also resulted in delays in the ballot paper printing and significantly affected the polling process on election day. (*See Election Day section.*)

On Aug. 16, 2023, the ZEC announced that 11 candidates would stand for president; 582 candidates for the National Assembly, with ZANU-PF and CCC parties fielding candidates in all 210 constituencies; and 4,914 candidates for local councils. Ninety-one local council ZANU-PF candidates won uncontested. Of the candidates for local councils who contested the election, less than 15% were women. Additionally, some political parties – but not all – fielded candidates under the proportional representation party lists, including women and youth quotas. (*See Gender section.*)

The total number of candidates for the 2023 elections was lower than in 2018, a fact attributed in part to the twentyfold increase in nomination fees for presidential and National Assembly candidates. The high cost of nomination also was cited as a limiting factor for aspirants from marginalized groups, including women, youth, and people with disabilities.

Though voters had a choice between genuine political alternatives, the inclusiveness of candidate registration was negatively affected by unreasonable registration requirements and the ZEC's inconsistent application of the regulations and rules, contrary to national laws and regional and international standards.

The ZEC should consider lowering nomination fees and simplifying its payment procedures to allow all citizens an equal opportunity to engage in political processes and stand as a candidate for election.

Voter and Civic Education

Voter education is an essential part of the electoral cycle and is recognized under international law as an important means of ensuring that an informed electorate is able to effectively exercise the right to vote without obstacles to ensure universal and equal suffrage.⁵¹

⁴⁹ Elisabeth Valerio v. Presiding Officer of the Nomination Court and Others Judgment.

⁵⁰ The name of presidential candidate Elisabeth Valerio was published in [the Gazette](#) only on Aug. 8, 2023.

⁵¹ AU, Declaration on the Principles Governing Democratic Elections in Africa, Art. III(e); AU, African Charter on Democracy, Elections and Governance (AfCDEG), Art. 12.4; UNHRC, General Comment 25, Para. 11.



Zimbabwe Harmonized Elections
August 2023

On a positive note, the ZEC increased its voter education specifically targeting women and youth, especially first-time voters. Some parts of the process were extensively covered, including information about what constitutes electoral offenses, how to identify one's polling station, and the candidate registration process. To fully meet its voter education obligations, the ZEC also should provide detailed and sufficient information on other important aspects of the process, including voting procedures, ballot secrecy, the voters' roll, and the tallying of results.

The ZEC, which is mandated by the 2013 constitution to conduct and supervise voter education, informed the public about voter registration and election day procedures – including identification of polling places – through social media, in-person meetings, and distribution of printed materials.⁵² Civil society organizations can provide voter education with the permission of the ZEC, and the materials used must be provided or approved by the ZEC. Several organizations told Carter Center representatives that they had applied to conduct voter education for the 2023 harmonized elections, but because of delays in receiving ZEC approval, were unable to secure funds to conduct their intended voter education or had limited time before the polls to conduct voter education.

Though the ZEC did increase its outreach targeting women and youth, in line with its commitment to develop inclusive voter registration materials, voter education in minority languages remained scarce. The mission observed that most voter education and campaign posters were in English, Shona, and Ndebele, leaving out other common local languages such as Sotho, Tonga, Chewa, Shangani, and Venda. The Carter Center also monitored ZEC social media accounts and witnessed communicated in English only.

The ZEC's public outreach on Facebook and X (formerly Twitter) commendably relied on visuals and infographics, avoiding any bandwidth challenges posed by videos for users with limited access to the internet.⁵³ It targeted mainly candidates, voters, and election observers. Some parts of the process were extensively covered, including information about what constitutes various electoral offenses, information on the free SMS service to identify one's polling station, and the candidate registration process. However, the ZEC did not provide detailed and sufficient information on voting procedures, including ballot secrecy, the voters' roll, or the tallying of results.⁵⁴

On election day, ZEC published a press release regarding delays in polling station openings in a number of wards and posted information on X (formerly Twitter) on the extension of voting in the affected polling stations.⁵⁵ Voters standing in queues, sometimes for hours, would have benefited from clearer, more timely and extensive information. Such information would foster transparency and confidence in the process and the institution.

⁵² 2013 Constitution, Chapter 12, Section 239 (b)

⁵³ The Center analyzed 185 Facebook posts and X messages published by the ZEC, June 1-Sept. 15.

⁵⁴ [U.N. \(Center for Human Rights\): Human Rights and Elections: A Handbook on the Legal, Technical, and Human Rights Aspects of Elections](#), para. 61 states: "The secrecy of the ballot should be... the focus of voter-education efforts, so that the public will be confident in these protections."

⁵⁵ ZEC [press release](#) on the opening of polls (10:09 a.m.); ZEC [post](#) on the extension of voting (11:34 a.m.).



Zimbabwe Harmonized Elections
August 2023

Several online media and fact-checking initiatives informed voters and candidates about the electoral process through Twitter, Facebook, YouTube, and WhatsApp; these platforms proved to be important sources of information, in addition to traditional media and the ZEC.⁵⁶

While the ZEC, increased voter education, especially that targeting women, youth and first-time voters, and invited various CSOs to serve as voter educators, it did not provide sufficient and inclusive education about voters' rights and election day procedures. Its delays in approving various organizations that applied to conduct voter education meant that many were unable to secure funds and operate with sufficient time before the polls. Cumulatively, these actions hindered voters' access to information.

The Carter Center encourages the ZEC to conduct more comprehensive voter education over a longer period, including in the preelection period. Its efforts should include information on the right to vote and stand for office, and all voting procedures, including ballot secrecy, voter registration, and the tallying of results. In addition, the ZEC should make further efforts to promote CSO engagement in voter education, engage them in a timely manner, and allow them to use their own materials and means.

Preelection Political Space and the Campaign Period

Human Rights Environment

The Zimbabwe Constitution includes a Bill of Rights that guarantees the enjoyment of fundamental rights and freedoms, including the rights to assembly, freedom of association, expression and movement. Despite these guarantees, the Carter Center's analysis of media, national citizen observer reports, and data gathered from various stakeholders – including political and civil society activists – demonstrates that governing party supporters and government security officers, including soldiers, police and state intelligence officers, systematically abused and restricted these rights and freedoms, particularly in the preelection and campaign period.

Widely reported cases of abductions, assaults, torture, arbitrary arrests, and prolonged pretrial detentions of opposition and civil society activists all contributed to stoking political tensions and intimidating citizens. In its report of February 2023, for instance, the Zimbabwe Peace Project recorded 241 human rights violations and 1,722 victims of human rights violations. The violations included threats, harassment, intimidation, assaults, and discrimination.⁵⁷ These restrictions

⁵⁶ This included online platforms such as Open Parly ZW, CITE, Zim Fact, Fact Check Zim, among others.

⁵⁷ Zimbabwe Peace Project (February 2023). The Zimbabwe Peace Project Monthly Monitoring Report, accessed on Jan. 22, 2023. <https://data.zimpeaceproject.com/en/entity/pqhu9het1rj?page=5>. These pressures built on an already tense political environment in Zimbabwe since the disputed 2018 elections. One local human rights organization recorded 2,683 violations of human rights in 2022 alone.



Zimbabwe Harmonized Elections
August 2023

affected people's ability to express their political views openly and wear party regalia.⁵⁸ Some political party supporters reportedly were attacked for wearing clothes displaying their party colors or symbols.⁵⁹ There also were reports of people being forced to attend or prevented from attending political meetings.⁶⁰ In addition, high-profile human rights violation cases were adjudicated in the lead-up to the elections, including the lengthy pretrial detention and conviction of opposition leaders Job Sikhala of CCC and Jacob Ngarivhume of Transform Zimbabwe, respectively.⁶¹

The Campaign

*The equitable treatment of candidates and parties during an election, as well as an open and transparent campaign environment, are important to ensure the integrity of a democratic election process. Zimbabwe's legal framework and its international and regional commitments create obligations related to the campaign environment, including the right to freely express opinions and to participate in public affairs.*⁶²

The preelection and campaign environment was more peaceful in comparison to previous elections, during which a high degree of politically motivated and sometimes state-sponsored violence occurred. However, the environment was characterized by a subtle but tense and fearful atmosphere, triggered by instances of political violence and intimidation in various parts of the country, especially rural areas. This environment impacted the ability of political parties and candidates to campaign freely and affected voters' free choice.

The Electoral Amendment Act of 2018 introduced the Political Party Code of Conduct. The Electoral Code of Conduct criminalizes and sets stiff penalties for intimidation, verbal abuse, and threatening statements. The Carter Center found that the code of conduct was not effectively implemented in 2018, and political parties continued to violate the code through intimidation, harassment, and hate speech in 2023.

⁵⁸ Zimbabwe Lawyers for Human Rights (Jan. 6, 2023). Zim Court Acquits Student for Insulting Mnangagwa. <https://www.zlhr.org.zw/?p=2958>; The Standard (April 16, 2023).

<https://www.newsday.co.zw/thestandard/news/article/200010274/man-arrested-for-saying-mnangagwa-will-lose>; <https://www.facebook.com/VOALiveTalk/posts/a-zanu-pf-activist-has-been-arrested-for-insulting-president-emmerman-mnangagwa-5741064779277807/>.

⁵⁹ Newsday (April 8, 2023). <https://www.newsday.co.zw/local-news/article/200009919/man-assaulted-for-wearing-zanu-pf-t-shirt>; Newsday (July 12, 2023). <https://www.newsday.co.zw/local-news/article/200013870/soccer-fan-assaulted-over-zanu-pf-t-shirt>; New Zimbabwe (May 16, 2023). <https://www.newzimbabwe.com/cc-activist-attacked-for-wearing-chamisa-t-shirt-stabs-mobster-in-retaliation/>; New Zimbabwe (March 10, 2022). <https://allafrica.com/stories/202203100146.html>

⁶⁰ Southern Eye (Aug. 4, 2023). <https://www.newsday.co.zw/southerneye/local/article/200014830/zanu-pf-activists-force-vendors-onto-buses-to-ed-rally>; New Zimbabwe (July 5, 2023). <https://www.newzimbabwe.com/zanu-pf-frog-marches-vendors-to-vp-chiwenga-rally-stalls-forced-to-close/>.

⁶¹ By the time of the August election, Sikhala had spent more than a year incarcerated at Chikurubi Maximum Prison, having been detained from June 24, 2022. In July 2020, critic and author Tsitsi Dangarembwa was also subjected to a prolonged trial on allegations of public incitement to violence, breach of peace, and bigotry. In May 2020, three CCC members – Joanna Mamombe, Cecilia Chimbiru, and Netsai Marova – were arrested after they were allegedly abducted and sexually abused by state security agents.

⁶² ICCPR, Article 19(2); ACHPR, Article 13(2)



Zimbabwe Harmonized Elections
August 2023

Though these incidents occurred across the political divide, opposition parties – particularly the main opposition party, CCC – and their supporters and candidates were most affected. There were isolated instances of both intraparty and interparty violent clashes among party supporters. The candidate selection processes, held between March and June, sparked intraparty violence and tensions.⁶³ Observers deployed by the Zimbabwe Electoral Support Network (ZESN) and the Election Resource Center (ERC) to monitor the primaries noted that candidate supporters engaged in verbal and physical fights during both ZANU-PF and CCC’s party primaries. Interparty violence resulted in the death of a CCC supporter in an attack by suspected ruling party supporters, in a neighborhood outside Harare, on Aug. 3, 2023. Fifteen people were arrested and charged with incitement of public violence.

In its report as of Aug. 16, 2023, the police said they had blocked 303 public gatherings after assessing they did not meet legal regulations. This resulted in the suppression of legitimate campaign activity in many cases for both ZANU-PF and the opposition. Supporters of the ruling party were observed disrupting opposition party campaign events, sometimes with violence. In addition, there were reports of intimidation of opposition political party supporters, especially in rural areas, of CCC party leaders and supporters by Forever Associates of Zimbabwe, an NGO affiliated with the governing party ZANU-PF. Citizen observers reported instances of people being coerced to attend ruling party rallies and of government aid being used as a campaign tool, including through the distribution of food and farming supplies at rallies.

The Carter Center further observed acts of destruction of campaign materials, such as posters and campaign billboards, by supporters of rival parties or supporters of rival candidates within the same party. Some candidates were restricted from posting political party campaign posters in various locations.⁶⁴

In the months leading up to the election, key stakeholders, particularly representatives of political parties and CSOs but also government officials and the media, clashed over several hotly debated election-related issues. These disputes not only increased political tensions but also delayed key electoral processes such as postal voting and ballot printing as they were adjudicated in the courts. The enactment of legislation restricting fundamental freedoms of speech, movement, and association, such as the Criminal Law (Codification) Amendment Act (Patriotic Act) and consideration of the PVO Amendment Bill, also increased political tensions and polarization.⁶⁵

⁶³ The Southern Eye, March 29, 2023. <https://www.zimbabwesituation.com/news/zanu-pf-abandons-violence-marred-primaries-in-matobo/>; Zimbabwe Mail, Sept. 26 2022. <https://www.thezimbabwemail.com/politics/ccc-rocked-by-divisions-as-jostling-for-2023-candidates-starts/>; <https://opencouncil.co.zw/trouble-in-ccc-as-tsvangirai-is-pushed-towards-council>

⁶⁴ See <https://twitter.com/CCCZimbabwe/status/1687163378370822154?t=T1V4O9KYdfYHTGNUM38gXSA&s=03>

⁶⁵ See Zimbabwe CSOs Position Paper: SADC People’s Summit, Aug. 22, 2022. <https://www.zlhr.org.zw/?p=28131>; <https://www.voanews.com/a/zimbabwe-rights-groups-opposition-furious-over-signed-patriotic-bill-7184729.html>; <https://www.newsday.co.zw/local-news/article/200014110/well-repeal-the-patriot-act-ccc>; <https://www.veritaszim.net/node/6474>.



Zimbabwe Harmonized Elections
August 2023

There also were several reports of voter intimidation, to the extent that some people reported to Carter Center observers that they were scared to discuss politics with them.

The Electoral Act does not include any measures regarding the misuse of state resources during electoral campaigns, contrary to international obligations and best practices that ban “the use of State property for purposes other than those for which they were intended for the benefit of the public official or a third party.”⁶⁶

Various electoral interlocutors and some political party representatives expressed concerns about the ruling party’s use of government resources to campaign, blurring the lines between party and state.⁶⁷ Coupled with regulatory requirements that effectively restricted opposition campaign efforts, this further deepened the uneven playing field among political parties.

The Electoral Act should be amended to introduce provisions that prohibit misuse of state resources and the advantage of incumbency, to promote and contribute to a more level playing field. Authorities should be sensitive to all instances of abuse of state resources and take timely and effective action to address any violations.

Members of the ZANU-PF party-affiliated NGO Forever Associates of Zimbabwe (FAZ) – a PVO whose registered mandate is to aid people in need – campaigned for President Emmerson Mnangagwa and ZANU-PF. In the run-up to the election, FAZ played a central role in stoking political tensions through intimidation of voters and efforts to restrict opposition party members from campaigning in targeted communities.⁶⁸ FAZ’s stated mission was not just to campaign for ZANU-PF but also to stifle opposition campaigning. Its campaign manual outlined that the “mainstay of this campaign is door-to-door campaigns” designed to enable “the party to dominate and saturate the environment while denying the same to opponents.”⁶⁹ FAZ members reportedly moved from village to village in some provinces, asking people for their voter information and threatening those who refused to cooperate with unspecified action.⁷⁰ During the voter registration blitzes and the April 2023 inspection period, FAZ members reportedly collected the personal information of voters at some registration and inspection centers. They also reportedly demanded proof of ZANU-PF party membership from those checking for their names on the voters’ roll.⁷¹

⁶⁶ AU, Convention on Preventing and Combating Corruption, Article 4 (1(d)).

⁶⁷ The governing party used government-owned Zimbabwe United Passenger Company (ZUPCO) buses to transport its supporters to rallies, and used public broadcasting station ZBC’s facilities to broadcast its campaign rallies nationally.

⁶⁸ See <https://www.thezimbabwemail.com/politics/shadowy-zanu-pf-affiliate-group-sends-shivers-down-voters-spines/>.

⁶⁹ The Zimbabwean, June 15, 2023. Forever Associates of Zimbabwe’s Campaign Methods Revealed. <https://www.thezimbabwean.co/2023/06/forever-associates-zimbabwes-campaign-methods-revealed/>.

⁷⁰ The Zimbabwean (June 15, 2023). <https://www.thezimbabwean.co/2023/06/forever-associates-zimbabwes-campaign-methods-revealed/>.

⁷¹ Newsday (May 29, 2023). <https://www.newsday.co.zw/local-news/article/200012216/zanu-pf-hijacks-voters-roll-inspection>; <https://hericommedia.com/faz-accused-of-harassing-voters-inspecting-voters-role-in-shurugwi/>



Zimbabwe Harmonized Elections
August 2023

Furthermore, in some provinces, traditional leaders violated the constitution through active participation in politics by intimidating their subjects and instructing them to vote for specific parties and candidates, and threatening to punish anyone who defied their instructions.⁷² Traditional leaders in Masvingo and Midlands provinces reportedly collected the names and national identity numbers of registered voters in their communities and forwarded them to ZANU-PF leaders ahead of the election. During the final day of the campaign, Carter Center observers noted influential traditional leaders in Masvingo telling voters that they must check in at a “voter education desk” during a particular party rally to have their names registered before being allowed to vote. This could be perceived as undue influence by voters to cast their ballots for a particular candidate or party. Some traditional leaders allegedly instructed villagers to come with them on election day and “vote in the order given by the traditional leaders” so that the leaders would be “able to match the ballot paper serial number to the voter.”⁷³ These practices are banned under Zimbabwe’s constitution and would subvert the electoral process and genuine will of its citizens if implemented.

Effective enforcement mechanisms, including proportionate sanctions, should be introduced to discourage traditional leaders and state and local officials from engaging in partisan activities.

Political and civic engagement in the preelection period was restricted by the passing of restrictive laws, such as the Criminal Law Codification and Reform Amendment Bill, widely known as the Patriotic Bill. The law criminalizes actions that are deemed to damage the sovereignty and national interest of Zimbabwe, including meetings with representatives of foreign governments. The introduction of the amendment to the PVO bill, aimed at introducing stringent conditions for the registration of CSOs and precluding them from engaging in any political activity, significantly restricted civil society’s engagement in important electoral activities such as voter education and mobilization. The bill was approved by parliament in February 2023. Although it was not signed by the president prior to election day, its impact was felt by CSOs, as they invested their time and resources in trying to regularize their registration status and navigating the bill’s restrictions.

The Center also noted that the deterioration of the economy in the months leading up to the election, particularly from April onward, might have negatively impacted citizens’ participation in electoral processes such as voter registration, and voting and registration as candidates, which required payment of substantial amounts in nomination fees.⁷⁴ There was a steep slide in the value of the local currency, soaring inflation and skyrocketing of prices of goods and commodities in the

⁷² The Africa Report (Aug. 30, 2023). <https://www.theafricareport.com/320400/rural-voters-in-zimbabwe-tell-of-death-threats-and-intimidation/>.

⁷³ Masvingo Mirror (Aug. 26, 2023). <https://masvingomirror.com/zanu-pf-coerce-rural-leaders-to-intimidate-voters/>.

⁷⁴ Several candidates contesting National Assembly seats, including the Movement for Democratic Change’s 87 candidates, could not file their nomination papers after failing to raise the \$1,000 nomination fees or due to procedures that precluded them from paying. See <https://www.newzimbabwe.com/mwonzora-nomination-fees-challenge-struck-off-the-roll/>; <https://www.sowetanlive.co.za/news/africa/2023-06-22-several-presidential-candidates-in-zimbabwe-fail-to-raise-nomination-fees/>; <https://businesstimes.co.zw/20-aspiring-mps-fail-to-file-nomination-papers/>;



Zimbabwe Harmonized Elections
August 2023

last four months of the election, resulting in inflation exceeding 175%.⁷⁵ These negative economic trends increased citizens' socio-economic challenges and negatively affected their political participation.⁷⁶ In particular, the deteriorating economy and worsening hardship accentuated political tensions within some communities.

Online Campaigning

The two front-runners for the presidency, incumbent President Emmerson Mnangagwa and CCC party leader Nelson Chamisa, both had X (formerly Twitter) accounts showing more than 1 million followers. Some presidential and parliamentary candidates did not have social media accounts or had accounts with a limited number of followers. Candidates reported to the Center that they used highly structured networks of WhatsApp groups – up to several hundred recipients – to distribute party messages and campaign information on a daily basis. The Electoral Act does not address campaigns on social media or the use of online political ads, nor does it give the ZEC a mandate to monitor social media.

From July 24 to Aug. 20, The Carter Center's social media monitoring unit observed CCC candidates engaging intensively online – both in posting and commenting – while ZANU-PF candidates were less active. Campaign messages shared on Facebook and X (formerly Twitter) covered mostly campaign events, including drone footage of rallies that aimed to show their party's support while discrediting their opponents' claims of rally attendance; videos of speeches; slogans; candidate posters; comments on court cases and obstacles to campaign; and negative comments targeting opponents.⁷⁷

Similar and organized messages covering the incumbent's achievements and campaign events were shared repeatedly on X by a network of accounts, including that of the president; the Ministry of Information, Publicity and Broadcasting Services; government officials; the party; state-owned media accounts; and supporters. This blurred the lines between state officials and campaign staff, as well as media coverage and campaign material. CCC created a dedicated campaign account on X and a page on Facebook, in addition to the party and candidates' pages. Messages supporting CCC appeared to originate from the grassroots and were scattered and less organized than ZANU-PF campaign messages.

Several candidates and parties placed ads on social media. The CCC campaign released the highest number of ads on Facebook and Instagram ahead of the elections and relied on Google ads. ZANU-

⁷⁵ See <https://www.worldbank.org/en/country/zimbabwe/overview>; <https://gazettengr.com/zimbabwes-economic-woes-worsen-as-inflation-hits-175-currency-crashes/>; <https://www.theguardian.com/world/2023/aug/22/zimbabwe-goes-to-the-polls-amid-deepening-economic-crisis>.

⁷⁶ Close to two-thirds of the survey respondents (62%) conducted in a nationally representative sample-based study done in Zimbabwe by Afrobarometer in May 2023 reported their living condition to be either fairly bad or very bad.

⁷⁷ Pages supporting the ZANU-PF campaign repeatedly released pictures of CCC rallies, implying that the opposition party failed to gather supporters in different areas.



Zimbabwe Harmonized Elections
August 2023

PF was the largest spender on the platforms.⁷⁸ Two weeks before elections, a Facebook page called “ED achievements” started sharing ads, calling on citizens to vote for the president. Platforms provided limited or no information on advertisers, and Google did not provide information on amounts spent on ads, which hindered the transparency of campaign finance and spending.⁷⁹

The Carter Center also observed that several CCC candidates and the CCC Facebook page campaigned during the silence period, including with paid content. ZANU-PF pages monitored by the Center were mostly silent during that period.

In summary, the Center found that the campaign took place in a restrictive and highly tense environment. A climate of fear and intimidation, underscored by a consistent pattern of human rights violations, made it difficult for parties and candidates to fully exercise their rights of participation. The police’s banning and interruption of some opposition public gatherings, as well as intentional and, at times, violent actions by ruling party supporters to prevent opposition candidates from reaching their campaign destinations made it exceedingly challenging for opposition parties and candidates to freely engage with their supporters and exercise their freedom of speech, movement, assembly, and association. Instances of intraparty and interparty violence further heightened tensions during the campaign. Coupled with the ruling party’s use of government resources to campaign, political parties are not being given equal opportunities to contest the ballot. Collectively, these conditions created a hostile environment that was not conducive to the conduct of genuine democratic elections.

The Carter Center recommends the Electoral Act be amended to introduce provisions to promote and contribute to a level playing field by prohibiting the illegal use of state resources during the campaign; take steps to actively enforce constitutional provisions that ban the involvement of traditional leaders in political activities and acts of interparty political violence. Authorities should take timely and effective action to address any violations.

Campaign Finance

The equitable enforcement of transparent regulations for political and campaign financing is an essential feature of democratic elections. A spectrum of measures is associated with this regulatory framework and, where applicable, electoral legislation should specifically provide for the transparency of donations to campaign activities, the standardized presentation of campaign accounts, reasonable limits on campaign expenditures, regular reporting mechanisms, and effective and dissuasive sanctions.⁸⁰

⁷⁸ By Aug. 18, 2023, ZANU-PF released ads for a total of US\$23,140, accounting for more than 80% of the total amount spent since July 2022.

⁷⁹ Google Ad Transparency Center did not cover Zimbabwe, while disclaimers such as “Friends of Chamisa” or “ED achievements” on Facebook and Instagram, without further details on the advertiser, nor contact information, resulted in limited of information on the advertisers and spendings. Under the U.N. guiding principles on businesses and human rights, private companies have a responsibility to respect human rights, independently of the States’ willingness to fulfill their own human rights obligations (Principle 11).

⁸⁰ U.N. Convention Against Corruption, Article 7(3), UNHCR General Comment 25, Para. 19



Zimbabwe Harmonized Elections
August 2023

Campaign finance is not regulated by law in Zimbabwe, which undermines the transparency and accountability of the electoral process. According to the 2001 Political Parties Finance Act, parliamentary political parties that got at least 5% of votes are granted annual public funding proportional to the votes they obtained in the last parliamentary elections. Two political parties, ZANU-PF and MDC-T, qualified to receive public funding prior to the 2023 elections. Foreign funding is prohibited. The absence of regulations to limit donations from individual donors and the lack of caps on campaign finance, as well as inadequate procedures of reporting and oversight, keep the playing field unlevel and enable the misuse of state resources for campaign purposes. Also, the absence of requirements to publish party finance reports undermines the transparency of campaign finance. There are no legal provisions regarding party finance to encourage gender equality in political parties.

Most parties and their candidates, as well as independent candidates, reported that they struggled to raise funds for nomination and campaigning, including parties that had access to public funding. The Carter Center observed that only the main opposition party, CCC, and the governing ZANU-PF party had campaign resources to run their campaigns efficiently.

In conclusion, the lack of campaign finance regulations to limit donations from individual donors and to cap campaign finance, as well as inadequate procedures of reporting and oversight, and requirements to publish party finance reports, is contrary to international standards and good practice. These practices undermine the transparency and accountability of Zimbabwe's electoral process, perpetuates an uneven playing field and enables the illegal use of state resources for campaign purposes.

The Carter Center recommends introducing regulations on campaign expenditures, including regular submission of financial reports; the publication of financial reports accessible to the public; and the introduction of graduated sanctions for violations of campaign finance regulations. The Center further recommends introducing a mechanism to ensure that political parties and candidates comply with any campaign finance regulations put in place, including those aimed at encouraging participation of women and youth, and that trained and competent professionals in an independent institution are mandated to audit campaign expenses.

Information Environment and Social Media Monitoring

Freedom of expression, unhindered access to the internet, and an independent media are vital to enabling democratic debate, ensuring accountability mechanisms, and providing voters with accurate information.⁸¹ Zimbabwe's international commitments provide for an environment free

⁸¹ [International Covenant on Political and Civil Rights](#) (Article 19); ICCPR, General Comment 34 on freedoms of opinion and expression; [The African Charter on Human and People's Rights](#) (African Charter) (Article 9); [The African Charter on Democracy, Elections and Governance](#) (Article 27), [the SADC Principles and Guidelines Governing Democratic Elections](#) (Article 4).



Zimbabwe Harmonized Elections
August 2023

*of manipulative interference, violence, or the threat of violence – including online – enabling voters to freely form an opinion.*⁸²

Radio, mainly state-owned, is the main source of information for Zimbabweans, due to its wide reach and accessibility, followed by social media and television.⁸³ Social media is predominantly used by young, urban, and highly educated citizens. Ahead of the elections, friends, family members, and political party officials were major sources of election-related information for most Zimbabweans, besides radio and social media.⁸⁴

Legal Framework

The constitution provides for privacy, freedom of expression, and access to information.⁸⁵ It explicitly outlaws incitement to violence and hate speech. Legal reforms have started harmonizing the legal framework with the constitution, improving access to information, including from government officials and the police.⁸⁶ Zimbabwean stakeholders commended the multi-stakeholder approach to reforms that allowed for inclusive discussions.

Despite these improvements, the political context in Zimbabwe is marked by a combination of newly enacted and longstanding laws that criminalize legitimate speech and provide for harsh prison terms. Such laws are cited as the basis for arresting journalists and human rights defenders for content published online and offline.⁸⁷ Court cases usually last a long time, and convictions are rare, but the laws have resulted in a climate of fear and uncertainty, adversarial to freedom of expression and the media.⁸⁸ Provisions that criminalize the publication and distribution of “falsehoods” and statements “willfully injuring the sovereignty and national interest of

⁸² [2011 joint declaration on freedom of expression and the internet](#) (U.N., OSCE, OAS, ACHPR), Section 6.e: “States are under a positive obligation to facilitate universal access to the Internet”; [ICCPR, General Comment 25](#), para. 19: “Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”

⁸³ [Afrobarometer](#), Round 9, survey in Zimbabwe, 2022. Some 65% of Zimbabweans received information every day or a few times a week from the radio; and 41% from social media and messaging platforms.

⁸⁴ Afrobarometer’s preelection survey of Zimbabwe’s August 2023 elections, April-May 2023.

⁸⁵ Sections 57, 61, 62 of the constitution.

⁸⁶ The legislature repealed the repressive Access to Information and Protection of Privacy Act in 2019 and enacted the Freedom of Information Act (FIA), the Cyber and Data Protection Act (CDPA), and the Zimbabwe Media Commission (ZMC) Act.

⁸⁷ It includes laws such as the Criminal Law (Codification and Reform) Act, sections 31 and 33; Section 164C of the Criminal Law (Codification and Reform) Act, as amended by the Cyber and Data Protection Act; the Criminal Law Codification and Reform Amendment Bill (the “Patriotic Bill”); section 14 of Statutory Instrument 83 of 2020; Section 88(b) of the Postal and Telecommunications Act (Chapter 12:05).

⁸⁸ In January 2023, journalist Garikai Mafirakure was charged with publishing or communicating false information prejudicial to the state. Although the court warned him that he would be summoned in the future to continue the case, he has not received any summons since then. Journalist Hopewell Chin’ono was jailed in 2020 and 2021. The court nullified charges against him in December 2021.



Zimbabwe Harmonized Elections
August 2023

Zimbabwe,” or “undermining the authority or insulting the president” are contrary to Zimbabwe’s fundamental regional and international treaty obligations.⁸⁹

Legal provisions criminalizing free speech online and offline, such as those in the Patriotic Act and the Cyber and Data Protection Act, should be repealed.

Media coverage of the election is governed by the constitution, the Electoral Act, and ZEC Statutory Instrument 33 of 2008.⁹⁰ Section 61 of the constitution requires that all state-owned media should freely determine their editorial content, be impartial, and afford a fair opportunity to divergent views. The Electoral Act and the ZEC Statutory Instrument 33 of 2008 provide for, among other things, free access to the public broadcaster, equitable treatment of all parties and candidates, and the creation of a temporary media monitoring committee with the assistance of the Zimbabwe Media Commission (ZMC) and the Broadcasting Authority of Zimbabwe (BAZ).⁹¹ The law does not provide the ZEC with sanctioning power.

Overall, the lack of accountability mechanisms in the law and the late publication of election-related information hindered public accountability.⁹² Although the law does not require the public release of monitoring reports during the electoral process, the publication of regular granular information on the media coverage of the election by state-owned media during the campaign period would have increased transparency and accountability.⁹³

The ZEC should ensure the timely public release of media-related information and should consider the publication of regular media monitoring results during the process.

Several Carter Center interlocutors questioned the ZEC’s capacity to meaningfully monitor media, advocating for greater capacity building. In addition, while the ZEC publicly mentioned that it established a media monitoring committee, it did not share information on its functioning, nor on the complaint mechanisms. This lack of information on complaint mechanisms resulted in CSOs and citizens being unable to identify the procedures to report issues or seek remedy for media

⁸⁹ Principle 22 of the ACHPR [Declaration of Principles on Freedom of Expression and Access to Information](#) reads that states “shall repeal laws that criminalize sedition, insult and publication of false news.”

⁹⁰ Electoral Act, sections 160E-160K.

⁹¹ The Electoral Act, Section 160K stipulates that “the Commission, with the assistance, at its request, of the Zimbabwe Media Commission (ZMC) [...] and the Broadcasting Authority of Zimbabwe (BAZ) shall monitor the Zimbabwean news media during any election period.” Beginning in June, the ZMC announced that the ZEC would establish a media monitoring committee.

⁹² Statutory Instrument 33 of 2008 requires ZBC to give the commission its election program schedule within a period of seven days after the nomination day or first nomination day. On July 17, MISA wrote the ZEC requesting the schedule, and again on July 23. The schedule was finally published on July 28 in *The Herald*, the major state-owned newspaper. The delayed publication of the schedule prevented the effective monitoring of how the state-owned media discharged its legal and constitutional duties.

⁹³ According to Article 160K(2) of the Electoral Act only, a “report on the election coverage of the election by the news media” shall be included to the ZEC postelection report.



Zimbabwe Harmonized Elections
August 2023

coverage-related issues; consequently, few complaints were lodged. This did not allow for an effective complaint mechanism.⁹⁴

The ZEC should provide detailed and easily accessible information on its media-related complaint mechanisms.

The Electoral Act does not address the campaign on social media, nor does it give the ZEC a mandate to monitor social media. Thus, the law was silent on mounting issues such as the use of political ads online, online breaches of campaign silence, or derogatory content shared on social media by campaign pages, candidates, or their supporters.

The Electoral Act should be amended to encompass campaigning on social media, to provide the ZEC with a mandate to monitor the campaign on social media, and the power to investigate, warn, and sanction violators.

The Cyber and Data Protection Act (CDPA) mandated the existing Postal and Telecommunications Regulatory Authority (POTRAZ) with data protection authority. Several Center interlocutors expressed concerns about the concentration of powers and competing interests within a single entity.⁹⁵ POTRAZ informed the Center that the ZEC was responsible for ensuring the privacy of voters' data contained in the voters' roll and it did not ask for the assistance of the data protection authority. Although the CDPA provided for the protection of personal data, voters told the Center that they received unsolicited political text messages asking them to support the president's campaign, which is contrary to Zimbabwean law and regional and international standards on privacy.⁹⁶

The data protection authority and the ZEC should effectively guarantee citizens the right to privacy of their personal data, and protection against unsolicited information, including political propaganda during election periods, through timely conclusion of investigations and by holding perpetrators accountable.

⁹⁴ The ZEC can launch investigations into media coverage issues only upon complaints. [ICCPR](#), Article 2.2 stipulates that “where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes [...], to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.” In addition, [the African Charter on Democracy, Elections and Governance](#), article 17.2, stipulates that as part of their commitments, State Parties shall “establish and strengthen national mechanisms that redress election related disputes in a timely manner.”

⁹⁵ [The U.N. resolution on privacy in the digital age](#) calls upon states “to establish [...] independent, effective, adequately resourced and impartial judicial, administrative and/or parliamentary domestic oversight mechanisms capable of ensuring transparency, as appropriate, and accountability for State surveillance of communications, their interception and the collection of personal data.”

⁹⁶ The Cyber and Data Protection Act, Section 3, defines consent as “any manifestation of specific unequivocal, freely given, informed expression of will by which the data subject [...] accepts that his or her data be processed.” [MISA lodged a complaint](#) to POTRAZ following cases of unsolicited political messages.



Zimbabwe Harmonized Elections
August 2023

In addition, the legal framework allows for interception of telecommunication without sufficient judicial oversight, which contradicts Zimbabwe’s international obligations.⁹⁷ Carter Center interlocutors also raised concerns about the government’s increasing surveillance capacities.⁹⁸

Media Landscape

Various online media outlets have emerged in Zimbabwe that played a positive role in sharing election-related information with voters. However, state-owned media continued to dominate print and broadcast outlets, and media ownership lacked diversity and transparency.⁹⁹ Overall, the Center found that the media landscape was highly polarized along political lines.

In this context, journalists faced a host of challenges, including a restrictive and deteriorating environment, and a resurgence of assaults of journalists at political gatherings and rallies starting in 2022, leading other journalists to self-censor in order to avoid reprisals.¹⁰⁰ Journalists were barred from covering political events, according to recent reports.¹⁰¹ Also, the media was negatively impacted by a burdensome requirement for dual accreditation from the ZMC and the ZEC. These provisions allowed state-owned media to remain dominant and undermined journalists’ independence and ability to cover political campaigns.¹⁰² In the run-up to the 2023 elections, several foreign media announced that they were denied accreditation by the ZEC.¹⁰³

To promote pluralistic and unimpeded reporting on election campaigns, accreditation requirements for representatives of mass media outlets should be lifted.

⁹⁷ Interception of Communication Act (Chapter 11:20). The U.N. resolution on privacy in the digital age calls upon states “to establish [...] independent, effective, adequately resourced and impartial judicial, administrative and/or parliamentary domestic oversight mechanisms capable of ensuring transparency, as appropriate, and accountability for State surveillance of communications, their interception and the collection of personal data.”

⁹⁸ Principle 38(2) of the ACHPR Revised [Declaration of Principles on Freedom of Expression and Access to Information](#) notes that “States shall not engage in or condone any disruption of access to the internet and other digital technologies for segments of the public or an entire population.”

⁹⁹ Although telecoms’ liberalization has led to the licensing of six commercial TV channels and 14 community radio stations since 2020, some interlocutors pointed out relationships between their owners or members of their boards of trustees and the ruling party, which did not allow for enhanced diversity. The 2009 joint statement on the media and elections (U.N., OSCE, OAS, ACHPR) notes: “States should put in place a range of measures [...] to create an environment in which a pluralistic media sector can flourish. These should include, among others, obligations of transparency of media ownership, licensing of different types of broadcasters to promote diversity [...]”

¹⁰⁰ See MISA Zimbabwe [2022 state of the media report](#) and Reporters without Borders [Media freedom index 2023](#).

¹⁰¹ *Ibid.*, see also [MISA Zimbabwe position on barring of NewsDay from covering national events](#); [Journalists barred from covering Zimbabwean state house event](#).

¹⁰² SADC Protocol on Culture, Information, and Sport Article 18.4 states: “Member States agree to create political and economic environment conducive to the growth of ethical, diverse and pluralistic media.”

¹⁰³ See [RSF article](#) as of Aug. 21, 2023: A photographer for South Africa’s *Daily Maverick* news site, was refused accreditation with the Ministry of Information and Broadcasting Services on Aug. 17, as well as U.S.-based reporters with *Voice of America* and a South Africa-based journalist with the German public broadcaster *ARD*.



Zimbabwe Harmonized Elections
August 2023

Steps were taken in advance to improve media coverage of the elections, including the signing of a Media Code of Conduct pledge in August and media training throughout the country.¹⁰⁴ However, media watchdogs and candidates reported biased coverage in favor of the ruling party by state-owned media, including live coverage, which contributed to an uneven playing field among candidates.¹⁰⁵

Media watchdogs also noted the spread of disinformation, and derogatory and incendiary speech in the media, mirroring offline violence and speeches by politicians.¹⁰⁶ This did not allow for inclusive debate and ran counter to journalistic ethics and Zimbabwean laws.

Overall, the unbalanced media coverage, the focus on campaign rallies rather than cohesive political platforms, and the barring of community radio stations from airing political content led, at times, to inadequate and insufficient information shared with voters ahead of the elections.

The state-owned broadcaster should effectively discharge its constitutional and legal duties and ensure fair and impartial treatment of all candidates.

Social Media Landscape

Estimates on the internet penetration rate varied widely, from one-third to two-thirds of the population.¹⁰⁷ Center interlocutors agreed that most users had consistent access to WhatsApp, Meta’s messaging platform, rather than social media platforms like Facebook, X (formerly Twitter), and Instagram, and websites, which required larger bandwidth or higher data consumption. Carter Center data show that WhatsApp was the most-used platform in both rural and urban areas. Only about 12% of people 13 and older had access to Facebook, and just 3% had access to X, the most relevant platform for discussing political issues and the campaign online.¹⁰⁸

Commendably, the government has launched a digitization policy that includes the creation of community and village information centers to help address the internet divide. However, infrastructure issues resulting in unstable internet coverage and the disproportionately high cost of data hindered access to the internet and associated rights, such as freedom of expression, access to public information online, and participation in political life, contrary to Zimbabwe’s regional

¹⁰⁴ Trainings were conducted by, among others, ZMC, ZEC, MISA, Zimbabwe Union of Journalists, and UNESCO.

¹⁰⁵ According to Media Monitors, a CSO monitoring legacy and online media, the ZANU-PF ruling party received on average over 60% of coverage between July 23 and Aug. 25, mostly on state-owned print and broadcast media (up to 93% on the state-owned broadcaster). The main opposition party CCC received 16-26% of coverage, mostly in privately owned newspapers and online (about 50%). On July 25, after the deputy information minister declared that CCC was “refusing to take up airtime on ZBC,” the CCC described the state-owned broadcaster coverage as “biased, derogatory and manipulated.”

¹⁰⁶ Media repeatedly released headlines, articles, and op-eds containing derogatory and inflammatory expressions, such as “reject sellouts,” “puppets,” “kick out the opposition of cities, towns,” “that intellectual prostitute,” etc.

¹⁰⁷ The Postal and Telecommunications Regulatory Authority of Zimbabwe reported internet penetration at 65.3% in 2022, while the private firm DataReportal estimated it at 34.8% in 2023.

¹⁰⁸ We are social, Data Reportal, [Digital 2023: Zimbabwe](#)



Zimbabwe Harmonized Elections
August 2023

obligations.¹⁰⁹ On the eve of the elections, despite the demands of CSOs, internet service was degraded, impacting the four service providers, thus curtailing Zimbabweans' constitutional rights to freedom of expression and access to information.¹¹⁰

Media and digital literacy rates are reportedly low in the country, despite remarkably high general literacy rates, leaving voters vulnerable to misinformation and disinformation.¹¹¹ International best practices recommend that in order to develop resilience to disinformation, states promote digital and media literacy.¹¹² The U.N. Rapporteur on freedom of expression added in 2021 that “*disinformation is not the cause but the consequence of societal crisis and the breakdown of trust in institutions,*” and that strategies to address it were “unlikely to succeed without more attention being paid to these underlying factors.”¹¹³

Several quality fact-checking initiatives, including ZimFact and FactCheck Zim, released verified election-related information in prebunking and debunking efforts, while the ZEC debunked only a handful of publications.¹¹⁴ Fact-checking initiatives and online media circulated civic and voter education online, via WhatsApp, social media or through media, providing information on both the process and the rights of voters, but faced issues with laws barring their partner community radio stations from airing political information.

Overall, the online space was polarized, reflecting the national political divide along party lines. Propaganda and misleading or partial information were common and fell within a broad information disorder landscape. It included false and intimidating information; negative campaigning and criticism targeting the ZEC or political parties; and antagonistic narratives including demeaning, hateful, or inflammatory content by both major parties, their supporters or

¹⁰⁹ In 2022, as the cost of data in Zimbabwe is one of the highest on the continent, the Zimbabwean chapter of the Media Institute of Southern Africa (MISA) launched the online [campaign #DataMustFall](#) to demand affordable access to internet as an enabler of rights. Principle 31 of the ACHPR [Declaration of Principles on Freedom of Expression and Access to Information in Africa 2019](#) reads in particular: “Access to information shall be granted as expeditiously and inexpensively as possible [...],” further, Article 13 (1) of [the African Charter on Human and People’s Rights](#) provides that “every citizen shall have the right to participate freely in government.”

¹¹⁰ [NetBlocks](#), the observatory, confirmed the degradation of internet service on the afternoon of Aug. 22. On Aug. 17, Access Now and more than 45 Zimbabwean and international organizations had released an [open letter](#) demanding Zimbabwean authorities break the cycle of shutdowns and allow for continuous access to internet.

¹¹¹ U.N., OAS, OSCE [2020 joint declaration on freedom of expression in the digital age](#) (1.b.v.) reads: “States should make a concerted effort to promote digital media and information literacy, including in relation to elections.”

¹¹² [Joint declaration on freedom of expression and “elections in the digital age](#), by the U.N., OSCE, OAS, and ACHPR, 2020, Section 1.b.v.: “States should make a concerted effort to promote digital media and information literacy, including in relation to elections.” [U.N. General Assembly Resolution 75/267](#), 2021: “Encourages all Member States to develop and implement policies, action plans and strategies related to the promotion of media and information literacy, and to increase awareness, capacity for prevention and resilience to disinformation and misinformation, as appropriate.”

¹¹³ [U.N. report on disinformation and freedom of expression and opinion](#), A/HRC/47/25, 2021.

¹¹⁴ From June 1 to Aug. 30, ZEC debunked seven pieces on Facebook and X – four before elections and three after. This included instances of [false information on registered voters](#); [statements falsely impersonating ZEC](#), [false information on the process](#), or a [fake ZEC account](#).



Zimbabwe Harmonized Elections
August 2023

shadow accounts on Facebook and X.¹¹⁵ Carter Center interlocutors also reported a wide range of misinformation and intimidation on Facebook, X, and WhatsApp. These included cases of unsophisticated doctored pictures and videos; vicious insults; body-shaming; allegations, including of a sexual nature; and death threats. This distorted the digital space and did not allow for an environment free from threats of violence or manipulation.

The State should ensure that access to the internet is affordable and reliable, particularly during peak periods of public interest events, such as national elections.

Party/Candidates' Representation Online

The two front-runners for the presidency, incumbent President Mnangagwa and CCC party leader Nelson Chamisa, both had Twitter accounts showing more than 1 million followers.¹¹⁶ Some presidential and parliamentary candidates did not use social media accounts to campaign or had accounts with a limited number of followers and activity. Several candidates reported to the Center that they were using highly structured networks of WhatsApp groups, up to several hundred, to distribute party messages and campaign information every day. Messages were shared top-down and across the provinces, constituencies, or wards where parties and candidates were running.

The Carter Center's social media monitoring unit observed that from July 24 to Aug. 24, CCC candidates engaged online intensively, both in posting and commenting, while ZANU-PF candidates showed less activity during the same period. Campaign messages shared on Facebook and X (formerly Twitter) covered mostly campaign events, including drone footages of rallies trying to show parties' support and discredit opponents' claims of rally attendance; videos of speeches; slogans; candidate posters; comments on court cases and obstacles to campaign; and negative comments targeting opponents.¹¹⁷

Similar and organized messages covering the incumbent's achievements and campaign events were shared repeatedly on X by a network of official accounts, including that of the president; the Ministry of Information, Publicity and Broadcasting Services; some members of the government; the party; state-owned media accounts; and supporters. The similar, repeated, and concurrent messages shared by accounts of state officials, a ministry, and state-owned media blurred the lines between state officials and campaign staff, as well as media coverage and campaign material. International good practices recommend that the legal framework clearly provides for a general prohibition of abuse of official position.¹¹⁸

¹¹⁵ Negative campaigning and derogatory speech included terms referring to the liberation war narratives and traitors, including Western countries; or to alleged corruption issues, violence, or election rigging. The Center also identified hateful comments based on gender, sexual orientation, or ethnic origin.

¹¹⁶ The Electoral Act did not encompass campaigns on social media, including the use of political ads.

¹¹⁷ Pages supporting the ZANU-PF campaign repeatedly released pictures of CCC rallies, implying that the opposition party failed to gather supporters in different areas.

¹¹⁸ [OSCE \(ODIHR\), CoE \(Venice Commission\): Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources During Electoral Processes](#), Para. II.A.1.1 stipulates that "The legal framework should



Zimbabwe Harmonized Elections
August 2023

CCC created a dedicated campaign account on X and a page on Facebook, in addition to the party and candidates' pages. Messages supporting CCC appeared more scattered and seemed less organized than ZANU-PF campaign messages. However, CCC candidates continued to be very active, including during the postelection period.

Several candidates and parties placed ads on social media. The CCC campaign released the highest number of ads on Facebook and Instagram ahead of the elections (156 ads, compared with 122 for ZANU-PF) and relied largely on Google ads. The opposition campaign page "For Everyone" started using ads on Meta's platforms less than three weeks before the elections and targeted mostly the capital. ZANU-PF was by far the biggest spender on Facebook and Instagram.¹¹⁹ Most ZANU-PF ads were released in a massive ad campaign between January and March 2023, targeting all provinces and both male and female audiences, with a similar video message. ZANU-PF started using Facebook and Instagram ads again a few days before the elections, promoting the president's achievements, a common narrative shared by state-owned media, the candidate and pages relaying his narratives. This included a page called "ED achievements," published without information on its owner, that shared quality ads promoting the president's achievements. Platforms provided limited or no information on advertisers, and Google did not provide information on the amounts spent on ads, which hindered the transparency of campaign finance and spending.¹²⁰

The Carter Center observed breaches of the silence period by the two major parties. Several CCC candidates and the CCC campaign Facebook page campaigned during the silence period, including with paid content. The ZANU-PF party page shared paid content during the silence period; however, pages of individual ZANU-PF supporters monitored by the Center were mostly silent during that period.

The legal framework should be amended to prohibit campaigning by civil servants and senior officials on social media and provide for enforcement mechanisms and proportionate sanctions.

Despite reforms to align the legal framework with the constitution, Zimbabwe's laws still criminalize legitimate speech, provide for harsh prison terms, and allow for interception of telecommunication without sufficient judicial oversight, contrary to the country's regional and international obligations and commitments. The lack of accountability mechanisms in the law

provide for a general prohibition of the misuse of administrative resources during electoral processes. The prohibition has to be established in a clear and predictable manner. Sanctions for misuse of administrative resources have to be provided for and implemented. Such sanctions need to be enforceable, proportionate and dissuasive."

¹¹⁹ By Aug. 18, ZANU-PF released ads for a total of US\$23,140 accounting for more than 80% of the total amount spent since July 2022. CC and its "For Everyone" campaign page shared paid ads for a total amount of US\$4,887, mostly during the last weeks of the campaign (US\$4,687 from Aug. 3 to Aug. 23).

¹²⁰ Google Ad Transparency Center did not cover Zimbabwe, while disclaimers such as "Friends of Chamisa" or "ED achievements" on Facebook and Instagram, without further details on the advertiser, nor contact information, resulted in limited information on the advertisers and spendings. Under the [U.N. guiding principles on businesses and human rights](#), private companies have a responsibility to respect human rights, independently of the States' willingness to fulfil their own human rights obligations (principle 11).



Zimbabwe Harmonized Elections
August 2023

governing the media coverage of the election hindered achieving a level playing field between candidates in the media. Traditional and social media were vehicles for the spreading of misinformation, negative campaigning, derogatory speech, and incendiary content by both major parties, and their supporters or shadow accounts. Although the 2021 [Cyber and Data Protection Act](#) provided for the protection of personal data, voters have been receiving unsolicited political text messages asking them to support the president's campaign, which is contrary to Zimbabwean law and regional and international standards on privacy.

The Center recommends that the legal provisions criminalizing free speech online and offline be repealed. The ZEC should ensure the timely public release of media-related information and consider publishing regular media monitoring results during the process. Also, the ZEC should provide detailed and easily accessible information on its media-related complaint mechanisms.

Social Media Monitoring Findings

According to the Facebook posts and X messages analyzed by the Carter Center's Social Media Monitoring Unit (SMMU), the tone of the campaign online was predominantly neutral or positive.¹²¹ Content shared by political pages or accounts affiliated to CCC, ZAPU, and the Mthwakazi Republic Party was more often assessed as negative than the rest of the pages and accounts observed.¹²²

While some posts addressed political issues, a large number of the posts and messages shared by political actors highlighted past campaign events. Carter Center monitoring shows that official accounts generally shared factual information rather than disinformation or misinformation, as did supporter and shadow pages and accounts.¹²³

The SMMU observed that some parties resorted to content discrediting the ZEC, parties, or people, although unevenly. The accounts and pages affiliated with politicians and parties from ZAPU, CCC, and the Mthwakazi Republic Party were more inclined to resort to such content.¹²⁴ On X, respectively, nearly one-fifth of the content shared by ZANU-PF-affiliated supporter pages (18%) and shadow pages (20%) and analyzed by the Center discredited a party or a person (compared with 9% and 7% for CCC-affiliated supporter pages and shadow pages, respectively).

¹²¹ The SMMU analyzed 5,700 posts and messages shared on Facebook and X from July 24 till Sept. 7, 2023. The most engaging Facebook posts of a series of accounts were scrapped through Junkipedia and analyzed on a weekly basis, as well as the most viewed messages on X.

¹²² The SMMU observed 39 Facebook pages and X accounts of politicians, parties, as well as campaign pages. The SMMU analyzed some 1,500 posts and messages from July 24-Sept. 7, the most engaging posts on Facebook and the most viewed messages on X.

¹²³ The SMMU monitored 31 supporters and shadow pages. These are accounts of individuals, party supporter groups, or local pages that support or oppose one or more political options. The SMMU analyzed 1,500 posts and messages from July 24 till Sept. 7, the most engaging posts on Facebook and the most viewed messages on X.

¹²⁴ About 25-40% of the content shared by those accounts and pages and analyzed by the SMMU.



Zimbabwe Harmonized Elections
August 2023

In addition to the automated monitoring of pages and accounts through Junkipedia, the Center monitored a series of election-related keywords on CrowdTangle from July 24 through Aug. 31, 2023. This also included observation of comments. The Center observed instances of false and intimidating information; negative campaigning and criticism targeting the ZEC or political parties; and antagonistic narratives, including demeaning, hateful, or inflammatory content by both major parties, their supporters or shadow accounts on Facebook and X.¹²⁵

Carter Center interlocutors also reported a wide range of misinformation and intimidation on Facebook, X, and WhatsApp. These included cases of unsophisticated doctored pictures and videos; vicious insults; body-shaming; allegations, including of a sexual nature; and death threats. This distorted the digital space and did not allow for an environment free from threats of violence or manipulation, at odds with international standards.¹²⁶

Parties, candidates, media outlets, social media platforms, and self-regulation mechanisms should act collectively to prevent the use and spread of misinformation, derogatory, or incendiary speech.

Women Candidates Online

Some female candidates and aspirant candidates told the mission that they had been victims of violence or threats of violence, cyberbullying, and online smear campaigns and harassment by opponents and social media users.¹²⁷ The response from relevant authorities was inadequate.¹²⁸ Hence, page owners had to block or exclude perpetrators to conduct their campaign via social media or messaging platforms free from violence or threats of violence instances.

The Carter Center's social media monitoring unit identified repeated instances of derogatory, highly offensive, and misogynistic speech targeting women politicians as well as the head of the ZEC on Facebook and X.¹²⁹ This did not allow for an inclusive or violence-free campaign environment and hindered women's political participation.¹³⁰ Interlocutors noted that there are no effective remedies in place to lodge a complaint against such attacks, partially because of gaps in the legal framework, including absence of dissuasive sanctions, and also because the relevant authorities lack either the capacity or the will to effectively investigate such cases.

¹²⁵ Negative campaigning and derogatory speech included terms referring to the liberation war narratives and traitors, including Western countries; or to alleged corruption issues, violence, or election rigging. The Center also identified hateful comments based on gender, sexual orientation, or ethnic origin.

¹²⁶ [ICCPR, General Comment 25](#), Para. 19: "Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind."

¹²⁷ This included being targeted by vicious, organized attacks online, including attacks of a sexual nature, body-shaming, and death threats.

¹²⁸ The ZEC Gender and Inclusion Policy also acknowledges that "the culture of political violence, misogyny, male chauvinism and intimidation persist in Zimbabwe's electoral processes."

¹²⁹ This included degrading, ageist remarks; body-shaming; and insults.

¹³⁰ Best practices recommend that countries "adopt a zero-tolerance policy toward all forms of violence that undermines women's participation," U.N. Committee on the Elimination of Discrimination against Women, 2013, Recommendation 30, Para. 73.f.



Zimbabwe Harmonized Elections
August 2023

Public institutions such as POTRAZ and the Zimbabwe Gender Commission that are mandated to monitor and investigate violence, including online, informed the Center that they had not received any complaints of violence online, nor had they identified any instances through own monitoring.

Gender, Marginalized Populations, and Participatory Rights

Participation of Women in the Electoral Process

Zimbabwe is party to the main international and regional instruments that recognize the right of women to participate in political and public affairs, including the right to vote and be elected.¹³¹ These instruments also guarantee equality and nondiscrimination.¹³² The constitution of Zimbabwe contains a comprehensive bill of human rights, including the right to equal treatment for women.¹³³ The constitution further requires the state to take all necessary measures to ensure gender parity, including in the elective bodies. Since 2013, for the life of the first four parliaments elected under the new constitution, temporary measures are provided to guarantee women-reserved seats in the parliament, provincial, metropolitan and local councils. The Electoral Act enables most but not all of these constitutional provisions.

In the 2023 elections, women represented about 53.7% of registered voters in Zimbabwe. However, the number of elected women has decreased, and fewer women exercised their right to stand as candidates in 2023 compared with 2018.¹³⁴ This decrease in women's participation is indicative of the challenges and/or impediments faced by them in the electoral processes.

In 2023, ZEC rejected the registration of two prospective women candidates for presidential office, citing a failure to pay the US\$20,000 nomination fee. Only one, Elizabeth Valerio of the United Zimbabwe Alliance (UZA), was eventually able to run after challenging the rejection in court.¹³⁵ Four women candidates ran for president in 2018. Sharply increased nomination fees and challenging procedures to pay the required fees were cited as the main impediments.

In addition to the directly elected seats in the National Assembly and local councils where women compete with men on an equal basis, the constitution provides for special quotas for women on all levels of elective offices based on proportional representation (PR) party lists. On the national level, this includes 50% of the 60 PR seats in the Senate as well as one of the reserved seats for a

¹³¹ This includes UDHR, ICCPR, CEDAW, CRPD, and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) (ACHPR-PW) and the Southern African Development Community Protocol on Gender and Development, the African Charter on Democracy, Elections, and Governance and African Youth Charter.

¹³² UDHR, Article 2, ICCPR, Articles 2 and 26, CEDAW, Articles 2, 3, and 4; CRPD, Articles 3 and 4.

¹³³ The Declaration of Rights sections 56(2) and 80 specify that women must be provided equal opportunities with men in political and other spheres.

¹³⁴ Overall, 70 women – 11% of the 63 political aspirants, as per information Gazette on June 30, 2023 – were nominated to run for National Assembly seats. In the 2018 general elections, women constituted 14.4% of the 1,648 National Assembly candidates.

¹³⁵ Elisabeth Valerio v. Presiding Officer of the Nomination Court and Others [Judgment](#). The second aspirant lost her court case and was not registered to run.



Zimbabwe Harmonized Elections
August 2023

member with disabilities, guaranteeing women at least 39% of the 80 total seats. Since 2013, an additional 60 temporary seats, six from each of the 10 provinces, were added to the National Assembly, which translates into 21% of the 280 assembly seats.¹³⁶ Following the 2021 amendments, some seats out of 10 reserved for the youth were also reserved for women in the National Assembly.¹³⁷ As an additional safeguard for diversity, Section 124 (1) of the constitution requires political parties to ensure that 10 of the 60 women on the PR lists are under age 35 and that women with disabilities are represented, however, the constitution does not mandate where young women or women with disabilities appear on the party lists, thus reducing the likelihood of their being elected to public office if their names do not appear in top positions. Moreover, there are no mechanisms in place to ensure that political parties comply with this requirement.

On the provincial level, 10 members of the provincial and metropolitan councils in all 10 provinces are elected based on PR party lists in which male and female candidates are listed in alternating order, with every list being headed by a female candidate. To field a list, political parties are required to pay a nomination fee of US\$200 for each list on the national and provincial level; no nomination fees are required for local authority elections. On the local level, following the 2021 amendments to the constitution, local councils were expanded for the first time in 2023 to include an additional 30% of seats allocated for women. This added an additional 60 seats to the existing 1,970 council seats.¹³⁸

The effectiveness of the existing measures varied. This is due partially to gaps in the legal framework, and partially to existing gender stereotypes and internal barriers within political parties.

The Electoral Act applicable to this election is not fully in line with the constitution on women's quotas. The enabling legislation for the 2021 constitutional amendments providing for the 30% additional seats reserved for women in local councils, as well as the youth quota for the National Assembly and the composition of lists for provincial councils, was adopted after the proclamation of the elections, and the application of these norms raised concerns among stakeholders over their legality and legitimacy in the context of the 2023 elections.¹³⁹ No enabling legislation was

¹³⁶ This was introduced as a temporary measure for the life of the first two parliaments after 2013 and extended for the life of four parliaments in 2021, the Constitution of Zimbabwe Amendment (No. 2) Act, 2021.

¹³⁷ The constitution provides that male and female candidates shall be listed alternately on party lists; however, it does not require priority listing for female candidates, and as the share of PR is decided based on the votes cast for candidates representing political parties in a general election for constituency members in the provinces, it does not guarantee that young women will secure any seats.

¹³⁸ The calculation of seats was done based on the Statutory Instrument by the ZEC. SI 2023-115 Electoral Act (Women's Quota in Local Authorities Notice, 2023), gazette on June 20, 2023.

¹³⁹ Section 124 (2) and 268 of the constitution stipulates that elections for National Assembly members and provincial and metropolitan councils must be conducted in accordance with the Electoral Law. Section 277 (4) stipulates that an Act of Parliament may provide for the election, by a system of proportional representation of at least 30% of the total members of the local council elected on ward basis as women. The Electoral Act was amended after the proclamation of the elections – in July 2023 – hence it should not have had effect for the 2023 elections. Despite the timing, these measures, in effect, were implemented in the 2023 elections.



Zimbabwe Harmonized Elections
August 2023

provided for the constitutional provision to ensure representation of young women and women with disabilities on party lists.

The existing temporary measures are formulated in such a way that the constitutional objective of full gender parity in elective offices is challenging to reach. The fulfillment of the objective depends on political parties' discretion when fielding candidates for directly elected seats. The effectiveness of the existing mechanisms is undermined by a lack of sanctions for political parties that fail to ensure gender parity and lack of incentives to promote it in nomination of party candidates, coupled with reluctance to field party lists at all for women's quotas. Political parties' operations remain largely unregulated, leaving the aspects of women participation and leadership to the good will and discretion of political parties. The code of conduct for political parties and candidates contains very few provisions on the rights and participation of women.¹⁴⁰ As a result, in 2023, political parties largely failed to ensure gender balance among their nominated candidates for the National Assembly, and the number of female candidates nominated for FPTP seats in 2023 decreased to 11% of nominees. This is a drop from 14.4% in 2018. Some of the political parties did not field any female candidates.

The selection and nomination of female candidates by political parties, including for proportional representation seats, should be regulated to ensure equal opportunities for all candidates as well as compliance with constitutional provision requiring representation of young women and women with disabilities on party lists supported by dissuasive sanctions and incentives, including financial.

Stakeholders expressed concern that political parties treated the temporary affirmative-action measures as an excuse to not promote, or to otherwise sideline or deter women candidates to run for FPTP seats, and expected most women candidates, including seasoned politicians, to be nominated only for reserved seats. However, in 2023, political parties also largely failed to utilize the existing quotas for women candidates by not submitting a PR list for reserved seats or lists for the youth quota, including young women candidates.¹⁴¹ Stakeholders reported that women members of the National Assembly who obtained mandates through reserved seats were perceived

¹⁴⁰ This includes a general commitment to facilitate the full and equal participation of women in political activities, and to ensure the free access of women to all public political meetings, marches, demonstrations, rallies, and other public political events. [Code of Conduct](#) for Political Parties and Candidates, Section 10.

¹⁴¹ According to the published nominations, only four of 14 political parties fielded female candidates for reserved seats on the National Assembly: Both the CCC and ZANU-PF fielded party lists (women's seats) for all 10 provinces; MDC-T managed to field party lists for only Manicaland and Matabeleland North; while ZAPU fielded a party list only in Matabeleland North. Some parties were deprived of the opportunity to submit lists for reserved seats, as their candidates were not registered by the nomination court. Five political parties chose women candidates for the Senate: Both the CCC and ZANU-PF fielded in all 10 provinces, while the MDC-T, ZAPU, and Democratic Union of Zimbabwe managed to field in one province each. Only three political parties submitted lists for the provincial and metropolitan councils: ZANU-PF fielded lists for all 10 provinces, CCC for nine, and MDC-T submitted a list only for Matabeleland North. Only six political parties put forward lists for the 30% women seats in local councils. While CCC and ZANU-PF fielded youth lists for all 10 provinces, MDC-T submitted a list only for Matabeleland North.



Zimbabwe Harmonized Elections
August 2023

to lack the elected legitimacy of directly elected members. Coupled with the lack of additional benefits provided to members elected through the FPTP system, the intent of the measures in place was undermined.¹⁴²

Women candidates told the Center that they faced numerous social, physical, psychological, economic, and cultural obstacles to their political participation.¹⁴³ This included election related-violence, harassment online and offline, lack of resources to pay nomination fees and cover campaign costs, and lack of flexibility to campaign due to traditional gender roles, among other issues.¹⁴⁴ While the Code of Conduct for Political Parties and Candidates contains a commitment to maintain the political environment free of violence, coercion and intimidation at all times and prohibits politically motivated violence or intimidation, there is no effective enforcement and sanctioning mechanism in place.¹⁴⁵ Their lack of financial resources resulted in women being disproportionately affected by exorbitant nomination fees and campaign costs, especially if their respective political party did not provide any material support.

Stakeholders who spoke to the Center, including female candidates and representatives of specialized public institutions and CSOs, emphasized the importance of reconsidering existing temporary measures, including the possibility of changing the electoral system to create a level playing field for women to achieve gender parity. This could include implementing a fully proportional system with a mandatory requirement for parties to ensure equal numbers of female and male candidates on closed party lists, with a strict alternation between female and male candidates. Such measures could be supported by sanctions or incentives to compel political parties to abide by the adopted standard, where the ZEC would have the authority to reject party lists that fail to comply with these requirements.

While the constitution provides for gender parity in elective offices and contains temporary measures to promote women's participation in political life, the Electoral Act was not amended in due course to enable the constitutional commitments. The lack of measures to ensure compliance of political parties with gender parity goals undermined constitutional goals and resulted in a decrease in women's representation on regional and national levels, despite attempts to rectify the situation through direct application of the constitution and statutory instruments for the 2023 elections. Stakeholders reported a lack of genuine dialogue on the issue of women's representation and gender parity and the need to reconsider the existing model.

¹⁴² For example, only directly elected members of parliament receive constituency development funds for communities that elected them.

¹⁴³ The ZEC Gender and Inclusion Policy also acknowledges that “the culture of political violence, misogyny, male chauvinism and intimidation persist in Zimbabwe’s electoral processes.”

¹⁴⁴ The CEDAW committee recommended amending the Political Parties Finance Act to specifically provide for the allocation of campaign financing and the provision of training for women candidates for elections and to adopt legislation criminalizing political harassment and sexist attacks against women candidates and political activists.

¹⁴⁵ [Code of Conduct](#) for Political Parties and Candidates. The 2021 [Cyber and Data Protection Act](#) penalizes cyberbullying, harassment, false allegations, and the sharing of sensitive information without consent.



Zimbabwe Harmonized Elections
August 2023

Existing mechanisms designed to promote women's participation should be reviewed to ensure greater representation of women in elective offices, in line with the constitution and in close consultation with all relevant stakeholders. All changes to the legislation and electoral system should take place well in advance of the next elections. Consideration could be given to the introduction of legally binding provisions that require political parties to ensure equal numbers of fielded women and men candidates supported by sanctions and incentives, including financial.

Participation of Youth in the Electoral Process

Zimbabwe's constitution recognizes youth as a special group. It mandates that the State and all institutions and agencies of government at every level take reasonable measures, including affirmative-action programs, to ensure that youth have opportunities to associate and to be represented and participate in political, social, economic, and other spheres of life. However, this provision requires enabling legislation.

The right to stand for the National Assembly and councils is limited to candidates older than 21, whereas young candidates are not eligible to run for president or Senate.¹⁴⁶ The 2021 constitutional amendments provide for seats in the National Assembly for 10 members ages 21-35, one from each province, and requires that half of candidates on a party's list for these seats should be women. Additionally, the constitution mandates that 10 of the 60 women on PR party lists should be women under age 35, if political parties choose to field a list. The legal framework does not contain guarantees for priority listing of young candidates on party lists. While enabling legislation for the implementation of youth quota was introduced after the proclamation of the 2023 elections, the ZEC applied the constitutional norms directly and requested the parties to field youth lists. The ZEC required that party lists contain two candidates ages 21-35 for each province – one candidate and one alternative.¹⁴⁷

Most political parties competing in the 2023 elections failed to capitalize on this opportunity. Only three political parties submitted youth quota party lists presenting alternating women and men candidates.¹⁴⁸ Because of a lack of publicly available information on candidates' ages, it was impossible to determine to what extent the parties complied with the requirement to promote young women on party lists for the reserved women seats, as mandated by the constitution.

To ensure constitutional guarantees promoting youth participation, parliament should amend the Electoral Act to guarantee the representation of young women on proportional representation seats for women, with stronger safeguards for priority listing supported by sanctions and incentives, including financial, such as a waiver of nomination fees for young candidates.

¹⁴⁶ According to Section 91(1) and 121 (1) of the constitution, candidates for president or Senate must be at least 40.

¹⁴⁷ See <https://www.zec.org.zw/womens-quota-for-local-authority-elections/>.

¹⁴⁸ ZANU-PF submitted party lists for all provinces, CCC for every province except Bulawayo, and MDC-T for only one province, Matabeleland North. Interlocutors from one political party told The Carter Center that they were not able to submit lists because the ZEC refused to register their candidates on technical grounds, and those rejections were upheld by the courts.



Zimbabwe Harmonized Elections
August 2023

While some parties formed youth wings and engaged young members, ageism and a lack of financial resources tended to limit participation of youth as candidates in general, whereas young women candidates faced additional challenges because of their gender.

*Approximately 72% of the population of Zimbabwe is under age 35.*¹⁴⁹ However, the number of registered young voters decreased from 43.5% for the 2018 elections to 41.7% in 2023.¹⁵⁰ Reportedly, more than 2 million potential first-time voters are still unregistered.¹⁵¹ Carter Center observers were informed that growing voter apathy and fear of election-related violence are key factors preventing youth from engaging more actively in political processes.

While the Center observed that the ZEC undertook additional efforts to target young voters for the 2023 elections, such issues should be addressed further by the ZEC through longer-term voter and civic education measures. Cooperation with CSOs that work with youth could be instrumental in reaching out to those not registered yet or having special needs.

The ZEC should take more rigorous and targeted actions to register young (first-time) voters, including in rural and remote areas, as well as young persons with disabilities. Longer-term civic and voter education measures should be developed and implemented, in close cooperation with CSOs, to tackle voter apathy and challenges to more active participation in political life, including the right to vote and stand for office.

Participation of People With Disabilities in the Electoral Process

The constitution contains a range of provisions prohibiting discrimination and guaranteeing the rights of people with disabilities.¹⁵² It recognizes sign language as one of the country's 16 languages and mandates promotion of its use. The constitution stipulates that two members of the Senate be elected to represent people with disabilities and be a person with a disability, as defined in the Electoral Law. The 2021 constitutional amendments also promote representation of women with disabilities in the 60-seat quota for the National Assembly. However, this measure is not supported in the enabling legislation, and it does not require that candidates with disabilities be placed in electable positions on party lists. This provision is not supported by any sanctions or incentives to prompt political parties to comply with it. A lack of publicly available disaggregated data about candidates' ages and disability status did not allow for an assessment of party compliance with this requirement.

¹⁴⁹ Population census [report](#), 2022.

¹⁵⁰ [Youth participation in governance processes](#): the case for Zimbabwe. Position paper. ZESN.

¹⁵¹ "Youth vote will be the game changer in Zimbabwe's elections," The Africa Report <https://www.theafricareport.com/317592/youth-vote-will-be-the-game-changer-in-zimbabwes-elections/>.

¹⁵² However, it limits the efforts of the state and all institutions and agencies of government at every level, to existing limits of the resources available to them, when obliging to assist persons with physical or mental disabilities to achieve their full potential and to minimize the disadvantages suffered by them. Zimbabwe's constitution, Section 22, 56.



Zimbabwe Harmonized Elections
August 2023

To increase participation of people with disabilities in political life, legislated temporary quotas for people with disabilities for the National Assembly, provincial/metropolitan and local councils – with mandatory requirements (supported by sanctions) for political parties to nominate people with disabilities – should be introduced, following a participatory consultative process with relevant stakeholders.

Persons with disabilities have diverse accessibility needs. There is no accurate data on the number of people with disabilities in Zimbabwe.¹⁵³ While during the voter registration process, a voter may self-declare their disability, the registration form does not contain any breakdown for a type of disability. This lack of data undermines efforts to adequately assess and address the needs of people with disabilities to ensure their voting rights.

Disability-related data collection and analysis in various stages of the electoral process – including voter registration, voter education, candidate nomination and polling – should be improved with a view to developing measures to adequately promote more active participation of people with disabilities.

Legislation for people with disabilities contains limited safeguards to ensure their right to vote. The Electoral Act provides for assisted voting for illiterate or physically disabled voters, who can be assisted by a person of their choice or by a presiding officer in the presence of two other electoral officers.¹⁵⁴ There is no specific provision to enable voters with visual impairments to vote without assistance – such as electronic voting machines with an audio guide, or tactile ballot guides.¹⁵⁵ The law requires accessibility of polling stations. However, no special requirements exist to ensure adequate lighting in polling stations, which undermines the capacity of voters with visual impairments to vote without assistance.

To guarantee the right to vote in secrecy, additional measures should be introduced to enable voters with visual impairments to vote without assistance, such as tactile ballot guides, as well as improved lighting in polling stations. Improving visibility in polling stations is imperative. It is therefore recommended that either the hours of voting be changed or that the election commission provide sufficient lighting to affected polling stations, including temporary voting sites such as tents.

¹⁵³ The 2022 population and housing [census](#) presents a figure of 9.5% of the population as living with functional difficulty. U.N. and other agencies estimated it to be 7-15%.

¹⁵⁴ While the Electoral Act does not mention the mandatory presence of police officers in addition to polling station officers to accompany voters needing assistance, the ZEC manual explicitly includes it. Carter Center observers noted that a police officer participated in assisted voting.

¹⁵⁵ CRPD Article 21 holds that “State Parties must take all appropriate measures to ensure that persons with disabilities can exercise the right to expression ...on an equal basis with others and through all forms of communication of their choice.” Article 29 provides for the state’s obligation to ensure the right of people with disabilities to vote by secret ballot in elections without intimidation, facilitating the use of assistive and new technologies where appropriate.



Zimbabwe Harmonized Elections
August 2023

People with disabilities continue to face legal and administrative barriers. Some of them lack identity documents, are not registered as voters and so are not able to exercise their right to vote or to stand for office.¹⁵⁶ Moreover, women and girls with disabilities are particularly vulnerable to discrimination.¹⁵⁷ There are no mechanisms in place to ensure the right to vote of homebound voters that in effect results in disenfranchisement. Lack of accessibility remains a serious concern due to a variety of factors, including both physical obstacles to polling stations and campaign event venues, as well as campaign-related information and political manifestos of candidates and parties.

Despite some legislated measures aimed to promote participation, women, youth, and people with disabilities remain underrepresented in Zimbabwe's public institutions, including elective offices. Gaps in the legal framework, including the absence of sanctions or incentives to ensure gender parity, sharply increased nomination fees, patriarchal stereotypes, existing traditional gender roles, election-related violence, and harassment online and offline played a crucial role as factors preventing women from playing a more active role in political life and achieving gender parity in elective offices. Despite legislated special measures, including reserved seats, Zimbabwe's political parties largely failed to utilize them and promote the participation of women, youth and people with disabilities as candidates in the 2023 elections.

Election Dispute Resolution

*Effective electoral dispute resolution mechanisms are an integral part of ensuring that the will of the people is upheld. The efficiency of such mechanisms, including the provision of a fair and public hearing before a tribunal, is essential to ensuring that effective remedies are available to redress violations of fundamental rights.*¹⁵⁸

Complaint Procedures and Bodies Involved in Review

Zimbabwe is party to main international documents requiring an effective remedy for acts violating the fundamental rights granted by these documents.¹⁵⁹ The State's capacity to effectively resolve disputes in a timely manner affects the credibility of the electoral process. Effective dispute resolution is possible only when remedies and an independent judiciary are in place and due process guarantees are respected. To be effective, electoral disputes should be subject to expedited

¹⁵⁶ According to the National Human Rights Commission [report](#), "Parents' and other family and community member's negative and discriminatory attitudes towards PWDs often resulted in them 'hiding' their children with disabilities and they neither cared nor found value in registering them."

¹⁵⁷ [CEDAW concluding observations](#), Para. 45.

¹⁵⁸ ICCPR, Article 2(3): "Each state party to the present covenant undertakes: (a) to ensure that any person whose rights or freedoms are herein recognized as violated shall have an effective remedy, notwithstanding that the violation has been committed by people acting in an official capacity; (b) to ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative, or legislative authorities, or by any other competent authority provided for by the legal system of the state, and to develop the possibilities of judicial remedy; (c) to ensure that the competent authorities shall enforce such remedies when granted" UNHRC, General Comment 32, Para 25: "The notion of fair trial includes the guarantee of a fair and public hearing"

¹⁵⁹ The Universal Declaration of Human Rights, Art. 8; ICCPR, Art. 2; SADC Principles and Guidelines Governing Democratic Elections, p.7.3



Zimbabwe Harmonized Elections
August 2023

review given their time-sensitive nature to allow for the exercise of the affected individual's electoral rights, including to be able to campaign.¹⁶⁰

Appeal procedures, and especially the powers and responsibilities of the various bodies involved in them, should be clearly regulated by law to avoid any positive or negative conflicts of jurisdiction. In addition, the right to file such appeals must be granted as widely as possible, open to every elector in the constituency and every candidate running in the election.¹⁶¹ The guarantee of a timely remedy is integral to the principle of effective means of redress.¹⁶²

The legal framework grants broad legal standing in election-related disputes. Zimbabwe's legal framework provides for two main channels to resolve any electoral complaints – the ZEC and the judicial system. Despite the mandate given to ZEC in the constitution to receive and address complaints, both the constitution and the Electoral Act lack specific details concerning the types of complaints accepted, the procedures for filing complaints, and the guidelines for ZEC's decision-making process.¹⁶³

Additionally, ZEC has the option to receive complaints through the Multi-Party Liaison Committees (MPLCs) and subsequently refer them to relevant entities such as the police, the Zimbabwe Commission for Human Rights, or the Media Commission for investigation and feedback. Stakeholders noted lack of interest by the ZEC to deal with election disputes, while effectiveness of MPLCs depends on the engagement and commitment of parties involved. As a result, for the 2023 elections, courts became the main avenue for examination of election-related complaints. Lack of expedited procedures and clear timeframe resulted in delays of the electoral process and disruption of the electoral calendar, including printing ballot papers and postal voting.

To deal with election-related disputes, Electoral Courts operate as a division of the four High Courts, and each of the four High Courts has its own division dedicated to handling electoral disputes. The chief justice has the authority to appoint a specified number of judges as electoral judges who are responsible for hearing appeals, applications, and petitions related to the Electoral Act. They also can review decisions made by the election commission, though they do not have jurisdiction over criminal cases. The judgments, orders, and directions issued by an Electoral Court carry the same enforceability as those of the High Court.

¹⁶⁰ In regional jurisdictions, good electoral practice recommends three to five days for election-related dispute review. See, for example, European Commission for Democracy through Law (Venice Commission), Code of Good Practice in Electoral Matters, CDL-AD (2002) 23.

¹⁶¹ *Ibid.*

¹⁶² AU, AFCHPR, Article 7: "Every individual shall have the right to have his cause heard. This comprises: (a) the right to an appeal to competent national organs against acts violating his fundamental rights as recognized and guaranteed by conventions, laws, regulations and customs in force; (b) the right to be presumed innocent until proved guilty by a competent court or tribunal; (c) the right to defense, including the right to be defended by counsel of his choice; (d) the right to be tried within a reasonable time by an impartial court or tribunal."

¹⁶³ Zimbabwean Constitution, S239 (k). Except S190 of the Electoral Act, which regulates complaints arising during the voters' registration and voter transfer processes.



Zimbabwe Harmonized Elections
August 2023

According to the Electoral Act, the Electoral Courts are required to render decisions on election-related matters within six months from the date the case is filed.¹⁶⁴ Additionally, any appeals on Electoral Court decisions to the Supreme Court should be decided within three months.¹⁶⁵ While this timeframe represents a positive improvement, compared with the High Court's longer timelines, the law does not guarantee that grievances will be addressed within a sufficient time frame before election day, depriving participants of a meaningful, swift, and effective remedy, as protected under public international law. The preelection period is particularly sensitive, and a swift and efficient remedy from the court is crucial, especially when the matter significantly impacts the preelection environment.

On June 2, 2023, 35 judges were appointed to hear appeals, applications, and petitions related to the Electoral Act.¹⁶⁶ As of Aug. 16, more than 80 cases had been filed in front of the five Electoral Courts. Parties are required to present a discretionary security deposit to cover potential legal settlements and fees as decided by the judge, which may restrict parties' right to justice.¹⁶⁷

Additionally, to deal with cases involving politically motivated violence and intimidation, the chief justice designates magistrates.¹⁶⁸ To ensure the swift handling of these cases, the prosecutor general is supposed to offer the support of competent prosecutors. Additionally, the commissioner general of police is tasked with implementing measures to ensure thorough and proper investigations of politically motivated violence and intimidation cases.

While efforts are made to determine the appropriate jurisdiction based on the type of case filed, petitioners can bypass the Electoral Courts and file election-related matters before the High Court. The High Courts in Zimbabwe possess broad jurisdiction, enabling them to handle cases related to politically motivated violence and intimidation, electoral issues, and constitutional matters. As a result of its well-established rules and procedures, the High Court is often the preferred option for many people, as they are more familiar with it compared with specialized Electoral Courts or magistrate courts. However, the timeline for High Court procedures is not tailored to accommodate the expeditious nature of electoral matters. This challenge was amplified by the large number of nomination challenges filed with the High Court for the 2023 harmonized elections.

Although the Electoral Act gives the Electoral Court jurisdiction over election-related cases, the High Court received a high number of election-related cases, which delayed the finalization of the candidate lists, the printing of ballot papers, and postal voting.

¹⁶⁴ Electoral Act, Section 182 (1)

¹⁶⁵ Electoral Act, Section 182 (2)

¹⁶⁶ General Notice 970 of 2023.

¹⁶⁷ U.N. (CCPR): [General Comment 32](#): Right to Equality Before Courts and Tribunals and to Fair Trial (Article 14), para. 11.

¹⁶⁸ See 'Magistrates prepared to handle politically motivated crimes,' <https://www.zbcnews.co.zw/?p=12782>.



Zimbabwe Harmonized Elections
August 2023

Some candidates reported that prolonged consideration of their dispute by the court related to candidate registration undermined their opportunity to campaign in a timely manner resulting in a lack of equal playing field with other candidates.

The legal framework should be revised to clearly delineate the jurisdictions of the High Court and the Electoral Court to avoid any overlap or delays in electoral processes. The timeframe for election-related disputes should be shortened to ensure adjudication of cases under expedited procedures, especially if filed on election day or the days before.

The primary role of the Zimbabwean Supreme Court is to examine whether lower courts have applied the law correctly. Electoral cases originating from the Magistrate Court, the High Court, and the Electoral Courts can be appealed to the Supreme Court only if there is a demonstrated error in the application of the law. It is important to note that the Supreme Court does not review the merits of the case; rather, its focus is solely on ensuring that the lower courts properly interpreted and applied the law in these appeals.

In line with international best practices that all complaints pertaining to the overall final results or the declaration of election results to be partially or fully void should be filed with the highest body of the judiciary, the Constitutional Court, or with the court where the highest electoral body is located, the Zimbabwean Constitutional Court exclusively handles complaints, petitions, or challenges related to the presidential race. According to the constitution, any presidential petition must be submitted within seven days of the announcement of preliminary election results and must be resolved within 14 days from the date of application.¹⁶⁹

While the swift resolution of any petition contesting the result of the presidential elections is crucial due to the significance of the office, the constitution also requires that petitioners file and serve their cases within seven days from the declaration of the election results, which many consider challenging because of its nationwide constituency and the difficulty of collecting evidence and preparing a case.

Stakeholders conveyed their skepticism regarding the independence and impartiality of the judiciary due to the constrained constitutional autonomy and transparency in extending the tenure of the chief justice, and the lack of transparency about the process by which election-related cases were assigned to judges by the president of the High Court.¹⁷⁰

To enhance trust in the judiciary, protect its independence, and preserve the role that it plays in safeguarding human rights and freedoms, the appointment procedures of judges should be amended to guarantee separation of powers and to remove the executive from involvement in the selection of High Court judges.

¹⁶⁹ Zimbabwe Constitution, Section 93 (1) and (3)

¹⁷⁰ See <https://www.veritaszim.net/node/5013>



Zimbabwe Harmonized Elections
August 2023

The Electoral Act provides that the security fees prescribed by the commission, in consultation with the chief justice, should be paid not later than seven days following the submission of a petition.¹⁷¹ The fees are so high that they could restrict parties' right to justice and constitute an additional barrier for election-related disputes, especially for women and other underrepresented groups.¹⁷² Some candidates reported having to pay large amounts for court fees, legal representation, and related travel and accommodation costs that significantly reduced their campaign resources.

The legal framework should be reconsidered to ensure that any security deposit required to cover the cost of potential settlement fees is not prohibitive to enhance access to justice.

Role of Multi-Party Liaison Committees

The MPLCs could be a very efficient mechanism for alternative dispute resolution, as they create a channel for dialogue between candidates' representatives and the ZEC. However, their *modus operandi* is based on the commitment and goodwill of the parties involved, and there are no regular sessions in place. Their decisions lack enforcement mechanisms. Some candidates recommended that the committees hold their meetings at a set time on a periodic schedule and that mechanisms be created to enforce any MPLC's decisions.

Carter Center observers noted that candidates' and political party representatives were keen to attend MPLC meetings, but uncertainty about when the ZEC would call for meetings was a common concern.

The ZEC should use MPLCs as an alternative dispute resolution mechanism to resolve electoral disputes under its jurisdiction; meetings should be held on a regular basis and based on clear processes. Although the Electoral Act provides for MPLC meetings no sooner than six months prior to the elections, consideration should be given to extending or establishing permanent MPLCs to have a continuous forum for intraparty dialogue before and during the electoral process.

Complaints and Appeals

More than 90 cases were filed in the Electoral Court and the High Court nationwide between nomination day and election day. Parties withdrew about 10 cases, and most of the rest were

¹⁷¹ On Aug. 8, 2018, the chief justice announced that the amount prescribed for petitions related to the July 30, 2018, harmonized elections were: US\$1,000 for local authority election petitions, US\$2,000 for local National Assembly petitions, and US\$5,000 for presidential election petitions.

¹⁷² U.N. (CCPR): General Comment 32: Right to Equality Before Courts and Tribunals and to Fair Trial (Article 14), Para. 11; "...the imposition of fees on the parties to proceedings that would de facto prevent their access to justice might give rise to issues under article 14, paragraph 1."



Zimbabwe Harmonized Elections
August 2023

dismissed on technicalities. Most cases filed in the courts challenged the decision of the nomination court to accept political competitors.¹⁷³

Opposition candidates and aspirants as well as civil society representatives expressed a lack of confidence in general in judicial impartiality because of the limited constitutional independence and transparency in the appointments of the chief justice, the deputy chief justice, and the president of the High Court. Key stakeholders expressed concerns about financial benefits reportedly given to the judges a few months before the election.¹⁷⁴

The courts determined several cases concerning one's right to stand for office, including that of a prominent presidential aspirant. On June 21, 2023, Saviour Kasukuwere was announced by the nomination court as an independent candidate for president. However, his eligibility was challenged in court. The applicant, a citizen of Zimbabwe, argued that, under the constitution, all presidential candidates should be registered voters. He claimed that because Kasukuwere had left his constituency for 18 consecutive months, he was no longer legally registered, thus losing his right to stand for office. The Zimbabwean High Court ruled that Kasukuwere had not provided proof of residency and could not run for president. The Supreme Court and the Constitutional Court later dismissed Kasukuwere's appeals to overturn that judgment.¹⁷⁵

In another case, presidential candidate Elizabeth Valerio successfully challenged the rejection to register her on technical grounds. ZEC stated that as the nomination fees, though transferred by Valerio via bank wire on time, has not settled on the ZEC's account by the nomination deadline, she was not eligible to run. The court ruled that presenting *proof* of payment on time was sufficient for the purposes of registration.¹⁷⁶

In Bulawayo, 12 CCC National Assembly candidates were disqualified by the High Court based on allegations that their nomination papers were filed after the legal deadline. The 12 candidates appealed the decision to the Supreme Court, where ZEC officials testified that the nominations had been filed in a timely manner. The court reinstated their candidacies.

The judiciary addressed an unprecedented number of election-related disputes, but some of them remained unresolved on election day, which undermined the rights of candidates to stand.

¹⁷³ Including the case of *Loveday Mangwana v. Kasukuwere supra*, in which Mangwana successfully challenged the decision of the nomination court to allow Kasukuwere to run for president. In the case of *Tatenda Madzinashe and Others v. Innocent Ncube and Others HB-157-23*, Madzinashe successfully challenged the decision of the nomination court to allow 12 CCC MPs from Bulawayo province to run for National Assembly. However, the decision of the High Court was overturned by the Supreme Court.

¹⁷⁴ SADC Preliminary [Statement](#), The 2023 Harmonized Elections in Zimbabwe, para j.

¹⁷⁵ [HH 418-23 Lovedale Mangwana v Kasukuwere and Ors](#) and [SC 387-23 Saviour Kasukuwere v Lovedale Mangwana and Ors Appeal Judgment](#).

¹⁷⁶ [Elisabeth Valerio v. Presiding Officer of the Nomination Court and Others Judgment](#)



Zimbabwe Harmonized Elections
August 2023

While several interlocutors reported to the Carter Center that CCC was preparing a presidential petition to file in front of the constitutional court to challenge the presidential results, CCC later decided not to do so.

Although Harare-based observers obtained authorization from the Judicial Service Commission to access statistics related to electoral cases, observers in the regions had significant difficulties collecting such information from the courts. Information on election-related cases was not regularly published.

To further enhance the transparency of the dispute resolution process, the courts should provide access to information on election-related cases and consider timely publication of complaints registered on their website.

In summary, existing judicial and alternative dispute resolution mechanisms for election-related complaints are not fully in line with international standards. This includes timeframes for adjudication of such disputes that do not guarantee expedited review to allow for the exercise of the affected individual's electoral rights, and overlap of jurisdictions between the specialized Electoral Courts and High Courts. Also, the effectiveness of the administrative complaint mechanism – the ZEC – is undermined by a lack of clarity on types of complaints and procedures as well as an absence of interest by the ZEC to play a more active role. The MPLCs, meanwhile, were dependent on the engagement and commitment of the various parties involved – including representatives of all political parties and candidates, the ZEC, the police, and other security services – and lacked enforcement mechanisms. As a result, the High Court was overwhelmed with a large number of nomination challenges and other matters, while its procedures are not tailored to accommodate the expeditious nature of electoral matters resulting in delays of the electoral process and disruption of the electoral calendar.

The Center recommends that the legal framework be revised to clearly delineate the jurisdictions of the High Courts and the Electoral Courts to avoid any overlap or delays. The timeframe for election-related disputes should be shortened to ensure adjudication of cases under expedited procedures, especially if filed on election day or the days before. Also, the Center recommends utilizing the MPLCs as an alternative dispute resolution mechanism. Their meetings should be held on a regular basis and their work based on clear processes to enable the ZEC to resolve disputes effectively. Consideration could be given to extending or establishing permanent MPLCs to have a continuous forum for intraparty dialogue before and during the electoral process.

Election Observation

According to public international law, all people have the right to participate in the public affairs of their country which is also a key international obligation for democratic elections.¹⁷⁷ This

¹⁷⁷ U.N., International Covenant on Civil and Political Rights, Article 25(a); AU, African Charter on Human and Peoples' Rights, Article 13(1); U.N., Universal Declaration of Human Rights, Article 21(a).



Zimbabwe Harmonized Elections
August 2023

includes the right of citizens to participate in nongovernmental organizations, including citizen observer organizations, and contribute to voter education efforts.¹⁷⁸ Through these means, civil society can play an essential role in upholding an electoral process that is accountable and in which all participants and stakeholders can have confidence. The transparency provided by election observation is an important component of electoral integrity.

The Electoral Act and regulations allow citizen and international observers to observe the full electoral process, and provide specific requirements related to the functions of citizen observers, accreditation of CSOs and their members, and the participation of CSOs in voter education activities.¹⁷⁹ In addition, each candidate has the right to nominate election agents to represent the candidate and observe the election process.¹⁸⁰

Zimbabwe enjoys a rich and vibrant civil society, including faith-based organizations, civil society trusts, and private voluntary organizations. The Catholic Commission for Justice and Peace, the Zimbabwe Council of Churches, the Zimbabwe Electoral Support Network (ZESN), and the Election Resource Center (ERC), among other civic organizations, have been involved in strengthening citizen participation as well as policy engagement toward improvement of the quality of electoral and democratic practices in the country. These organizations deployed observers on election day, and many engage regularly in civic education to promote inclusion and transparency of electoral processes.

The Carter Center noted, however, that there was limited civil society participation in the Aug. 23 electoral processes due to the state's restrictions and the ZEC's limited engagement with CSOs on various electoral processes, including delimitation of constituency and ward boundaries, voter education, and observation. In addition, the Center noted that the ZEC restricted local CSOs' election observation and voter education activities through delayed accreditation and non-accreditation of a significant number of individual applicants and organizations.

Some CSOs specializing in election observation experienced challenges in receiving accreditations in a timely manner.¹⁸¹ Such delays compromised the timely deployment of observers to polling stations and their ability to observe the elections effectively. ZESN and many other CSOs also complained that some observers felt intimidated, resulting in some trained and accredited observers withdrawing from observation out of concern for their safety. Local CSO leaders also reported to the Center that the government's passing of restrictive laws, such as the Criminal Law Codification and Reform Act and the Private Voluntary Organization Amendment Bill, whose

¹⁷⁸ U.N., United Nations Human Rights Committee, General Comment 25 on "The Right to Participate in Public Affairs, Voting Rights and the Right to Equal Access to Public Service," Para.11; U.N., Human Rights and Elections: A Handbook on the Legal, Technical, and Human Rights Aspects of Elections, Para. 127.

¹⁷⁹ Electoral Act, Part IXB (Election Observers).

¹⁸⁰ Electoral Act, Part XVI (Election Expenses and Election Agents), sections 94 (Chief Election Agents) and 95 (Election Agents).

¹⁸¹ On Aug. 22, 2023, ZESN reported that the ZEC's accreditation of its observers in the provinces was very slow; many observers were accredited only on the eve of election day.



Zimbabwe Harmonized Elections
August 2023

provisions amended the regulatory framework for CSOs on the eve of the election, significantly affected their ability to participate freely in the election and encouraged self-censorship to avoid creating difficulties with the authorities.

CSO accreditation should remain consistent with international and national guidelines and principles; accreditation should be standardized for voter education as well as for observation of various stages of the electoral process.

While both citizen and international observers engaged strongly around the elections, several hours after polls closed, Zimbabwean security forces raided the offices of ZESN and the ERC, both accredited and well-known national election observation groups, arresting about 40 people and confiscating equipment. The individuals were later charged with attempting to release election results before the official results were announced and were released on bail on Aug. 25. The court cases are ongoing. The raid and detentions were a severe restriction of fundamental civil and political rights of these organizations and individuals. These actions prevented CSO efforts to contribute to transparency around critical phases of the election, including independent verification of officially announced results. ZESN continued to report harassment against its members.

The ZEC should consider reducing or eliminating accreditation fees for observers (international and domestic) to encourage robust engagement of civil society in elections. Efforts should be taken and effective mechanisms put in place to protect space for participation in public affairs for all stakeholders and to reassure civil society and other stakeholders that they are free to operate without repercussions. The ZEC should be the sole authority to consider and accredit observers.

Voting, Counting, Tabulation, and Announcement of Results

The voting process is the cornerstone of the obligation to provide the free expression of the will of the people through genuine, periodic elections.¹⁸² The quality of voting operations on election day is crucial to determining whether an election was conducted according to democratic obligations. Holding elections by secret ballot is a core obligation under international law and a recognized means of ensuring that the will of the people is freely expressed.¹⁸³

Postal Voting

Citizens on state duty outside their constituency on election day were allowed to vote by mail. ZEC approved 17,606 postal voting applications from police, military personnel, election officials, and diplomats stationed abroad. Due to delays in ballot printing linked to electoral challenges in the courts, the ZEC decided to extend the deadline for receiving mail ballots by 10 days, setting the new deadline three days before election day. Reportedly, on Aug. 15-16, police marked their mail ballots in an organized manner, sometimes under the supervision of their commanders, which may have compromised the secrecy of the vote.¹⁸⁴

¹⁸² ICCPR, articles 2, 25(a)

¹⁸³ U.N., ICCPR, Article 25; Universal Declaration of Human Rights, Article 21

¹⁸⁴ [EU Election Observation Mission, Zimbabwe 2023, Final Report.](#)



To ensure secrecy of the police, military, and other institution-based voting, special procedures and safeguards should be put in place.

Election Day

Carter Center observers assessed opening at 28 polling stations and voting at 201 polling stations, spending at least 30 minutes at each location. Although polling stations around the country generally opened on time, there were significant delays at many sites in Harare, Bulawayo, and Manicaland. In some instances, polling was delayed by 11 hours or more due to late delivery of local authority and national assembly ballots. The Carter Center also observed major interruptions and delays in voting caused by ballot shortages. Other election materials were delivered on time, except for a few instances of incorrect voters' rolls. Carter Center observers noted that the vast majority of polling stations did not make a voters' roll available for public scrutiny prior to election day.

The ZEC released an official statement citing delays in printing ballots because of legal challenges. The Center commends the ZEC for moving quickly to extend voting hours at polling stations that opened late and educating voters on this extension through multiple media channels. Given the late opening hour in some locations and the requirement for polling stations to be open for 12 continuous hours, however, the extension resulted in some polling stations operating until late into the night. Some interlocutors expressed concern that if polling operations continued throughout the night, electoral staff would be fatigued; voters would experience challenges casting their vote in inadequately lit polling stations; observers would not be able to fulfill their responsibilities; and the voting operations could be vulnerable to manipulation.

The ZEC made efforts to help voters identify their polling stations with the use of an app. This was especially useful considering the changes following the boundary delimitation process that preceded the elections. However, on election day, observers noted that a significant number of voters experienced challenges in identifying their polling stations and were at times turned away after spending hours in lines.

The Carter Center team observed vote counting at 19 polling stations in nine of Zimbabwe's 10 provinces. According to the Center's data, urban polling stations had a turnout roughly 10% higher than rural ones. It is reasonable to expect that significant delays in delivering ballots and extensive queuing throughout the day negatively impacted voter turnout and voters' perception of the ZEC's ability to effectively facilitate voting. The Carter Center commends the country's many polling station personnel for their professionalism despite logistical challenges.

After polling stations opened, the environment remained calm, despite delays and understandable frustrations, with observers reporting no disruptions from any of the 148 observer reports on polling processes. In general, voters had sufficient understanding of voting procedures. The 300-meter prohibition on campaign materials was respected in most polling centers. Of the polling stations visited by the Carter Center on election day, 89% were accessible for voters with



Zimbabwe Harmonized Elections
August 2023

disabilities. Polling stations were equipped with a special voting booth for use by people with disabilities. At the same time, a lack of adequate light in some observed polling stations posed an additional barrier for voters with visual impairments. In some locations, Carter Center observers noted separate lines for women and men voters aimed at ensuring equal, and, at times, priority access to polling stations for women.

At their core, elections are political contests and *should* be peaceful and fully accessible to citizens, party agents, and observers. Carter Center reports noted the presence of ZANU-PF and CCC party agents in nearly all polling stations observed. In nearly 80% of observations (239 of 301), the two parties had an equal number of agents present. Citizen observers, such as ZESN and others, also had a widespread presence throughout Zimbabwe. Despite concerns that COVID-19 procedures would restrict observation, there were no reports of accredited observers or party agents being turned away, and all reported having good access to view the process. Observers from the Forever Associates of Zimbabwe (FAZ) were present in 10% of polling stations observed and, in some locations, its representatives conducted exit polls, which reportedly had an intimidating effect on the electorate.¹⁸⁵

The Carter Center observers generally assessed voting as positive and effectively implemented in most of the polling stations visited. However, a relatively small number of polling stations – concentrated in a few key areas such as Harare city and metropolitan area, and Bulawayo, among others – reported significant problems or incidents, including a lack of materials and long delays in poll openings. In areas where ballot shortages were observed, surrounding polling stations in the ward also were affected. In addition, observers reported voter intimidation by FAZ, instances of assisted voting (beyond needed), and instances of voters not being able to find themselves on the voters' roll in some locations. The Carter Center observers reported many instances of assisted voting, and particularly elevated numbers in some polling stations, including one in which polling officials reported as many as 131 voters requesting assistance, which constituted more than 13% of the maximum number of voters registered in that station. Some interlocutors expressed concerns about the overuse of voter assistance, especially in rural areas, which could have compromised the secrecy of vote. Also, the presence of local chiefs – and their involvement in registering voters – raised concerns regarding potential unfair influence.

The Center observed closing procedures in a smaller number of polling stations, and found that most fully followed procedures. There were no official complaints at the polling stations observed, and observers and party agents did not report any problems informally. Compliance with legal procedures was slightly lower for ballot counting, which occurred at the same polling stations. During this phase, two teams observed inadequate adherence to procedures for ballot counting, reconciliation, recounting, contested ballots, and posting results at the center.

¹⁸⁵ FAZ is a civil society organization affiliated with ZANU-PF, accredited to observe the 2023 elections. See <https://faztrust.com/about/>.



Zimbabwe Harmonized Elections
August 2023

Carter Center observers assessed tabulation at three levels: ward, constituency, and provincial. Processes were assessed as “very good” in 67% of observations and as “reasonable” in 31%. The tabulation process took place without any reported interference.

Polling staff were well-trained and professional despite logistical challenges.

ZANU-PF and CCC again had general parity in the number of party agents deployed at tabulation centers. In Mashonaland West, party agents complained that they did not receive their accreditation to observe, but ZEC staff resolved the issue for them. FAZ observers were present in half of the centers observed. On average, women made up 66% of staff at polling stations observed – 62% in rural areas and 71% in urban areas. Women served as presiding officers in 43% of polling stations observed – 33% in rural areas and 53% in urban areas.

The ZEC should ensure completion of all preelection preparations, including delivery of ballots to polling stations, within legal deadlines, to give voters equal access to voting.

Election Results

Announcement of Results

The ZEC held a press conference late on Aug. 26 to announce the results of the presidential election. Incumbent Emmerson D. Mnangagwa received 2,350,711 votes (52.6%), and the leading opposition candidate, Nelson Chamisa, received 1,967,343 votes (44%). The ZEC released a picture of the collation of return forms from provincial command centers on its Facebook and X accounts, providing information on the number of ballots cast for each candidate at the provincial level.¹⁸⁶ The presidential candidates and their chief election agents were invited to witness the collation of presidential results. Some international observers also were present. Shortly after, the defeated CCC candidate rejected the presidential results, arguing that the party had result forms from V11 (polling station) and V23 (ward-level) that differed from the ones used by the ZEC. Chamisa announced his intention to challenge the results.¹⁸⁷

The results for the directly elected National Assembly seats and the local authority were announced at the constituency and ward levels, respectively. ZANU-PF won 176 seats in the National Assembly, and CCC won 103. In the Senate, ZANU-PF won 33 seats, and CCC won 27. The ZEC published the results on its webpage; initially, however, technical problems made the site difficult to access and led to limited public access to information. Voter turnout was reported at 68.9%.

¹⁸⁶ See picture of the presidential results by province published by the ZEC, Aug. 27, 2023 <https://twitter.com/ZECzim/status/1695559127118807092/photo/1>.

¹⁸⁷ See CCC statement, Aug. 27, 2023 <https://twitter.com/CCCZimbabwe/status/1695576909839487050/photo/1>.



Zimbabwe Harmonized Elections
August 2023

The national observer organizations ZESN and ERC further released a joint statement calling on the ZEC to make disaggregated polling station results available online to increase transparency of the tabulation process.¹⁸⁸

To enhance transparency of the process and trust in the results, ZEC should ensure prompt publication of scanned protocols and election results, disaggregated by polling station.

In addition to the 60 reserved seats for women, 22 female candidates running under the first-past-the-post system were elected as members of parliament (out of 210 seats available). Overall, the number of directly elected women dropped compared with previous elections.¹⁸⁹ Following the final determination of proportional representation seats for the National Assembly under the 10-seat youth quota, three women and seven men candidates became members of parliament. Unlike the Senate and provincial councils, parties were not required to start party lists for the assembly with a woman candidate. This resulted in an unequal distribution of seats between men and women candidates. Women hold 86 seats in the assembly – 30% of the total.

Thirty-five women were elected senators under the proportional representation system. This constitutes 58% of the 60 seats under proportionate representation. Overall, women secured more than half of the seats due to the priority placement requirement on the alternating party lists. On Aug. 26, two people with disabilities – one woman and one man – were elected to the Senate. Women now constitute 45% of the Senate.¹⁹⁰

Fifty-four of 100 proportional representation seats on provincial councils were allocated to female candidates, a result of the requirement to submit alternating party lists starting with a female candidate.

In local councils, 254 women (13%) secured seats in direct elections, including some independent female candidates – 10 unopposed.¹⁹¹ Together with 30% additional seats for women, the share of female councilors is now 33%.

Postelection Period

Postelection Environment

Despite a high degree of political polarization and isolated violent incidents, including the death of a political party supporter, the August 2023 elections were less violent than Zimbabwe's

¹⁸⁸ See ZESN and ERC Joint statement, Aug. 27, 2023, <https://twitter.com/ZESN1/status/1695790504590426302/photo/1>.

¹⁸⁹ In the National Assembly, only 26 and 25 of the constituency FPTP seats were won by women in 2013 and 2018, respectively, a decrease from the 32 constituency seats won in 2008.

¹⁹⁰ The remaining 18 seats reserved for chiefs are occupied by male senators. [Chief elections results](#).

¹⁹¹ Women candidates were elected to 29 seats in Manicaland province, 31 in Matabeleland South, 27 in Matabeleland North, 45 in Midlands, 19 in Mashonaland Central, 26 in Mashonaland East, 12 in Harare Metropolitan, 6 in Bulawayo, 28 in Masvingo, and 31 in Mashonaland West.



Zimbabwe Harmonized Elections
August 2023

previous elections. Fears of unrest in wards and constituencies where ballots were delayed were unrealized, as voters remained peaceful throughout election day and waited in long lines to cast their ballots late into the night. *These dynamics provide hope that Zimbabwe is transitioning away from the dark years of politically motivated electoral violence.*

The Government of Zimbabwe took deliberate, proactive steps to ensure stability during the electoral period, including the robust deployment of police (and prison officers) to maintain order and security as well as promote peaceful campaigning and voting. The establishment of a specialized unit of police during the elections was critical for the management of any potential cases of violence and unrest. The appointment of special police liaison officers, two for each of the country's 10 provinces, to investigate cases related to electoral violence also helped ensure that reported cases of violence were investigated quickly.

Another important step taken was the early set-up and deployment of MPLCs, consisting of representatives of all political parties and candidates, the ZEC, the police, and other security services. These committees were designed to provide an inclusive mechanism to address electoral disputes and conflicts, including cases of politically motivated violence and other violations of the Electoral Code of Conduct, at national, provincial, constituency, and ward levels. Although some stakeholders complained about the inactivity of these committees in some constituencies, their mere existence in some areas helped boost public confidence.

The signing of peace pledges by political parties on Aug. 4 and the constant peace messaging and condemnation of violence by the country's key political leaders – particularly President Mnangagwa and his deputies as well as the leader of the main opposition party, Nelson Chamisa – during campaigning was crucial for maintaining the peace over the election period. According to some stakeholders, for a country experiencing such deep polarization as Zimbabwe, the government's invitation of international observers not only helped promote harmony and public confidence in the election, but also to mitigate potential cases of political and civil unrest. However, selective and partial accreditation of observers, false and hostile comments about the Center and other international observer missions and their work published in local and regional media, as well as challenges related to meeting government institutions at the national level, called into question the country's commitment to allow observers to carry out a comprehensive, accurate and credible observation in line with their mandates.

Despite the government's efforts, the campaign and election periods were disrupted by several cases of politically motivated violence, surveillance, abductions, and politically motivated detentions of opposition party and civil society activists and other alleged violations of human rights that were reported following the announcement of the Aug. 23 election results. According to the CCC, nearly 100 of its supporters were victimized through abduction, torture, displacement, arson, and intimidation between Aug. 24 and Sept. 9, 2023.¹⁹² The Catholic bishops in Zimbabwe

¹⁹² The Africa Report, Nov. 1, 2023. <https://www.theafricareport.com/326282/zimbabwe-ccc-reports-surge-in-post-election-violence-in-rural-areas/>



Zimbabwe Harmonized Elections
August 2023

also condemned what they described as escalating postelection violence. They lamented that “in the postelection period, most of the gains that we had made – the promotion of peace, diffusing the tensions between various political players and their supporters – were lost. There were retributions targeting those who were perceived to have voted wrongly, whatever that means!”¹⁹³

The response of the government, security services, and political leadership of the country to these alleged cases of human rights violations is what shapes assessments of the postelection period. During the elections, the government and its security services proactively responded to many allegations of electoral violence, and with the police were quick to commission investigations and update the nation about processes being undertaken to address the reported challenges. However, in the postelection period, the responsible authorities generally maintained a deafening silence about the reports and did not issue public updates about any actions taken. In the limited occasions where the police indicated it was conducting investigations, the results of such investigations were not announced publicly. The postelection violence and reprisals exacerbated public fears, suspicions, and tensions, and further deepened political polarization. The inaction of the government and its security services in investigating alleged cases of postelection violations of human rights contributed to making the postelection period unsafe for both voters and candidates as well as further undermined the credibility of the entire election process.

To maximize the progress achieved in addressing issues of election violence in Zimbabwe, stakeholders – the government; the police and other security services; independent commissions such as the Zimbabwe Human Rights Commission, the Zimbabwe Gender Commission and the National Peace and Reconciliation Commission; political leaders across the spectrum; civil society; the business community; religious and other community leaders; and all Zimbabwean citizens – should work together to promote peace, democratic principles and norms, human rights, and the rule of law, and hold people accountable for violations of human rights in the postelection period.

Recalls of Elected Officials

Security of the vote is instrumental for the credibility of the election and stability of the system. Globally, recalls have been used as a process for appropriate authorities or citizens to remove elected officials from public office before the end of his or her term for just cause. While the practice of recalling elected representatives during their term of office can be an instrument to ensure adequate representation, it also can be weaponized to undermine democratic representation.¹⁹⁴

The Zimbabwe Constitution provides that a member of parliament or a councilor can be recalled by a political party if they *ceased to belong to the political party of which he or she was a member*

¹⁹³ Catholic Church News, Nov. 22, 2023. <https://catholic-church-news-zimbabwe.com/2023/11/22/catholic-bishops-in-zimbabwe-condemn-post-election-violence/>

¹⁹⁴ (2008). *Direct Democracy: International IDEA Handbook*.

<https://www.idea.int/sites/default/files/publications/direct-democracy-the-international-idea-handbook.pdf>



Zimbabwe Harmonized Elections
August 2023

*when elected to Parliament.*¹⁹⁵ Clearly, the principal objective of the provision is to protect political parties and their supporters against defections.¹⁹⁶ The law designates officials to whom a letter of recall shall be addressed, and their duty is only to confirm that the letter is a legitimate communication from the political party concerned. Specifically, *they have no power to inquire into the legality of the processes which led to the ... cessation by the Member of Parliament of membership of the political party concerned.*¹⁹⁷

In a country with a heavily politicized electorate – as in Zimbabwe, where people mainly vote on the basis of party lines rather than on issues and personalities – political parties play a significant role in securing the election of MPs and other officials. Parties, therefore, have a legitimate interest in seeing that these officials, once elected, remain loyal. In view of this, the constitution provides procedures to recall elected officials.

However, sections 129 and 278 of the constitution have been interpreted by the courts as giving political parties, rather than the electorate, exclusive powers to recall elected officials. The electorate – including people who voted the MP or councilor into office even if they did not belong to the same party – does not have an opportunity to decide a potential recall. This mechanism is damaging to representative democracy. This interpretation of the recall provisions has been challenged in court several times since the adoption of the 2013 constitution, most recently in an ongoing legal challenge against the recall of several CCC MPs, senators, and councilors elected in August 2023. These dynamics highlight the need for either scrapping or revising the recall provisions to prevent the abuse and manipulation of the provisions to subvert democratic processes.

The mass recalls of MDC Alliance MPs, senators and councilors between 2020 and 2022, during factional leadership struggles within the party, and the latest wave of recalls of several CCC elected officials by an individual whose official membership of the concerned party is contested by its leadership and the recalled officials, clearly highlight the challenges in the current recall provisions and their implementation.¹⁹⁸ These challenges, particularly the ambiguities in the provisions, could

¹⁹⁵ See Section 129(1)(k), Section 278 of the Constitution of Zimbabwe.

¹⁹⁶ Veritas, Court Watch 05-23, Recall of Members of Parliament and Ensuing Court Cases, Nov. 10, 2023. <https://www.veritaszim.net/node/6715>

¹⁹⁷ J. A. Mavedzenge (Oct. 11, 2023). <https://constitutionallythinking.wordpress.com/2023/10/11/zimbabwe-parliamentary-recalls-why-citizens-must-critically-reflect-beyond-the-zanu-pf-ccc-binary/>; Veritas, Court Watch 05-23, Recall of Members of Parliament and Ensuing Court Cases, Nov. 10, 2023. <https://www.veritaszim.net/node/6715>

¹⁹⁸ The recall of several MDC Alliance MPs resulted in Zimbabwe holding a mini-general election in March 2022, just a year before the August 2023 elections, when by-elections were held to fill 28 seats in the assembly (13.3% of 210 elective seats) and 105 local authority seats (5.3% of 1,953 total seats). See <https://www.news24.com/citypress/news/zimbabwe-by-elections-are-attracting-huge-crowds-but-dont-read-too-much-into-them-20220324>. Having initially recalled 15 CCC MPs, nine senators and 17 councilors on Oct. 3, 2023, the self-proclaimed interim Secretary General of CCC, Sengezo Tshabangu, issued notices for the recall of a total of 28 CCC MPs, 14 senators and 69 councilors by mid-November 2023, on the basis that they were no longer members



Zimbabwe Harmonized Elections
August 2023

be addressed through an amendment of the existing constitutional provisions or the Electoral Act to include recall provisions that are fair and offer balanced protection for the interests of political parties, the electorate, and elected officials. In a democracy, the power to recall a representative from public office is an important mechanism to ensure that representatives remain accountable to those they represent. Once elected, officials must be accountable to citizens, as well as to their political parties.

Though the constitution's recall provision is intended to protect political parties and their supporters against defections, there are not sufficient safeguards to ensure that the provision is not open to abuse or manipulation by parties and leaders seeking to settle political scores.¹⁹⁹

Sections 129 and 278 of the Constitution of Zimbabwe, which outline various circumstances for the termination of tenure of a member of parliament, senator and local councilor, need to be revisited in order to include more safeguards to ensure they are not open to abuse or manipulation by parties and leaders seeking to settle political scores.

Conclusions and Recommendations

On July 5, 2023, the Government of Zimbabwe extended a formal invitation for The Carter Center to observe the harmonized elections on Aug. 23, 2023. On July 29, the Center deployed an international election observation mission to observe the 2023 harmonized elections. The Carter Center assessed the compliance of the electoral process with the regional and international obligations and standards for democratic elections, including principles enshrined in the Southern African Development Community Principles and Guidelines Governing Elections and the African Charter on Human and Peoples' Rights, among others, and with national legislation. The Carter Center conducted its election observation mission in accordance with the 2005 Declaration of Principles for International Election Observation. For election day, the core team and long-term observers were joined by the mission leadership and qualified experts from the region and abroad who serve as short-term observer delegates. Despite the government's formal invitation to the Center, Zimbabwean authorities did not accredit 30 of the Carter Center's 48 short-term observers, and the Zimbabwe Electoral Commission did not formally respond to the Center's application for accreditation.

To make the best use of human resources on the ground, the Center significantly modified its short-term observer deployment plan and deployed 27 accredited teams – four less than initially planned. Despite delays and some observers not receiving accreditation, the predeployment briefing (Aug. 19-20) as well as deployment (Aug. 21) took place on time. The Center was able to

of the CCC. Reportedly, [they were neither consulted nor involved in the decision-making process that led to the recalls](#). See The Chronicle, Nov. 10, 2023. <https://www.chronicle.co.zw/tshabangu-strikes-again-recalls-52-more-councillors/>; The Herald, Nov. 14, 2023. <https://www.herald.co.zw/ccc-recalls-13-more-mps-5-senators/>.

¹⁹⁹ The Constitution provides that a member of parliament or a councilor could be recalled by a political party if the latter “ceased to belong to the political party of which he or she was a member when elected to Parliament.”



Zimbabwe Harmonized Elections
August 2023

observe the electoral process in all provinces. The Center conducted a follow-up visit in November 2023 to discuss the report's key findings, reactions of stakeholders to the preliminary statement, as well as accompanying recommendations to the authorities and other election stakeholders on how the election process can be improved.

Conclusions

Zimbabwe's 2023 election was held in a highly polarized political environment, marked by growing restrictions on political and civil freedoms, increasing pressures on civil society, and an acute economic crisis. Electoral stakeholders – particularly the government, political parties, and civil society organizations – clashed over several issues related to critical reforms in the administration of the polls, the composition of the election management body, the boundary delimitation process, voter registration, candidate nominations, and the inclusivity of the voters' roll, among other things. The enactment and consideration of legislation restricting fundamental freedoms of speech, movement, and association, as well as a pattern of human right violations in the lead up to the polls, created an environment that was not conducive to the conduct of genuine elections. All of these factors contributed to political tensions and polarization, and had a chilling effect on CSOs and the campaigns.

These challenges, coupled with postelection violence and other controversial political developments – including the recall of several opposition parliamentarians and locally elected officials – contributing to a decline of democracy in Zimbabwe.

The election was held under new constituency and ward boundaries drawn by the ZEC after completing a delimitation process in February 2023.²⁰⁰ Although the government amended the Census and Statistics Act in 2020 to ensure that the electoral boundaries were based on up-to-date data, the subsequent delimitation process was contested by various electoral stakeholders, including political parties, CSOs, National Delimitation Committee members, government departments, traditional leaders, and the media.

The incumbent government also introduced reforms intended to increase youth and women's participation in the National Assembly and women's representation in local authorities. However, the electoral law was amended only after the election was proclaimed, and these measures were not fully implemented, undermining consistent compliance with gender equality provisions in the constitution.²⁰¹

²⁰⁰ 2013 Zimbabwe Constitution, Section 161 (1). <https://kubatana.net/2020/06/30/zesn-position-on-the-census-and-statistics-amendment-bill/>.

²⁰¹ It is important to note that while these constitutional amendments had positive aspects, they also introduced several negative legal changes. These included the scrapping of the running mate clause in the presidential election and changes in provisions relating to the appointment, promotion, and tenure of the High Court, Supreme Court, Labour Court, and Administrative Court judges, which increased the president's unilateral decision-making powers. See Constitution of Zimbabwe Amendment (No.2) Act 2021. <https://www.veritaszim.net/node/4956>.



Zimbabwe Harmonized Elections
August 2023

The Carter Center notes that while the government's steps to bring the laws into alignment with the constitution are positive, only modest electoral reforms were enacted before the 2023 election. Substantive reforms that were supported by several electoral stakeholders, including the electoral body, local CSOs, political parties, election experts, and regional and international observer groups after the 2018 election, were not addressed. These included lifting legal restrictions on rights to campaign imposed by laws such as the Maintenance of Peace and Order Act (MPOA); enhancing transparency in voter registration and transmission of results; and providing timely access to an auditable electronic voters' roll by both candidates and voters, among other things.²⁰²

While these issues were not addressed, the parliament passed legislation restricting individuals' freedoms of speech, movement, and association, including the Criminal Law (Codification) Amendment Act (known as the Patriotic Act) and the Private Voluntary Organization (PVO) Amendment Bill. Although the latter was not signed into law by the president, the legislation increased political tensions and polarization among the electorate and intimidated civil society representatives.

The media landscape was highly polarized along political lines. The emergence of a variety of online media has played a positive role in sharing election-related information with voters. State-owned media outlets, though, continue to dominate print and broadcast, and media ownership lacks diversity and transparency.

Zimbabwe's previous elections have suffered from extensive violence. Efforts by the country's key political leaders to condemn violence and message consistently about peace throughout the 2023 election were appreciated and contributed to a more nonviolent campaign environment. However, the campaign period was characterized by a subtle but tense and fearful atmosphere caused by instances of human rights violations, political violence, and intimidation in various parts of the country. In one extreme instance, an opposition supporter was stoned to death by suspected ruling party supporters on the way to a campaign rally outside Harare. Fifteen people were arrested and charged with incitement of public violence. This incident, three weeks before election day, increased fears of increased violence among candidates and their supporters, and may have affected the campaign environment and candidates' ability to reach voters.

The government invited international observers, which helped promote public confidence in the election and mitigate potential cases of political and civil unrest. However, its selective and partial accreditation of observers, coupled with false and hostile comments about the Carter Center and other international observer missions and their work in local and regional media, introduced doubt about the country's commitment to allow observers to carry out a comprehensive, accurate, and credible observation in line with their mandates.

²⁰² See <https://www.zesn.org.zw/wp-content/uploads/2022/05/Electoral-Reforms-Tracking-Report-22022022.pdf>; https://backend.sivoinstitute.org/uploads/Assessing_Zimbabwe_s_readiness_to_hold_free_fair_and_ethical_harmonized_elections_in_August_2023_4_062b69dde9.pdf; Zimbabwe Lawyers for Human Rights [Statement](#) on the Need for Substantive Electoral Reforms and Human Rights Protection Ahead of 2023 Harmonized Elections, Dec.8, 2022.



Zimbabwe Harmonized Elections
August 2023

The offices and election situation room of Zimbabwe Election Support Network (ZESN) and the Election Resource Center (ERC) were raided on election day. Both are well-known and respected citizen observer organizations that are legally registered and had been duly accredited by the ZEC to observe the 2023 harmonized elections. The clampdown on these groups severely restricted their fundamental right to participate and undermined an important transparency mechanism surrounding the election. Some CSOs continue to report harassment against their members, and the charges against ZESN and ERC are still pending in court. This is a clear indication of a shrinking of public space in which civil society can effectively play its important role in democracy.

Due to the limited time the Center was allowed to stay in Zimbabwe after the election by the Government of Zimbabwe, the Center did not carry out a comprehensive or systematic observation of post-election processes. Zimbabwe's main opposition party leader, Nelson Chamisa of the CCC, rejected the country's presidential election results, citing concerns that the process was marred by voter suppression and abuse, and vowed to challenge the results. In the end, the CCC did not file an official challenge, citing judiciary bias, and instead advocated for a new election, seeking endorsement from the Southern African Development Community (SADC) and other regional institutions. While various stakeholders called for political dialogue to resolve Zimbabwe's political crisis, the ruling party publicly rejected this proposal.

The postelection period was characterized by several cases of politically motivated violence, surveillance, reported abductions and detentions of opposition party and civil society activists to silence voices critical to the authorities, and other alleged violations of human rights. An internal crisis in the opposition coalition happened when a party member, Sengezo Tshabangu, assumed the title of interim Secretary General of the CCC and requested that the speaker of parliament recall 28 CCC MPs, 14 senators and 69 councilors, including women and young politicians, by mid-November 2023. Tshabangu's legitimacy in this role was challenged by party leader Nelson Chamisa, who opposed the recalls.

The controversial recalls of opposition MPs and councilors – widely condemned locally and internationally – disenfranchised voters in their respective constituencies and detracted from the country's stated commitment to promote inclusiveness and enhance the participation of women and youth in public and political life, as recently elected young women mayors were among the recalled councilors. The targeting of these groups raises concerns about their ability to fully participate in the democratic processes. Following two rounds of recalls and declaration of vacant seats by the speaker of parliament, by-elections took place on Nov. 11 and Dec. 9, 2023, and were scheduled for Feb. 3, 2024, to fill vacancies in the National Assembly and in local government.

Though the CCC announced it would not participate in the by-elections, the recalled MPs applied to stand as CCC candidates. Two days before the December by-election, the High Court issued an order in response to an application by the CCC's self-appointed Secretary General that barred the recalled MPs from running. The High Court also has barred CCC MPs and council candidates



Zimbabwe Harmonized Elections
August 2023

from running in the Feb. 3 by-elections. The ruling party has now secured a parliamentary majority, which, according to various stakeholders, may have motivated the recalls. The by-elections had a significantly lower voter turnout compared with the August general elections and, considering the number of eligible voters in the respective areas, suggests increasing political disillusionment and voter apathy.

Collectively, the election process did not meet the country's commitment to genuine democratic elections, and democratic aspirations of the Zimbabwean people.

Various stakeholders – including the ruling party – committed themselves to returning to a democratic path in 2018. The Carter Center encourages Zimbabwean political parties and leaders to rise above their partisan divisions and interests, and to take concrete steps to address key problems through targeted political and electoral reform.

Recommendations

In the spirit of collaboration and support for Zimbabwean institutions and people, and with a view to inform electoral reform process, The Carter Center offers the following final recommendations for consideration by the government, National Assembly, Zimbabwean Election Commission, political parties and other electoral stakeholders.

To the Government and Parliament of Zimbabwe:

- **Remove repressive provisions in laws** such as the Maintenance of Peace and Order Act and the Patriotic Act, as well as the Private Voluntary Organizations legislation, to allow full participation of citizens in public affairs, including respect for the freedoms of assembly, association, speech, and the press, as established under the Zimbabwe Constitution and in line with the country's regional and international human rights commitments.
- To ensure a coherent electoral framework, **review the Electoral Act and align it with the 2013 constitution and regional and international standards** adopted by Zimbabwe, as well as best practices for democratic elections. The reform process should take place well in advance of the next election period, and within an inclusive and transparent consultation process.
- **Amend the Electoral Act to ...**
 - **Enhance the autonomy of the Zimbabwe Electoral Commission** and acknowledge its constitutional mandate through administrative and regulatory measures, without approval required from the Ministry of Justice. Introduce mechanisms to address the lack of public confidence in the impartiality and inclusivity of the ZEC's appointment mechanisms as well as recruitment of lower-level election commission members. In addition to publishing the names of presiding officers in the official Gazette, publish clear selection criteria prior to recruitment.
 - **Introduce provisions that prohibit misuse of state resources and the advantage of incumbency**, to promote and contribute to a more level playing field. Authorities should be sensitive to all instances of abuse of state resources and take timely and effective action to address any violations.



Zimbabwe Harmonized Elections
August 2023

- **Encompass campaigning on social media**, giving the ZEC a mandate to monitor the campaign on social media, and the power to investigate, warn, and sanction violators.
- **Ensure that the ZEC informs the public on a regular basis** in order to increase and maintain transparency and enhance its credibility, including through briefing papers posted on its website and regular briefings for candidate representatives and observers in a timely and consistent manner.
- **Ensure that the ZEC publicizes promptly all scanned protocols and election results, disaggregated by polling station.**
- **Ensure that the ZEC publishes regular, disaggregated updates of the voters' roll** to increase transparency and help build trust in the accuracy of the registration process. Also, require the ZEC to provide copies of the final voters' roll in a user-friendly format and in a timely manner.
- **Guarantee the representation of young women on proportional representation seats with stronger safeguards for priority listing**, supported by sanctions and incentives, including financial, such as waiving nomination fees for young candidates.
- **Review and amend existing mechanisms aimed at promoting youth and women's participation** to ensure greater representation in elective offices in line with the constitution and in close consultation with all relevant stakeholders.
- To enhance trust in the judiciary, protect its independence and preserve the role that it plays in safeguarding the human rights and freedoms, amend the **appointment procedures for judges to guarantee separation of powers** and to not allow for executive involvement in the selection of High Court judges.
- **Amend the legal framework to ...**
 - **Clearly delineate the jurisdictions of the High Court and the Electoral Court to avoid any overlap or delays.** The timeframe for election-related disputes should be shortened to ensure adjudication of cases under expedited procedures, especially if filed on election day or the days preceding it to allow complainants to fully exercise their rights.
 - **Clearly distinguish which types of complaints could be examined by the ZEC** in public sessions with clear procedures and timelines in place, while the ZEC's decisions on electoral matters should continue to be subject to appeal in court.
 - **Ensure that any security deposits required by the courts to cover potential settlements are not prohibitive** to enhance access to justice.
 - Amend the legal framework to prohibit campaigning by civil servants and senior officials on social media and provide for enforcement mechanisms and proportionate sanctions.
- **Revisit and revise Sections 129 and 278 of the constitution, regarding recall processes, to include more safeguards against abuse or manipulation** by political parties and leaders seeking to settle political scores.
- **Introduce regulations on campaign expenditures**, including regular submission of financial reports by political parties/independent candidates; the publication of financial reports accessible to the general public; and the introduction of graduated sanctions for violations of campaign finance regulations.



Zimbabwe Harmonized Elections
August 2023

- **Introduce a mechanism to ensure that political parties and candidates comply with any campaign finance regulations** put in place, and that trained and competent professionals within an independent institution are mandated to audit campaign expenses.
- **Repeal legal provisions criminalizing free speech online and offline**, such as those in the Patriotic Act and the Cyber and Data Protection Act (CDPA).
- **Introduce mechanisms to ensure that the accreditation of election observers is the sole responsibility of the ZEC.**
- **Introduce enabling legislation to ensure that political parties respect the constitutional provisions regarding the participation of women, youth and people with disabilities.** Support the selection and nomination of women candidates, including for proportional representation seats, by requiring their inclusion on party lists and applying incentives and sanctions to parties that do not comply with the requirements, including financial.
- To increase participation of people with disabilities in political life, **introduce enabling legislation to introduce temporary quotas for people with disabilities for the National Assembly, provincial/metropolitan and local councils** with mandatory requirements for political parties to nominate people with disabilities supported by sanctions. This should be preceded by a participatory consultative process with relevant stakeholders.

To the Government of Zimbabwe:

- **Put in place effective mechanisms to protect space for participation in public affairs for all stakeholders** and to reassure civil society and other stakeholders that they are free to operate and can do so without repercussions.
- **Implement proportionate sanctions with effective enforcement for partisanship of traditional leaders and state and local officials.**
- **Ensure that access to the internet is affordable and reliable**, particularly during peak periods of public interest events, such as national elections.

To the Zimbabwe Electoral Commission

- To uphold the principle of equality of the vote, **implement constituency boundary delimitation in line with constitutional requirements.** Delimitation should take place well in advance of the next election period and within a transparent consultation process.
- To give voters equal access to voting, **complete all preelection preparations, including delivery of ballots to polling stations, within legal deadlines.**
- To increase and maintain transparency and credibility, **provide information on a regular basis and allow for meaningful observation of activities.** Information on the ZEC's decision-making and all other activities should be made available to the public through briefing papers posted on the official website and regular briefings for candidate representatives and observers in a timely and consistent manner. Consider developing a proactive communication strategy for the public in general and for political parties in particular.
- **Promptly publicize all scanned protocols and election results**, disaggregated by polling station.
- **Publish regular, disaggregated updates of the voters' roll** to increase transparency and contribute to building trust in the accuracy of the voter registration process.



Zimbabwe Harmonized Elections
August 2023

- **Improve the comprehensiveness and accuracy of the voter registry.**
- **Decrease nomination fees and simplify payment procedures** to allow all citizens an equal opportunity to engage in political processes and stand as a candidate.
- **Standardize accreditation for voter education** as well as for observation of various stages of the electoral process.
- **Conduct more comprehensive voter education over a longer period in advance of elections.** ZEC's efforts should cover the right to vote and stand for office, along with all voting procedures, the voters' roll, and the tallying of results. Also, **encourage and facilitate CSO engagement in voter education in a timely manner.** Engage CSOs well in advance of the polls and allow them to use their own materials and methods.
- **Ensure the timely public release of information related to media coverage of the election** and consider the publication of regular media monitoring results.
- **Provide detailed and easily accessible information on media-related complaint mechanisms.**
- **Guarantee citizens the right to privacy of their personal data, and protection against unsolicited information,** including political propaganda during election periods. Conduct investigations in a timely manner and hold perpetrators accountable.
- **Lift accreditation requirements for representatives of mass media outlets** to promote pluralistic and unimpeded reporting on the election campaign.
- **Provide sufficient lighting in all polling stations,** including temporary sites such as tents, to improve visibility for voters with visual impairments so they can vote without assistance.
- **Reduce or eliminate accreditation fees for observers** (international and domestic) to encourage robust engagement of civil society in elections.
- **Implement and follow special procedures and safeguards to ensure secrecy of the police, military, and other institution-based voting.**
- **Fully utilize MPLCs as an alternative dispute resolution mechanism.** MPLC meetings should be held on an agreed-upon schedule and their work based on clear processes. to enable the ZEC to more readily resolve disputes.
- **Conduct more rigorous and targeted efforts to register young (first-time) voters,** including in rural and remote areas, as well as young people with disability.
- To promote more active participation of people with disabilities in electoral processes, **improve disability-related data collection and analysis in various stages of the electoral process,** including voter registration, voter education, candidate nomination, and polling.
- **Introduce additional measures to guarantee the right to vote in secrecy,** and enable voters with visual impairments to vote without assistance, such as tactile ballot guides, as well as improved lighting in polling stations, including temporary structures such as tents, or by adjusting the voting hours.

To the Judiciary

- **Provide access to information on election-related cases** and consider timely publication of a complaints register on the web to enhance the transparency of the dispute resolution process.



Zimbabwe Harmonized Elections
August 2023

To the State-Owned Broadcaster

- **Discharge your constitutional and legal duties**, and ensure fair and impartial treatment of all candidates.

To All Stakeholders

- **Act collectively to prevent the use and spread of misinformation, derogatory, or incendiary speech.**



Zimbabwe Harmonized Elections
August 2023

Appendices

Annex A: Acknowledgements

Annex B: The Carter Center Observation Delegation and Staff List

Annex C: Statements

Annex D: Deployment Plan

Annex E: Checklists

Annex F: Government of Zimbabwe Letter Approving Follow-up Visit



THE CARTER CENTER

Zimbabwe Harmonized Elections
August 2023

Annexes

Annex A: Acknowledgments

The Carter Center wishes to express appreciation to several individuals and organizations for their efforts and dedication to observe Zimbabwe's recent elections. The Center wishes to thank the authorities for their invitation to observe the election, and the Zimbabwe Electoral Commission and the Ministry of Foreign Affairs and International Trade for their collaboration and assistance throughout the process. The Center is also grateful to other state institutions, political parties, media representatives, and civil society organizations that graciously shared valuable information to inform the Center's findings, and to international community representatives for their cooperation.

The Center thanks Attahiru Jega, former chairman of Nigeria's Independent National Electoral Commission, for leading the Carter Center's observer delegation. His insight and experience strengthened the work of the mission. The Center also appreciates the hard work and experience of Masa Janjusevic, our country representative, who inspired the core team of experts and observers over its long-term work in Zimbabwe.

The Center is grateful to have had a talented and committed international field office team, consisting of Larry Garber, country representative from July 2022 to June 2023; Tendaiwo Maregere, deputy chief of party/participatory rights analyst; Barbara Smith, senior electoral and gender expert; Elijah Lewien, social media and data analyst; Ahmed Farag, legal expert; Anna Melikyan, gender and legal analyst; Derrick Marco, electoral analyst; Adeline Marquis, social media analyst; Mariusz Wojtan, observer coordinator; Tomasz Janczy, finance, administration, and operations director; Florent Lolinga, finance, administration, and operations director; and Dean Gillespie, security expert. Special thanks are extended to all the dedicated and hard-working national staff and drivers who assisted the field staff and long- and short-term observers.

The Center would also like to recognize the invaluable contributions made by long-term observers Keireng Auntie Zuze, Özcan Çetin, Paulina Dempers, Crescentia Dingah, Steven Duwa Phiri, Hamoosa Halubala, Mauda Kamoga, Kelvin Karanja, Sonia Mickevicius, Christa Mueller, Angella Ngwalo, Aloisious Nthenda, Elijah Rubvuta, Mohamed Sabahy, and Fanta Traore. The Center appreciates short-term observers for lending their diverse experiences and expertise to evaluating election day procedures.

Several Carter Center staff worked from Atlanta, and some traveled to Zimbabwe, to ensure the success of the mission, including Ross Barclay, Jonathan Bishop, Ronald Borden, Julie Eileen Burke, Jeremy Byrd, David Carroll, Carolyn Sue Carson, Maria Cartaya, Annabella Cockerell, Yohannes Dawd, Anthony DeMattee, Soyia Ellison, Daniel Grober, Amanda Grover, Sarah Johnson, Travis Linger, Erika Perry, Dan Richardson, Alethia Sanon, Wyatt James Schierman, Tara Shariff, and Kaela Wilkinson. Interns Julian Daniel and Maya Smith provided valuable support with logistics and countless other tasks in support of the mission.

The Center is grateful to the U.S. Agency for International Development (USAID), whose support and funding allowed the team to deploy and observe the electoral process in Zimbabwe.

Annex B: The Carter Center Delegation and Staff List

Mission Leadership

Attahiru Jega, mission leader, Nigeria
Temitope Kalejaiye, mission leader assistant, Nigeria

International Staff

Ahmed Farag, legal analyst, Egypt
Larry Garber, country representative, U.S.
Dean Gillespie, security expert, South Africa
Tomasz Jańczy, finance, administration and operations director, Poland
Masa Janjusevic, country representative, Serbia
Elijah Lewien, social media and data analyst, U.S.
Florent Lolinga, finance, administration, and operations director, Democratic Republic of Congo
Derrick Marco, electoral analyst, South Africa
Adeline Marquis, social media analyst, France
Anna Melikyan, gender and legal analyst, Armenia
Barbara Smith, senior electoral and gender expert, United Kingdom
Mariusz Wojtan, observer coordinator, Poland

Zimbabwe National Staff

Tapiwa Chisango, operations and logistics coordinator
Tryson Chiyangwa, security officer
Darlington Marange, legal analyst
Tendaiwo Maregere, deputy chief of party/participatory rights analyst
Evans Mathanda, social media monitor
Linda Mujuru, social media monitor
David Mupezani, accounting assistant

Belinda Musanhu, electoral analyst
Everson Mushava, media and communications lead
Shingirirai Mutoho, social media monitor
James Muzondidya, political analyst
Perkins Watambwa, social media monitor

Long-Term Observers

Özcan Çetin, Turkey
Paulina Dempers, Namibia
Crescentia Dingah, Cameroon
Hamoosa Halubala, Zambia
Kelvin Karanja, Kenya
Sonia Mickevicius, Canada
Christa Mueller, Germany
Angella Ngwalo, Malawi
Aloisious Nthenda, Malawi
Steven Duwa Phiri, Malawi
Mauda Kamoga Rutaigatirwa, Uganda
Elijah Rubvuta, Zambia
Mohamed Sabahy, Egypt
Fanta Traore, Mali
Keireng Auntie Zuze, Botswana

Short-Term Observer Delegation and Mission Support Staff

Atlanta Staff

Ross Barclay, mission assistant
Jon Bishop, mission assistant
Ron Borden, videographer
Julie Burke, procurement coordinator, Overseas Operations
David Carroll, director, Democracy Program
Carolyn Carson, program coordinator, Democracy Program
Maria Cartaya, associate director, Communications
Bella Cockerell, mission assistant, Democracy Program
Yohannes Dawd, senior associate director, Overseas Operations
Anthony DeMattee, data scientist, Democracy Program
Soyia Ellison, director of storytelling, Communications
Amanda Grover, associate director, Development
Sarah Johnson, associate director, Democracy Program
Erika Perry, program assistant, Democracy Program
Daniel Richardson, program associate, Democracy Program
Alethia Sanon, financial analyst, Health Programs
Wyatt Schierman, program associate, Democracy Program
Tara Shariff, senior associate director, Development

Short-term Observer Delegation and Additional Mission Support Staff

Anna Sara-Sofia Agnemo, Sweden
Khadija Ali, Tanzania
Ahmed Allouch, Tunisia
Fred Bamboche, Seychelles

Bhekithemba Buthelezi, South Africa
Rebecca Carter, U.S.
Boniface Chibwana, Malawi
Joan Chirwa, Zambia
Sizaltina Cutaia, Angola
Lorne Gibson, Canada
Amanda Grover, U.S.
Asmerate Hilesilasse, Ethiopia
Robert E. Hope, U.S.
Israel Ilunde, Tanzania
Jacqueline Jenna, U.S.
Luís Jimbo, Angola
Jon Johnson, U.S.
Andrew Kachaso, Malawi
Mohammed Khalfan, Tanzania
Charles Kitima, Tanzania
Dave Leichtman, U.S.
Makatleho Lekoala, Lesotho
Marie-Danielle Luyoyo, Democratic Republic of Congo
Graziella Misi Mafulu, Democratic Republic of Congo
Sekonyela Mapetja, Lesotho
David Moore, Canada
Theresa Gaorelathe Mmolawa, Botswana
Eline Moses, Seychelles
Rinaani Musutua, Namibia
Peter Mwanangombe, Zambia
Besa Mwansa, Zambia
Andrew Mwenda, Zambia
Daisy Nkhata Ng'ambi, Zambia
Erick Ngandu, Democratic Republic of Congo
John Nichols, U.S.
Nancy Nichols, U.S.
Karl Henrik Nilsson, Sweden
Steven Nothern, U.S.
Mxolisi Nyuswa, South Africa
Oscar Siwali, South Africa
Pyae Sone, Myanmar
Bongiwe Thusi, South Africa
Sandie Tjaronda, Namibia
Salia Traore, Mali
George Warui, Kenya
Jill Welch, U.S.

Nigeria’s Former Electoral Commission Chairman to Lead Carter Center’s Election Observation Mission in Zimbabwe

Aug. 11, 2023

ATLANTA (Aug. 11, 2023) — The Carter Center announced today that Attahiru Muhammadu Jega, former chairman of the Independent National Electoral Commission of Nigeria, will lead the Center’s international election observation mission in Zimbabwe.

The Carter Center launched its mission in late July following an invitation from the authorities of Zimbabwe and accreditation of its observers by the Zimbabwe Electoral Commission.

“It’s an honor to lead the Center’s mission to observe Zimbabwe’s Aug. 23 harmonized elections,” Jega said. “I urge all Zimbabweans, including political party members, candidates and voters, to show their commitment to democracy and peaceful elections.”

The core team of eight international experts and two national experts are based in Harare. Fifteen long-term observers arrived in Zimbabwe and deployed throughout the country the first week of August. Short-term observers will arrive on Aug. 18 and deploy around the country to observe polling, counting, and tabulation on election day. The international mission is diverse and has experts and experienced observers from nearly 30 countries, including several in the southern Africa region.

The mission will assess electoral preparations and the electoral environment, including election administration, campaigning, participation of women and ethnic minorities, social media, dispute resolution, and other aspects of the election process.

The Carter Center conducts its work in accordance with the 2005 Declaration of Principles for International Election Observation and will make assessments based on Zimbabwe’s national legal framework as well as regional and international obligations and standards for democratic elections, including the African Charter on Democracy, Elections and Governance, which the government of the Republic of Zimbabwe ratified in April 2022.

The Carter Center has been a pioneer of election observation, monitoring more than 110 elections in Africa, Latin America, Asia, and the United States since 1989. It deployed an [election expert mission to Zimbabwe](#) in 2018. Learn more about [election observation missions](#) from David Carroll, director of the Carter Center’s Democracy Program.

###

Contact: In Atlanta, Maria Cartaya, maria.cartaya@cartercenter.org

The Carter Center

Waging Peace. Fighting Disease. Building Hope.

A not-for-profit, nongovernmental organization, The Carter Center has helped to improve life for people in over 80 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; and improving mental health care. The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and former First Lady Rosalynn Carter, in partnership with Emory University, to advance peace and health worldwide.

Carter Center Urges Accreditation for 30 Election Observers; Delay Represents Unprecedented Obstruction to its Impartial Work

Aug. 22, 2023

HARARE, ZIMBABWE (Aug. 22, 2023) — Despite the Zimbabwean government’s invitation to launch an election observation mission for the Aug. 23 elections, 30 of the Carter Center’s 48 short-term observers still have not received accreditation from Zimbabwean authorities.

The Carter Center has an international reputation for providing impartial, constructive election observation. This delay in accreditation is unprecedented in its 30-plus years of observing elections. It represents a severe and unwarranted obstruction to the Center’s mission, inconsistent with commonly recognized and respected norms and practices.

The Center requests that accreditation for these observers be given today, Aug. 22, so it can fulfill its mission to provide an impartial assessment of the election. Any further delay in accreditation will prevent the Center from deploying these observers and will hinder its ability to observe polling, counting, and tabulation in many locations.

Furthermore, false and hostile comments about the Center and its work continue to be published in local and regional media. These attacks endanger Carter Center observers. We urge Zimbabwean authorities to publicly reiterate its welcome of The Carter Center and ensure the safety of its observers and staff.

Background:

Following an invitation from the Zimbabwean government, the Carter Center in July launched its [mission](#) to observe the upcoming Zimbabwean elections.

Attahiru Muhammadu Jega, former chairman of the Independent National Electoral Commission of Nigeria, is leading the mission.

The Carter Center has observed more than 110 elections in 40 countries, including the United States, since 1989. It conducts its missions in accordance with the 2005 Declaration of Principles for International Election Observation, and its assessment and analysis of election are based on regional and international human rights obligations and standards for democratic elections, including the SADC Principles and Guidelines and the African Charter on Democracy, Elections and Governance.



Carter Center Preliminary Statement on Zimbabwe’s 2023 Harmonized Elections

Aug. 25, 2023

As the election process has not yet concluded, this press statement covers the process thus far. The Center will continue to observe and assess the remaining post-election process and will issue a preliminary statement shortly and a comprehensive final report in the coming months, which will include recommendations for steps that could improve future elections.

The Carter Center has observed that the 2023 elections in Zimbabwe took place in a restricted political environment and that the administration of the elections lacked independence and transparency in key areas. Parliament did not pass important electoral reforms and instead adopted legislation targeting the country’s vibrant civil society, effectively silencing reform advocates and political opponents in the months leading up to the polls. Several critical technical aspects of the process were poorly or opaquely implemented, reducing the transparency and credibility of the elections.

The key findings of this preliminary statement are as follows:

Election Day: On election day, Carter Center observers reported that the voting process ran smoothly at most polling stations; however, in some areas, particularly in Harare, Bulawayo, and Manicaland, polling stations opened late — in some cases more than 11 hours late. Although the Zimbabwe Electoral Commission extended voting hours, and the government officially proclaimed Aug. 24 as an additional election day, many stakeholders expressed concerns that logistical delays may have depressed voter turnout in those areas. Closing and counting procedures were assessed as largely positive in the limited number of polling stations the Center observed.

Several hours after polls closed on Aug. 23, Zimbabwean security forces raided the offices of the Zimbabwe Electoral Support Network and the Election Resource Center, two accredited and well-known civil society election observation groups, arresting 39 people and confiscating equipment. The raid was an unnecessary and serious restriction of the fundamental civil and political rights of these organizations and individuals, and it prevented their efforts to contribute to transparency around critical phases of the election, including independent verification of officially announced results.

Legal and Electoral Framework: While the constitution safeguards fundamental human rights and freedoms — including the freedoms of opinion and expression, assembly, and association — subordinate legislation unduly limits those rights, including in the context of campaigning, and is not fully consistent with international standards. This includes advance notice requirement for public gatherings and demonstrations, and limitations of freedom of expression under the so-called Patriotic Act.

Election Administration: The legal framework gives wide discretion to the ZEC to regulate and supervise the election process; to register voters; delimit constituencies; design, print, and distribute ballot papers; approve the form of, and procure, ballot boxes; establish and operate polling centers and stations; and accredit both citizen and international observers, media, and party agents. The administration of elections lacked transparency in key areas, as the ZEC did not provide critical information in a timely manner during various stages of the process, which undermines public and stakeholder confidence in its management of electoral processes. In addition, the restrictions and limitations on the work of election observers, including the late provision or denial of accreditation, severely hindered important independent transparency efforts.

Voter Education: While the ZEC conducted voter education and publicly invited civil society organizations, private voluntary organizations, and faith-based organizations to apply for ZEC accreditation as voter educators in May, some interlocutors reported that they were only granted approval in August, just days before the election. This prevented effective and timely voter education by a range of qualified organizations.

Voter Registration: The ZEC registered 451,811 new voters and transferred 191,738 registered voters to new locations prior to the elections. Although the voter roll was posted for inspection, public confidence in it remained low because of inaccuracies and errors. There were many reports during the inspection period of voters finding themselves through the SMS system but not on the physical voter roll. The ZEC attributed this to new ward boundaries and the addition of polling stations following the boundary delimitation exercise. The ZEC did not provide electoral stakeholders with a copy of the final voter roll that could be easily reviewed or audited.

Candidate Registration: The Candidate Nomination Court sat on June 21 to process candidates for all levels of the election, including for the party lists. The ZEC issued directives on how the party lists should be structured just one day before the court, which constrained the ability of some parties to provide adequate numbers of women for provincial council party lists. Parties were allowed to resubmit lists, but this caused delays. Late decisions on these cases meant that ballots were printed late, which the ZEC cited as the reason for late delivery of ballots in some areas. Only the ruling party managed to submit party lists and candidates for every constituency and ward election, and ran uncontested in around 10% of wards.

Political Environment: While incidents of political violence were fewer than in 2018, tensions and polarization increased in the months preceding the elections, as legislation restricting individuals' freedoms of speech, movement, and association, such as the Criminal Law (Codification) Amendment Act, also known as the Patriotic Act, and the PVO Amendment Bill were introduced. While the PVO legislation has yet to become law, coupled with the Patriotic Act, its potential enactment has produced a stifling effect on Zimbabwean civil society.

Campaign Period, Including Social Media: The campaign took place in a restrictive and highly polarized environment. Authorities were reported to have banned more than 300 public gatherings, making it extremely difficult for opposition parties and candidates to engage with potential supporters and the electorate. There were isolated instances of violent intraparty and interparty clashes. Interparty violence resulted in one reported death in Harare on Aug. 3, 2023. The Patriotic Act, adopted in July, further stifled the right to freedom of peaceful assembly and negatively affected the exercise of the rights of freedom of association and expression, especially in the context of campaigning.

Participation and Inclusion: The legal framework contains commitments to ensure gender parity and provides for temporary measures to promote participation of women. However, these measures are not fully enabled in subordinate legislation, and no penalties are in place for non-compliance. As a result, participation of women was less than in previous elections, as political parties generally failed to ensure gender balance among their nominated candidates for directly elected seats, relying solely on seats reserved exclusively for women to give any inclusion for women. The large increase in candidate nomination fees limited all but the wealthy from running for National Assembly seats. Zimbabwe's political parties also generally failed to take steps to promote the participation of youth and people with disabilities as candidates.

Role of Civil Society and Election Observers: Civil society plays a critical role in ensuring support for institutional electoral processes as well as the development of democratic space in a country. Notwithstanding pressure from authorities, Zimbabwe enjoys a vibrant civil society.

The Catholic Commission for Justice and Peace, the Zimbabwe Council of Churches, the Zimbabwe Electoral Support Network (ZESN), and the Electoral Resource Center (ERC), among other civic organizations, have been involved for decades in strengthening citizen participation as well as engaging on policies to improve the quality of electoral and democratic processes. These organizations deployed observers on the election day, and many regularly engage in civic education to promote inclusion and transparency of electoral processes. The Carter Center noted, however, that there was limited civil society participation in the August elections because of state restrictions and the ZEC's limited consultation of civil society in various electoral processes.

The Zimbabwean government invited The Carter Center to launch an election observation mission for the Aug. 23 elections; however, authorities did not accredit 30 of the Center's short-term observers. This action represented a severe and unwarranted obstruction of the Carter Center's mission, inconsistent with commonly recognized and respected norms and practices. This disrupted the Center's methodology, forcing last-minute adjustments in order to enable observation activities while maintaining its core principles of independence, impartiality, and fact-based reporting.

Conclusion: With the tabulation of results still underway at some tally centers, it is critical for Zimbabweans to wait for the announcement of the ZEC's final results in the coming days, and for key political leaders to abide by the provisions of the Peace Pledge. Given the highly polarized environment and lack of trust among political stakeholders, it is now especially critical for the ZEC to publish detailed results at the polling station level, allowing political parties and observers to

cross-verify the results, in accordance with international best practice, to help ensure the transparency and credibility of the election process.

The Carter Center wishes to thank all the stakeholders who have taken the time to meet with the mission. A preliminary statement will be released shortly, and a final comprehensive report that includes recommendations will be released in the next several months.

***Background** The Carter Center was invited to observe the Aug. 23 elections by the Zimbabwe Electoral Commission and arrived in Zimbabwe on July 28. The mission was led by Attahiru Muhammadu Jega, former chairman of the Independent National Electoral Commission of Nigeria. Fifteen long-term observers from 12 countries were deployed throughout the country in advance of election day to assess election preparations. On election day, 62 observers from 30 countries visited 201 polling stations across all 10 of Zimbabwe's provinces to observe voting and counting. Carter Center observers continue to assess the conclusion of vote tabulation and, as per its mandate, intends to remain in Zimbabwe to observe the post-election environment and announcement of final results.*

All assessments are made in accordance with regional and international standards for elections, including principles enshrined in the Southern African Development Community Principles and Guidelines Governing Elections and the African Charter on Human and Peoples' Rights, among others. The Carter Center conducts its election observation missions in accordance with the 2005 Declaration of Principles for International Election Observation.

The Carter Center conducts election observation in accordance with the Declaration of Principles of International Election Observation and Code of Conduct for International Election Observation adopted at the United Nations in 2005.

The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in more than 65 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production. Visit: www.cartercenter.org to learn more about The Carter Center.

THE
CARTER CENTER



Carter Center Preliminary Statement on Zimbabwe's 2023 Harmonized Elections

Aug. 31, 2023

The Center will continue to observe and assess the remaining post-election process and will issue a comprehensive final report in the coming months, including recommendations for steps that could improve future elections.

Executive Summary

The Carter Center's election observation mission found that Zimbabwe's 2023 elections took place in a restricted political environment and that administration of the elections lacked independence and transparency in key areas. Parliament did not pass important electoral reforms and instead adopted legislation targeting the country's vibrant civil society, effectively silencing reform advocates and political opponents in the months leading up to the polls. Several critical technical aspects of the process were poorly or opaquely implemented, reducing the transparency and credibility of the elections.

Carter Center observers found that while voting day was largely peaceful and well implemented by polling staff, there were delayed openings caused by ballot shortages in several areas. Some delays lasted as long as 12 hours, which likely depressed voter turnout. In addition, critical election information, including the final voter list and the list of polling stations, was not readily available to stakeholders. Observers also reported numerous instances of assisted voting in rural areas, raising concerns that the secrecy of the vote may have been compromised. Party agents from the two main parties were present in most polling stations and tally centers that the Center observed, and there was a widespread presence of citizen observers. However, Zimbabwean authorities conducted a raid on election night and shut down

the nonpartisan citizen observation efforts of two respected civil society groups. The Center urges the government of Zimbabwe to drop all charges against the civil society leaders and respect their rights of political participation.

The Zimbabwe Electoral Commission (ZEC) announced presidential election results on Aug. 26. Incumbent Emmerson D. Mnangagwa received 2,350,711 votes (52.6%), and the leading opposition candidate Nelson Chamisa received 1,967,343 votes (44%). Chamisa has announced that he intends to challenge the results. The results for the National Assembly first-past-the-post seats and the local authority were announced at the constituency and the ward level, respectively. The ZEC published the results on its webpage; however, technical problems made the site difficult to access and led to limited public access to information. Voter turnout was reported at 68.9%.

Overall, the 2023 electoral process did not adequately respect Zimbabwe's regional and international commitments for democratic and inclusive elections, undermining contestants' ability to compete on an equal basis and preventing the genuine expression of the will of the Zimbabwean people.

In this preliminary statement, the key findings follow:

➤ **Election Day:** Carter Center observers reported that the voting process ran smoothly at most polling stations. However, in some areas (particularly in Harare, Bulawayo, and Manicaland), polling stations opened late – in some cases more than 11 hours late. Although the Zimbabwe Electoral Commission (ZEC) extended voting hours, and the government officially proclaimed Aug. 24 as an additional election day, many stakeholders expressed concerns that logistical delays may have depressed voter turnout in those areas. Carter Center observers noted that the vast majority of polling stations did not make the voter roll available for public scrutiny prior to election day. While the ZEC made efforts to help voters identify their polling stations with the use of an SMS service, a significant number of voters experienced challenges in identifying their polling stations and were sometimes turned away after spending hours in lines.

Voters generally had sufficient understanding of ballot procedures. However, Carter Center observers reported many instances of assisted voting, particularly in some rural areas. Some interlocutors expressed concerns about the

overutilization of voter assistance, which could have compromised the secrecy of votes.

Several hours after polls closed on Aug. 23, Zimbabwean security forces raided the offices of the Zimbabwe Electoral Support Network (ZESN) and the Election Resource Center (ERC), two accredited and well-known civil society election observation groups, arresting about 40 people and confiscating equipment. The individuals were later charged with attempting to release election results before the official results were announced and were released on bail on Aug. 25. They are scheduled to appear in court on Sept. 28. The raid and detentions were an unnecessary, disproportionate, and serious restriction of the fundamental civil and political rights of these organizations and individuals and prevented their efforts to contribute to transparency around critical phases of the election, including independent verification of officially announced results. ZESN continues to report harassment against its members. Various stakeholders have condemned these actions and called on the government of Zimbabwe to drop all charges against the civil society leaders and respect their rights of political participation.

- **Legal and Electoral Framework:** While the constitution safeguards fundamental human rights and freedoms – including the freedoms of opinion and expression, assembly and association – subordinate legislation unduly limits those rights, including in the context of campaigning, and is not fully consistent with international standards. This includes advance notice requirement for public gatherings and demonstrations, and limitations of freedom of expression under the so-called Patriotic Act.
- **Election Administration:** The legal framework gives wide discretion to the ZEC to regulate and supervise the election process; register voters; delimit constituencies; design, print, and distribute ballot papers; approve the form of, and procure, ballot boxes; establish and operate polling centers and stations; and accredit citizen and international observers, media, and party agents. The administration of elections lacked transparency in key areas, as the ZEC did not provide critical information in a timely manner during various stages of the process, which undermines public and stakeholder confidence in its management of electoral processes. In addition, the restrictions and limitations on the work of

election observers, including the late provision or denial of accreditation, severely hindered important independent transparency efforts.

- **Voter Education:** While the ZEC conducted voter education and publicly invited civil society organizations, private voluntary organizations, and faith-based organizations to apply for ZEC accreditation as voter educators in May, some interlocutors reported that they were only granted approval in August, just days before the election. This prevented effective and timely voter education by a range of qualified organizations.
- **Voter Registration:** Prior to the elections, the ZEC registered 451,811 new voters and transferred 191,738 registered voters to new locations. Although the voter roll was posted for inspection, public confidence in it remained low because of inaccuracies and errors. There were many reports during the inspection period of voters finding themselves through the SMS system but not on the physical voter roll. The ZEC attributed this to new ward boundaries and the addition of polling stations following the boundary delimitation exercise. The ZEC did not provide electoral stakeholders with a copy of the final voter roll that could be easily reviewed or audited.
- **Candidate Registration:** The Candidate Nomination Courts sat on June 21 to process candidates for all levels of the election, including for the party lists. The ZEC issued directives on how the party lists should be structured just one day before the court, which constrained the ability of some parties to provide adequate numbers of women for provincial council party lists. Parties were allowed to resubmit lists, but this caused delays. Late decisions on these cases meant that ballots were printed late, which the ZEC cited as the reason for late delivery of ballots in some areas. Only the ruling party managed to submit party lists and candidates for every constituency and ward election, and ran uncontested in around 10% of wards.
- **Political Environment:** While incidents of political violence were fewer than in 2018, tensions and polarization increased in the months preceding the elections, as legislation restricting individuals' freedoms of speech, movement, and association such as the Criminal Law (Codification) Amendment Act [Patriotic Act] and the PVO Amendment Bill were introduced. While the PVO legislation

has yet to become law, coupled with the Patriotic Act, its potential enactment has produced a stifling effect on Zimbabwean civil society.

- **Campaign Period:** The campaign took place in a restrictive and highly polarized environment. Authorities reportedly banned more than 300 public gatherings, making it extremely difficult for opposition parties and candidates to engage with potential supporters and the electorate. There were isolated instances of violent intraparty and interparty clashes. Interparty violence resulted in one reported death in Harare on Aug. 3, 2023. The Patriotic Act, adopted in July, further stifled the right to freedom of peaceful assembly and negatively affected the exercise of the rights of freedom of association and expression, especially in the context of campaigning.
- **Information Environment and Social Media:** Despite reforms to align the legal framework with the constitution, laws still criminalize legitimate speech and provide for harsh prison terms, contrary to Zimbabwe's international commitments. The lack of accountability mechanisms in the law governing the media coverage of the election hindered the level playing field between candidates in the media. Traditional and social media have been vehicles for the spreading of misinformation, negative campaigning, derogatory speech, and inciteful content by both major parties, their supporters or shadow accounts, that target opponents and the electoral process, as well as international observers, which did not allow for an environment free from violence or threat of violence. Gender-based violence online has been of particular concern during this electoral process. Social media platforms, especially WhatsApp, provided venues for parties to campaign. ZANU-PF campaign messages appeared more organized, relying in part on officials' and state-owned media accounts.
- **Participation and Inclusion:** The legal framework contains commitments to ensure gender parity and provides for temporary measures to promote participation of women. However, these measures are not fully enabled in subordinate legislation, and no sanctions are in place for non-compliance. As a result, participation of women was lower than in previous elections, as political parties generally failed to ensure gender balance among their nominated candidates for directly elected seats, relying solely on seats reserved exclusively for women to give any inclusion for women. The large increase in candidate

nomination fees impacted all but the wealthy from being able to run for National Assembly seats. Zimbabwe's political parties also generally failed to take steps to promote the participation of youth and people with disabilities as candidates.

- **Role of Civil Society and Election Observers:** Civil society plays a critical role in ensuring support for institutional electoral processes as well as the development of democratic space in a country. Notwithstanding pressure from authorities, Zimbabwe enjoys a vibrant civil society.

The Zimbabwean government invited The Carter Center to launch an election observation mission for the Aug. 23 elections; however, authorities did not accredit 30 of the Center's short-term observers. This action represented a severe and unwarranted obstruction of the Carter Center's mission, inconsistent with commonly recognized and respected norms and practices. This disrupted the Center's methodology, forcing last-minute adjustments in order to enable observation activities while maintaining its core principles of independence, impartiality, and fact-based reporting.

The Carter Center wishes to thank all the stakeholders who have taken the time to meet with the mission. A final comprehensive report from the mission will be released, together with recommendations, in the next several months.

Background: The Carter Center was invited by the Zimbabwe Electoral Commission to observe the Aug. 23 elections and arrived in Zimbabwe on July 28. The mission was led by Attahiru Muhammadu Jega, former chairman of the Independent National Electoral Commission of Nigeria. Fifteen long-term observers from 12 countries were deployed throughout the country in advance of election day to assess election preparations. On election day, 62 observers from 30 countries visited 201 polling stations across all 10 of Zimbabwe's provinces to observe voting and counting. Carter Center observers continue to assess the conclusion of vote tabulation and, as per its mandate, intends to remain in Zimbabwe to observe the post-election environment and announcement of final results.

All assessments are made in accordance with regional and international standards for elections, including principles enshrined in the Southern African Development Community Principles and Guidelines Governing Elections and the African Charter on Human and Peoples' Rights, among others. The Carter Center conducts its

election observation missions in accordance with the 2005 Declaration of Principles for International Election Observation.

Statement of Preliminary Findings and Conclusions

BACKGROUND

Zimbabwe's 2023 election was held in a generally politically stable and peaceful environment, despite high levels of polarization among political parties and contestants, and a context marked by growing restrictions on political freedoms and economic crisis. Electoral stakeholders, particularly political parties, and civil society organizations (CSOs) differed on several issues related to the election, such as electoral reforms, delimitation, voter registration, candidate nomination, and the inclusivity of the voters' roll, among other things.

The 2023 election was held under new constituency and ward boundaries drawn by the ZEC after the completion of the delimitation process in February 2023. The delimitation process was contested by various electoral stakeholders involved, including political parties, CSOs, National Delimitation Committee members, government departments, traditional leaders, and the media.¹

The election also was conducted in a changed electoral framework after the introduction of some reforms by the incumbent government, such as the introduction of a youth quota, the extension of the women's quota in the National Assembly, and the introduction of a 30% quota for women in local authorities, following the passage of the Constitutional Amendment Act No. 2 in 2021.² However, the electoral act was not amended prior to the proclamation of the election to reflect the constitutional amendments. The government also amended the Census and Statistics Act in 2020 to ensure that the census data is taken into account when delimiting electoral boundaries every 10 years as required by the 2013 Constitution.³ It also ratified the

¹ See <https://www.zimlive.com/seven-zec-commissioners-disown-delimitation-report-under-zanu-pf-pressure/>; <https://www.zimlive.com/concourt-hears-case-by-zanu-pf-activist-that-could-upend-delimitation/>; <https://www.newsday.co.zw/local-news/article/200010129/delimitation-report-will-be-thrown-out-mwonzora>; <https://cite.org.zw/mrp-threatens-mass-action-over-delimitation-report/>

² It is important to note that while Constitutional Amendment No.2 had some positive reforms, it introduced several negative legal changes. The negative changes introduced include the scrapping of the running mate clause in the presidential election and the changes in provisions relating to the appointment, promotion and tenure of the High Court, Supreme Court, Labour Court and Administrative court judges, which gave the President more unchecked decision-making powers. See Constitution of Zimbabwe Amendment (No.2) Act 2021. <https://www.veritaszim.net/node/4956>.

³ 2013 Zimbabwe Constitution, Section 161 (1). <https://kubatana.net/2020/06/30/zesn-position-on-the-census-and-statistics-amendment-bill/>.

African Charter on Democracy, Governance and Elections (ACDEG) in 2022, a move that has the potential to improve Zimbabwe's electoral management process if the country abides by the charter's provisions.⁴

However, The Carter Center notes that the government introduced only modest electoral reforms before the 2023 election, failing to enact several substantive reforms that were recommended by a number of electoral stakeholders, including the electoral authorities, local CSOs, political parties, election experts, and regional and international observer groups after the 2018 election.⁵

The Center also noticed increasing political tensions and polarization over the enactment of legislation restricting individuals' freedoms of speech, movement, and association, such as the Criminal Law (Codification) Amendment Act [Patriotic Act] and the PVO Amendment Bill.⁶

The offices and election situation room of Zimbabwe Election Support Network (ZESN) and Election Resource Center (ERC), both well-known and respected citizen observer organizations that are legally registered and had been duly accredited by the ZEC to observe the 2023 harmonized elections, were raided on August 23. The clampdown on these groups is a severe restriction of their fundamental rights of participation and undermines an important transparency mechanism. ZESN continues to report harassment against its members.

The adoption of substantive electoral reforms – such as removal of legal restrictions on rights to campaign imposed by such laws as the Maintenance of Peace and Order (MOPO) Act, enhanced transparency in voter registration and transmission of results, and timely access to an auditable electronic voters' roll by both candidates and voters – could have helped improve the transparency, integrity, and fairness of the 2023 election and to minimize electoral disputes.

⁴ See <https://www.zesn.org.zw/wp-content/uploads/2022/05/Electoral-Reforms-Tracking-Report-22022022.pdf>; [https://backend.sivioinstitute.org/uploads/Assessing Zimbabwe s readiness to hold free fair and ethical harmonized elections in August 2023 4_062b69dde9.pdf](https://backend.sivioinstitute.org/uploads/Assessing_Zimbabwe_s_readiness_to_hold_free_fair_and_ethical_harmonized_elections_in_August_2023_4_062b69dde9.pdf); Zimbabwe Lawyers for Human Rights Statement on the Need for Substantive Electoral Reforms and Human Rights Protection Ahead of 2023 Harmonised Elections, 8 December 2022. <https://www.zlhr.org.zw/?p=2936>.

⁵ See <https://www.zesn.org.zw/wp-content/uploads/2022/05/Electoral-Reforms-Tracking-Report-22022022.pdf>; [https://backend.sivioinstitute.org/uploads/Assessing Zimbabwe s readiness to hold free fair and ethical harmonized elections in August 2023 4_062b69dde9.pdf](https://backend.sivioinstitute.org/uploads/Assessing_Zimbabwe_s_readiness_to_hold_free_fair_and_ethical_harmonized_elections_in_August_2023_4_062b69dde9.pdf); Zimbabwe Lawyers for Human Rights Statement on the Need for Substantive Electoral Reforms and Human Rights Protection Ahead of 2023 Harmonised Elections, 8 December 2022. <https://www.zlhr.org.zw/?p=2936>.

⁶ See Zimbabwe CSOs Position Paper: SADC People's Summit, 22 August 2022. <https://www.zlhr.org.zw/?p=28131>; <https://www.voanews.com/a/zimbabwe-rights-groups-opposition-furious-over-signed-patriotic-bill-/7184729.html>; <https://www.newsday.co.zw/local-news/article/200014110/well-repeal-the-patriot-act-ccc>; <https://www.veritaszim.net/node/6474>.

LEGAL FRAMEWORK

Zimbabwe is a party to the main regional and international instruments related to holding of democratic elections.⁷ While the country’s constitutional and legal framework provides for holding democratic elections in line with international standards, the Electoral Act is not fully aligned with the constitution. The Carter Center interlocutors expressed concerns regarding public access to the full text of amended laws and regulations critical for the electoral process, which, coupled with the lack of public access to newly passed legislation, undermines the principles of accessibility and predictability of law.

Elections are primarily regulated by the 2013 Constitution (as amended in 2021) and the 2004 Electoral Act (as amended in 2018), and supplemented by ZEC regulations, the Political Parties (Finance) Act, the Maintenance of Peace Order Act (MOPA), and other legal instruments.

While the constitution safeguards fundamental human rights and freedoms – including the freedoms of opinion and expression, assembly, and association – subordinate legislation unduly limits those rights, including in the context of campaigning, and is not fully consistent with international standards.⁸

Among other restrictions, MOPA requires conveners of public gatherings to give local regulating authorities a seven-day advance notice of their demonstrations and five-day advance notice for public meetings. This requirement drops to three days in case of public meetings during an election period. In effect, this means that conveners of gatherings are required to obtain authorization from police who are granted broad powers, often resulting in bans on assemblies in certain locations and

⁷ African Charter on Democracy, Elections and Governance; African Union Declaration on the Principles Governing Democratic Elections in Africa, AHG/Decl.1 (XXXVIII), 2002; African Charter on Human and Peoples' Rights (1986); African Union Convention on Preventing and Combating Corruption (2006); Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2008); SADC Protocol Against Corruption (2004); SADC protocol on Gender and Democracy (2008); SADC Principles and Guidelines Governing Democratic Elections; Convention on the Rights of Persons with Disabilities (2013), Convention on the Political Rights of Women (1995); International Convention on the Elimination of All Forms of Racial Discrimination (1991); United Nations Convention against Corruption (2007); Convention on the Elimination of All Forms of Discrimination against Women (1991); International Covenant on Civil and Political Rights (1991); among others.

⁸ Paragraph 73 of UNHRC [General Comment 37 on Article 21](#) to the ICCPR states that “where authorization regimes persist in domestic law, they must in practice function as a system of notification, with authorization being granted as a matter of course, in the absence of compelling reasons to do otherwise.”

restrictions on types of assemblies.⁹ Failure to give notice is a criminal offense punishable by imprisonment for up to one year.¹⁰

In the lead-up to the elections, the Criminal Law (Codification and Reform) Amendment Act 2023, commonly called the Patriotic Act, was published in the Gazette and came into force on July 14, 2023.¹¹ The act criminalizes “willfully injuring the sovereignty and national interest of Zimbabwe” – that is, participating in meetings to consider or plan armed intervention in Zimbabwe, subverting or overthrowing its government, or implementing or extending sanctions or trade boycotts against Zimbabwe. Loss of citizenship, denial of the right to vote, and death are among possible penalties. The provisions are not in line with the principle of legality and proportionality, and lack legal certainty.

Additionally, on Feb. 1, 2023, the parliament approved draft amendments to the Private Voluntary Organizations (PVO) Act that, among other things, allows the minister¹² to designate civil society organizations as vulnerable to misuse by terrorist organizations; requires the government’s registration, in effect permission for any “material change” in the organizations; including changes to internal management and funding; grants the minister powers to interfere and replace the management of an organization; and provides for penalties, including imprisonment, if an organization opposes or supports a political party or a candidate.¹³ Though the bill has not been signed by the president, mission interlocutors stated that its mere existence, coupled with the Patriotic Act, has a stifling effect on civil society and results in self-censorship, including hesitance to meet with representatives of international election observation missions.

Such disproportionate limitations restrict the right to freedom of peaceful assembly and negatively affect the exercise of the rights of freedom of association and expression, especially in the context of elections.¹⁴

⁹ MOPA requires advance notice to be given of all gatherings, leaving no room for spontaneous assemblies regardless of the number of individuals exercising the right. If 2 or more persons demonstrate in a street or public space, or conduct a procession, or if more than 15 persons hold a meeting in a public space, they will need to notify the regulating authority.

¹⁰ Disproportionate sanctions are at odds with international best practices. Para. 36 of the 2020 ODIHR and Venice Commission [Guidelines](#) on Freedom of Peaceful Assembly (3rd edition) states that “offences such as the failure to provide advance notice of an assembly or the failure to comply with route, time and place restrictions imposed on an assembly should not be punishable with prison sentences, or heavy fines.”

¹¹ Criminal Law (Codification and Reform) Amendment Act, 2023

¹² “Minister” means the Minister of Public Service, Labour and Social Welfare or any other Minister to whom the President may, from time to time, assign the administration of this Act.

¹³ The Private Voluntary Organizations (PVO) Amendment Bill, H.B. 10, 2021

¹⁴ See more at Country Visit [Report](#) of the Special Rapporteur on the rights to freedom of peaceful assembly and of association.

Registration and operation of political parties remains largely unregulated. The legal framework governing ZEC operations does not fully ensure institutional independence. This includes the need to obtain approval from the Minister of Justice for legislative amendments proposed by ZEC, among other things.

The Zimbabwean constitution stipulates that after the call for elections, no change to the electoral law or to any other law related to the elections shall be made.¹⁵ Following the proclamation of elections on May 31, 2023, however, the legal framework for elections was changed through amendments to Electoral Act¹⁶ and Statutory Instruments (SIs), which is at odds with international best practices.¹⁷ One of the three SIs changed the composition of provincial and metropolitan councils to require an equal number of men and women candidates on party lists;¹⁸ the second amendment by the ZEC aimed to implement new constitutional provisions providing for increased women’s representation on local councils;¹⁹ and the third and most recent change extended the time for sending in postal votes by 11 days, after a delay in the printing of ballots.²⁰

As these amendments were legislated after the proclamation, they were not applicable for the 2023 elections. Despite the lack of implementation of the constitutional provisions in Electoral Act and lacunas in regulations, the ZEC opted to apply the constitution directly. This undermined the principles of legal predictability and legal certainty.

ELECTORAL SYSTEM

The 2013 Constitution establishes Zimbabwe as a unitary, democratic, sovereign republic. The current electoral system is multi-party, ensures regular elections by

¹⁵ Zimbabwe Constitution S157 (5).

¹⁶ The Electoral Amendment Act, 2023 was published on July 19, 2023.

¹⁷ See ECOWAS, Protocol on Democracy and Good Governance, Article 2(1), The Code of good practice in electoral matters (CDL-AD(2002)023rev, item II.2.B) states: “The fundamental elements of electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment less than one year before an election, or should be written in the constitution or at a level higher than ordinary law.” ((Council of Europe (Venice Commission), 2005, para. I, II.4)).

¹⁸ SI 114 of 2023, issued by the Law Reviser, corrects errors in the Constitution of Zimbabwe Amendment No. 2 Act.

¹⁹ The constitution stipulates that an Act of Parliament may provide for the election, by a system of proportional representation of at least 30% of the total members of the local council elected on ward basis as women, and elections to local authority councils must be conducted in accordance with the Electoral Law, which must ensure that women for the additional 30% seats are elected under a party list system of proportional representation. The SI also specifies the number of reserved seats in each local authority council, corresponding to the 30% requirement. SI 2023-115 Electoral Act (Women’s Quota in Local Authorities) Notice, 2023

²⁰ 17 SI 140A of 2023.

secret vote based on universal and equal suffrage, and prescribes an orderly transfer of power following elections. Presidential, parliamentary, and local elections are harmonized and are required at least every five years, with the precise date set by the president.

The president is directly elected for a five-year term in a single nationwide constituency and can be re-elected for a second five-year term. If no candidate obtains more than 50% of the valid votes cast, a second round is held between the two candidates with the highest number of votes.

The National Assembly consists of 280 members of parliament (MPs). Of these, 210 are elected directly in single-member constituencies through a first-past-the-post system (FPTP). Seventy additional seats for women and youth (60 for women and 10 for youth) are elected through a proportional representation (PR) party-list system. Sixty of the 80 Senate seats, plus 10 provincial and metropolitan council seats for each province, are elected through a party-list system as well. These races are determined based on the results obtained in the National Assembly. Two of the remaining seats in the Senate are reserved for persons with disabilities; the rest are allocated for traditional leaders, who are selected through a chiefs-only electoral college.

Local councilors are elected directly in a ward-level elections. In 2023, for the first time, additional seats will be reserved for women elected on a PR-based quota, increasing the overall number of local council seats by 30%, despite the respective Electoral Act amendment coming into force after the proclamation of the elections.²¹

ELECTION ADMINISTRATION

An independent and impartial electoral authority that functions transparently and professionally is recognized internationally as an effective means of ensuring that citizens are able to participate in genuine democratic elections and that other international obligations related to the electoral process can be met.²² The election management body is responsible for ensuring that the electoral process is in compliance with Zimbabwe's obligations for democratic elections and human

²¹ The Electoral Amendment Act, 2023 was published on July 19, 2023. ZEC also published Statutory Instrument 115 of 2023 (Electoral Act (Women's Quota in Local Authorities) Notice, 2023) as a Supplement to the Zimbabwean Government Gazette Extraordinary dated the 20th June, 2023.

²² U.N. Human Rights Committee, General Comment 25, para. 20.

*rights. The body should also ensure accountable, efficient, and effective public administration as it relates to elections.*²³

Elections are administered by the ZEC at the national level, 10 permanent provincial offices, each headed by a provincial elections officer through which the secretariat maintains a presence in all provinces, and 63 electoral districts, each headed by a district elections officer. There also were constituency and ward offices established for material distribution and management as well as tabulation purposes. For these elections, 12374 polling stations were established.

Most ZEC commissioners were appointed in the past two years, replacing those whose terms in office had ended. These appointments were made by the President after consultation with the Judicial Services Commission (JSC) and the Parliamentary Committee on Standing Rules and Orders. Although the appointment process of the commissioners includes stakeholders' consultations and public interviews in parliament, it is perceived to be lacking independence because of its final appointment mechanisms, done directly by the president.

The legal framework gives wide discretion to the ZEC to regulate and supervise the election process; register voters; delimit constituencies; design, print, and distribute ballot papers; approve the form of, and procure, ballot boxes; establish and operate polling centers and stations; and accredit citizen and international observers, media, and party agents. All election administration decisions are subject to judicial oversight, in line with international standards and best practices.²⁴ The Electoral Act provides that the regulations and statutory instruments issued by the ZEC shall not have effect until they have been approved by the Minister of Justice, Legal, and Parliamentary Affairs and published in the Gazette, which somewhat impedes the independence of the commission.²⁵

There have been issues of public and stakeholder mistrust around various stages of the electoral process. Confidence in the ZEC's management of electoral processes was damaged by delays and unequal drawing of constituent boundaries; the lack of engagement and consultation about the design, printing, and distribution of ballot

²³ AU, ACDEG, Article 32(1).

²⁴ Sections 27-30 of the Electoral Act regulate the appeals against ZEC's decisions regarding voter registration. Section 45G regulates appeals against nomination of party lists candidates, and Section 46 (19) deals with appeals against ZEC's decisions regarding nomination for parliament. Section 104 (3) of the Electoral Act deals with appeals concerning nominations of candidates for the presidential elections. Section 161 (2) of the Electoral Act states: "The Electoral Court shall have exclusive jurisdiction to hear appeals, applications and petitions in terms of the Act and to review any decision of the ZEC or any other person made or purporting to have been made under the Act."

²⁵ Electoral Act, Section 192.

papers that were distributed late on election day, particularly in Harare, Bulawayo, and Manicaland; problems uncovered during the inspection of the voters' roll and the ZEC's failure to provide the voters' roll to political parties in a researchable format, among other things. The conduct of the ZEC often lacked transparency, and its communications were not always effective or timely. The commission did not engage effectively with electoral stakeholders, including both domestic and international observer organizations.

Contrary to the 2013 Constitution, the 2004 Electoral Act, as amended, does not grant full authority to the ZEC to accredit observers. The Observer Accreditation Committee that considers applications for accreditation is made up of cross-government institutions whose involvement undermines the autonomy of the election management body. Delays in accreditation prevented effective and timely citizen observation and voter education by a range of qualified organizations, and served as a severe and unwarranted obstruction on the Carter Center's mission, inconsistent with commonly recognized and respected norms and practices. The mission adapted to enable observation activities while maintaining its core principles of independence, impartiality, and fact-based reporting.

ELECTORAL BOUNDARY DELIMITATION

Equal suffrage is generally interpreted to mean that constituency boundaries should be drawn so that voters are represented in the legislature on a roughly equal basis.²⁶ According to international standards, boundary delimitation should be managed by an independent and impartial body representative of society as a whole to ensure that electoral boundaries do not favor any particular social group or political interest.²⁷

Section 161(1) of the constitution provides that the ZEC must conduct a new delimitation of the electoral boundaries every 10 years, as soon as possible after the completion of a population census.²⁸ The constitution further provides that the delimitation exercise must be completed at least six months before an election to which it applies.

²⁶ U.N. (CCPR), General Comment 25, para. 21; U.N. (CCPR), *Istvan Matyas v Slovakia*, (2002), 2.2.

²⁷ EISA and Electoral Commission Forum of SADC Countries, *Principles for Election Management, Monitoring, and Observation in the SADC Region*, p. 13. CoE (Venice Commission), *Code of Good Practice*, sec. I.2.2.15.: "While true equality in delimitation may not always be possible, the 2002 Venice Commission Code of Good Practice in Electoral Matters (Code of Good Practice) states that seats be evenly distributed among constituencies with the permissible departure of not more than 10-15%, except in special circumstances."

²⁸ 2013 Constitution of Zimbabwe, Section 161(1).

A delimitation exercise was conducted in 2008. It proved impossible to conduct a new census prior to the 2018 elections but, given the considerable population movements since 2008, there was broad agreement that new delimitations were required prior to the next elections. That census was delayed by the COVID-19 pandemic, and thus did not begin until April 2022. Data collection was completed in May 2022.

A notice regarding the delimitation of constituencies, wards, and other electoral boundaries was gazetted on May 24, 2022, and the ZEC began its formal delimitation exercise in September 2022. Before starting the delimitation process, the ZEC organized stakeholder meetings and public consultations and submitted the Preliminary Delimitation Report to the president for consideration by the Senate and National Assembly in December 2022. An ad hoc committee, established by parliament to consider the report, identified a significant flaw. Instead of allowing a maximum 20% variation as expressed in the constitution, the ZEC's formula allowed for variations of up to 40% between constituencies, which does not provide for equal suffrage. In its report, the committee also outlined other concerns regarding ZEC's use of census data and inadequate descriptions and maps. The two houses debated the report and presented their recommendations to the president on Jan. 19, 2023.

Also during this period, seven ZEC commissioners wrote a letter to the president stating that the current “draft delimitation proposal does not meet the minimum standards expected regarding transparent procedures that strengthen stakeholders’ confidence and dispel potential gerrymandering allegations; and further concerned that the current delimitation proposal is not people centered and not in an understandable format, we hereby resolve to put aside the current draft delimitation proposal except as a reference point for a proper delimitation process to be conducted and wholly guided by Commissioners after the 2023 harmonized elections.”²⁹ The commissioners’ objections, however, did not derail the delimitation process.

The ZEC chair presented a revised version of the report to President Mnangagwa on Feb. 3, stating that the ZEC had addressed the concerns and adjusted boundaries based on feedback received. Citing Feb. 17 as the date the final delimitation report was formally submitted, the president issued Proclamation 1 of 2023 (Delimitation Report) on Feb. 20.

Douglas Mwonzora, leader of the Movement for Democratic Change – Tsvangirai (MDC-T), filed a Constitutional Court challenge of the delimitation process in

²⁹ <https://www.thezimbabwemail.com/politics/is-fit-to-run-upcoming-elections/>

March against the ZEC, the president, the Minister of Justice, Legal and Parliamentary Affairs, and the attorney general. Mwonzora sought a declaration that the delimitation was invalid, an order for the ZEC to redo the process, and that the president proclaim an election date only after a new delimitation report was approved. The Constitutional Court dismissed the case, citing that it could not stop a constitutional process, and concluding that “no Cause of Action has been advanced by the application.”

Voters and stakeholders have had only six months to familiarize themselves with new boundaries, which impacted party primaries and candidate selection, causing tensions and, in a few constituencies, for more than one candidate from a party to register with the Nominations Court. Voters allocated to new constituencies and wards also experienced difficulties in understanding where they were meant to vote.

VOTER ELIGIBILITY AND REGISTRATION

*Voter registration is recognized as an important means to protect the right to vote and should be made available to the broadest possible pool of citizens to promote universal and equal suffrage. An effective voter registration process upholds these principles while increasing transparency in the electoral process.*³⁰

Under the 2013 constitution, every Zimbabwean citizen over the age of 18 has the right to vote in all elections and referendums, and to cast a secret ballot.³¹ The Electoral Act contains additional residency requirements and provides for the removal of a voter from the roll if they are absent from the constituency for a continuous period of 18 months. At odds with international standards, the constitution disenfranchises people with mental or intellectual disabilities who are detained, as well as those who have been declared by order of a court to be incapable of managing their affairs, so long as the order remains in force.³²

³⁰ U.N., International Covenant on Civil and Political Rights, Art. 25(b); AU, African Union Declaration on the Principles Governing Democratic Elections in Africa, art. 1; U.N., United Nations Human Rights Committee, General.

³¹ 2013 Constitution of Zimbabwe, Section 67 (3).

³² Zimbabwe is signatory to the [U.N. Convention on the Rights of Persons with Disabilities](#) (CRPD). Articles 12 and 29 of CRPD require that “State Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life” and ensure their “right and opportunity [...] to vote and be elected.” Para. 9.4 of the CRPD Committee’s Communication 4/2011 (*Zolt Bujdosó and others v. Hungary*) states: “Article 29 does not foresee any reasonable restriction, nor does it allow any exception for any group of persons with disabilities. Therefore, an exclusion of the right to vote on the basis of a perceived or actual psychosocial or intellectual disability, including a restriction pursuant to an individualized assessment, constitutes discrimination on the basis of disability.” See also Para. 14 of General Comment 25 to Article 25 of the ICCPR that provides that “persons who are deprived of liberty but who have not been convicted should not be excluded from exercising the right to vote.”

Zimbabwe has a system of continuous voter registration that has been under the administration of the ZEC since 2013. Biometric details started being captured in 2018 to allow for removal of duplicate entries. In addition to permanent registration centers, the ZEC also provides mobile registration before each election, commonly called a “voter registration blitz.”

For the 2023 elections, the period for the voter registration blitz was shorter than in previous elections, running March 12-26, 2023, during which the ZEC managed to register more than 451,811 voters and to transfer 191,738 registered voters to their new locations.³³ While there were some initial technical issues, these were addressed by the ZEC through a four-day extension of the process.³⁴

In accordance with Section 21(1) of the Election Act, the ZEC conducted a public inspection of the voter roll from May 27 to June 1, which also was shorter than in previous elections. The ZEC did not inform the public about any efforts to remove voters residing outside of their constituency for more than 18 months, which resulted in selective application of the law.³⁵

Voters also could use the SMS code *265# for verification of voter registration details, although the online portal has not been active since 2022. There were widespread reports during the inspection period of voters finding themselves through the SMS system but not on the physical voter roll. The ZEC said that new ward boundaries and additional polling stations were the main cause of people not finding their names.

The voter roll was closed for this election on June 2, following the proclamation of the election. The ZEC announced a final figure of 6,623,511 registered voters for elections.³⁶ It also released copies of the voter roll to presidential candidates.³⁷

Despite a mobile registration exercise carried out in 2022, when more than 1.3 million national identity documents reportedly were issued, a significant number of the population in Zimbabwe remains undocumented.³⁸ According to the Zimbabwe Human Rights Commission, this includes descendants of migrant workers who settled in the country pre-independence, as well as survivors or descendants of

³³ “450 000 register to vote in final blitz,” Sunday Mail <https://www.sundaymail.co.zw/450-000-register-to-vote-in-final-blitz>.

³⁴ From March 22 to 26.

³⁵ A candidate for president, Mr. Kasakuwere, was deregistered on the basis of this requirement.

³⁶ Total number of voters for the National Assembly elections was 6.597,865 and for Local Authorities 6.604,462.

³⁷ Bulawayo 24 News (10 July 2023) and ZimLive.com.

³⁸ National Human Rights Commission [report](#).

victims of the Gukurahundi massacres of the 1980s who do not possess all the required documents to prove eligibility for citizenship and/or identity documents, resulting in generations of undocumented people and members of minority groups such as San, Tonga, and Doma communities.³⁹ This lack of documentation deprives them of the exercise of rights and fundamental freedom, including the right to vote.

VOTER EDUCATION

*Voter education is an essential part of the electoral cycle and is recognized under international law as an important means of ensuring that an informed electorate is able to effectively exercise the right to vote without obstacles to ensure universal and equal suffrage.*⁴⁰

The ZEC, which is mandated by the 2013 constitution to conduct and supervise voter education,⁴¹ informed the public about voter registration, election day procedures – including identification of polling places – through social media, in-person meetings, and distribution of printed materials.

On a positive note, interlocutors observed voter education efforts by ZEC specifically targeting women and youth, especially first-time voters, in line with the commission’s commitment to develop inclusive voter registration materials. However, voter education in minority languages remains low. The mission observed that most voter education and campaign posters were in English, Shona, and Ndebele, leaving out other common local languages like Sotho, Tonga, Chewa, Shangani, and Venda. Carter Center social media monitoring data shows that on social media, the ZEC communicated only in English.

The ZEC’s public outreach on Facebook and Twitter commendably relied on visuals and infographics, avoiding challenges posed by videos for users with challenged access to the internet. It shared information targeting mainly candidates, voters, and election observation missions. While some parts of the process were extensively covered, the ZEC did not provide detailed information on voting procedures, the voter roll, or the tallying of results. Such information would foster transparency and confidence in the process. Several online media and fact-checking initiatives actively informed voters on the process and the candidates through Twitter,

³⁹ Ibid

⁴⁰ AU, Declaration on the Principles Governing Democratic Elections in Africa, Art. 1; AU, AfCDEG, Art. 12.4; UN, ICCPR, Art. 25(b); UNHRC, General Comment 25, para. 11.

⁴¹ 2013 Constitution, Chapter 12, Section 238.

Facebook, YouTube, and WhatsApp, filling the gap left by traditional media and the ZEC, according to Center interlocutors.

The Electoral Act allows only organizations approved by the electoral body to conduct voter education, and they must use a course or program of instruction provided or approved by the commission. Although the ZEC publicly invited CSOs, private voluntary organizations, and faith-based organizations to apply for ZEC accreditation as voter educators in May, some interlocutors reported that they had been granted approval in August, just days before the election. This prevented effective and timely voter education by a full range of qualified organizations.

CANDIDATE ELIGIBILITY AND REGISTRATION

All citizens have rights recognized in international law to vote and to stand for election.⁴² Any restrictions on these rights must be objective and reasonable. The right to be elected is a recognized principle in both regional and international treaties. However, it is not an absolute right and may be limited based on objective and reasonable criteria established by law.⁴³ Conditions relating to nomination dates, fees, or deposits should be reasonable and not discriminatory.⁴⁴

The national legal framework of Zimbabwe stipulates several limitations on the right to stand for election, including registration as a voter, age, and citizenship by birth or descent, among others, some of which are not fully in line with international standards.⁴⁵ The constitution further limits the right to stand of those who have already held office as president for two terms, whether continuous or not. Candidates for president and for the National Assembly may be nominated by political parties or run as independents.

The period and place of the sitting of the Nomination Courts are fixed on a proclamation of general elections by the president. For the 2023 harmonized

⁴² Article 21 of the Universal Declaration of Human Rights.

⁴³ ICCPR, Article 25; ACHPR, Article 13; Arab Charter on Human Rights, Article 24.

⁴⁴ U.N. (CCPR), General Comment 25, para. 16

⁴⁵ Only Zimbabwean citizens by birth or descent are eligible to run for the presidential post. The minimum age for the eligibility for the presidential post is 40 years, and for a member of the National Assembly is 21 years of age. Paragraph 15 of the UN HRC General Comment 25 to the ICCPR confirms that the "Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation. It further underlines: "No distinctions are permitted between citizens in the enjoyment of these rights on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

elections, Nomination Courts⁴⁶ approved candidates for the office of president, members of the National Assembly, and local councilors across the country.⁴⁷ In addition to the required set of documents, candidates were required to pay a significantly increased nomination fee of US\$20,000 for the presidential post and US\$1,000 for the National Assembly.⁴⁸

The results of the nomination process were gazetted on June 30, 2023.⁴⁹ A significant number of aspiring candidates were not approved, based on a finding of failure to pay nomination fees, among other reasons cited. Within four days of receiving notice, rejected candidates have the right to appeal to a judge of the Electoral Court in chambers. The judge may confirm, change, or reverse the decision of the nomination officer.

Carter Center interlocutors reported that the mechanism of paying nomination fees was complicated and created additional barriers for aspirants. Some candidates were not able to pay by card or had difficulties processing bank transfers of such an amount, despite the ZEC's reassurances of that option. Only those who paid in cash in U.S. dollars did not face additional challenges. Additionally, even in those cases when aspirants paid via a bank transfer, the ZEC refused to accept proof of payment if the amount did not settle on ZEC accounts by the deadline. As a result, multiple aspiring candidates challenged the rejection in court, some successfully.⁵⁰ In effect, therefore, courts became the arbiter in the nomination process. The ZEC did not gazette the final (updated) list of all candidates,⁵¹ and in some constituencies and wards, ballots were printed and used despite pending court cases challenging a candidate's nomination or rejection of registration. This lack of clarity on the final candidate list also resulted in delays in the ballot paper printing and significantly affected the polling process on the election day. [*See Election Day section.*]

⁴⁶ The purpose of the nomination courts is to select candidates who qualify for the Presidential, National Assembly and Local Authority categories. For example, in case of the elections of members of the National Assembly, on the day and at the place fixed, the nomination officer shall hold a public court, commencing at 10:00 AM, for receiving the nomination of candidates for election as a constituency member of the National Assembly for the constituency for which he or she is the nomination officer.

⁴⁷ Statutory Instrument 85 of 2023. Proclamation of the harmonized elections by the President.

⁴⁸ Nomination fees for the 2023 elections increased up to ten times. Prior to the 2022 amendment, candidates for the office of the President were subject to a nomination fee of USD 1,000 and candidates for a member of the National Assembly USD 50, respectively. No nomination fees are imposed on candidates for candidates as councilors for the local councils.

⁴⁹ See [Candidates](#) nominated for the elections to the office of the President, Nomination Court [Results for National Assembly](#) Direct Election.

⁵⁰ Elisabeth Valerio v Presiding Officer of the Nomination Court and Others Judgment.

⁵¹ The name of the presidential candidate Elisabeth Valerio [was gazetted](#) only on Aug. 8, 2023.

On Aug. 16, 2023, the ZEC announced the number of the candidates who would appear on the ballot papers: 11 candidates for president; 582 candidates for the National Assembly; and 4,914 candidates for local councils. Ninety-one candidates for local councils won uncontested.

Additionally, some political parties – but not all – fielded candidates under the proportional representation party lists, including for women and youth quotas. [*See Gender Section.*]

The total number of candidates for the 2023 elections was lower than in 2018, a fact attributed in part to the 20-fold increase in the nomination fees for presidential and National Assembly candidates. The high cost of nomination also was cited as a limiting factor for aspirants from marginalized groups such as women, youth, and people with disabilities.

The increased fees were challenged as being unconstitutionally excessive. In March 2023, Divine Hone, leader of the Nationalists Alliance Party, asked the Constitutional Court to issue an order setting aside the statutory instrument authorizing the fee increases based on parliament’s failure to properly debate the bill. On June 8, the court declared that the parliament had indeed failed to fulfill its obligation and recommended that it re-examine the bill.⁵² Following the court’s order, the parliamentary legal committee examined the statutory instrument and confirmed that the fee increases were not in contravention of the constitution or the Electoral Act. The committee’s position was then confirmed by the parliament. An emergency challenge before the court was rejected on June 20, and parties and candidates were required to pay the increased fees. This could have undermined the right and opportunity for aspirants to seek political office and compromised citizens’ rights to political participation.

CAMPAIGN ENVIRONMENT

The equitable treatment of candidates and parties during an election, as well as an open and transparent campaign environment, are important to ensuring the integrity of a democratic election process. Zimbabwe’s legal framework and its international and regional commitments create obligations related to the campaign environment, including the right to freely express opinions and to participate in public affairs.⁵³

⁵² The Constitutional Court Order on Nomination Fees, <https://www.veritaszim.net/node/6417>.

⁵³ ICCPR, Article 19(2); ACHPR, Article 13(2); ICCPR, Article 19; ACHPR, Article 13.

The campaign environment was generally peaceful in comparison to previous electoral cycles. Electoral interlocutors and some political party representatives expressed concerns, however, about the ruling party's use of government resources to campaign.⁵⁴ Coupled with regulatory requirements that effectively restricted opposition campaign efforts, this created an uneven playing field among political parties. In addition, there were several reports of voter intimidation, to the extent that some said they were scared to discuss politics with citizen observers.

In its report of Aug. 16, 2023, the police said they had blocked 303 public gatherings after assessing they did not meet legal regulations for such gatherings. This resulted in the suppression of legitimate campaign activity in many cases. Supporters of the ruling party were observed disrupting opposition party campaign events, sometimes with violence. There also were isolated instances of both intraparty and interparty violent clashes among party supporters. The interparty violence resulted in one reported death in Harare on Aug. 3, 2023.⁵⁵

The Carter Center further observed acts of destruction of campaign materials, such as posters and campaign billboards, by supporters of rival parties or supporters of rival candidates within the same party. Some candidates were restricted from posting political party campaign posters in various locations.⁵⁶ In addition, there were reports of intimidation of opposition political party supporters, particularly main opposition CCC party leaders and supporters, by the governing ZANU-PF party-affiliated NGO, Forever Associates of Zimbabwe, particularly in rural areas. Citizen observers reported instances of people being coerced to attend ruling party rallies and of government aid being used as a campaign tool, including through the distribution of food and farming supplies at rallies.

In the lead-up to the polls, several interlocutors reported concerns regarding the presence and influence of traditional leaders. During the final day of the campaign, Carter Center observers noted influential traditional leaders in Masvingo telling voters that they must check in at a "voter education desk" during a particular party rally to have their names registered before being allowed to vote. Voters could perceive this as undue influence to cast their ballots for a particular candidate or party.

⁵⁴ The governing party used its privileged access to state resources to unfairly use the government owned Zimbabwe United Passenger Company (ZUPCO) buses to transport its supporters to rallies and the public broadcaster, ZBC, facilities to broadcast its campaign rallies nationally.

⁵⁵ <https://www.zimlive.com/ccs-supporter-killed-while-fleeing-baying-zanu-pf-mob-in-harare/>

⁵⁶ <https://twitter.com/CCCZimbabwe/status/1687163378370822154?t=T1V4O9KYdfYHTGNU38gXSA&s=03>

The two front-runners for the presidency, incumbent President Emmerson Mnangagwa and CCC party leader Nelson Chamisa, both had Twitter accounts showing more than 1 million followers. Some presidential and parliamentary candidates did not have social media accounts or had accounts with limited number of followers. Candidates reported to the Center that they were using highly structured networks of WhatsApp groups, up to several hundred, to distribute party messages and campaign information every day. The Electoral Act does not encompass campaigns on social media, including the use of political ads, nor does it give the ZEC a mandate to monitor social media.

The Carter Center’s social media monitoring unit observed that from July 24 to Aug. 20, CCC candidates engaged online intensively, both in posting and commenting, while ZANU-PF candidates showed less activity. Campaign messages shared on Facebook and X (formerly Twitter) covered mostly campaign events, including drone footages of rallies trying to show parties’ support and discredit opponents’ claims of rally attendance; videos of speeches; slogans; candidate posters; comments on court cases and obstacles to campaign; and negative comments targeting opponents.⁵⁷

Similar and organized messages covering the incumbent’s achievements and campaign events were repeatedly shared on X by a network of accounts, including that of the president; the Ministry of Information, Publicity and Broadcasting Services; officials; the party; state-owned media accounts; and supporters. This blurred the lines between state officials and campaign staff, as well as media coverage and campaign material. CCC created a dedicated campaign account on X and a page on Facebook, in addition to the party and candidates’ pages. Messages supporting CCC appeared more horizontal, and scattered, and seemed less organized than ZANU-PF campaign messages.

Several candidates and parties placed ads on social media. The CCC campaign released the highest number of ads on Facebook and Instagram ahead of the elections and relied on Google ads. ZANU-PF was the largest spender on the platforms.⁵⁸ Two weeks before elections, a Facebook page called “ED achievements” started sharing ads calling on citizens to vote for the president. Platforms provided limited or no

⁵⁷ Pages supporting the ZANU-PF campaign repeatedly released pictures of CCC rallies, implying that the opposition party failed to gather supporters in different areas.

⁵⁸By Aug. 18, ZANU PF released ads for a total of USD 23,140 accounting for more than 80% of the total amount spent since July 2022.

information on advertisers, and Google did not provide information on amounts spent on ads, which hindered the transparency of campaign finance and spending.⁵⁹

The Carter Center also observed that several CCC candidates and the CCC Facebook page campaigned during the silence period, including with paid content. ZANU-PF pages monitored by the Center were mostly silent during that period.

CAMPAIGN FINANCE

Campaign finance is not regulated by law. Parliamentary political parties that obtained at least 5% of votes are granted annual public funding proportional to the votes they obtained in the last parliamentary elections. and prohibits foreign funding. The absence of regulations to limit donations from individual donors and the lack of caps on campaign finance, as well as inadequate procedures of reporting and oversight, keep the playing field unlevel. Also, the absence of requirements to publish party finance reports undermines the transparency of campaign finance. There are no provisions in law regarding party finance to encourage gender equality in political parties.

Most parties and their candidates, as well as independent candidates, reported that they struggled to raise funds for nomination and campaigning, including parties that had access to public funding. The Carter Center observed that only the main opposition party, CCC, and the governing ZANU-PF party had campaign resources to run their campaigns efficiently.

INFORMATION ENVIRONMENT AND SOCIAL MEDIA MONITORING

Freedom of expression, unhindered access to the internet, and an independent media are vital to enable democratic debate, ensure accountability mechanisms, and provide voters with accurate information.⁶⁰ International standards and good practices provide for, among other things, an environment free of manipulative

⁵⁹ Google Ad Transparency Center did not cover Zimbabwe, while disclaimers such as ‘Friends of Chamisa’ or ‘ED achievements’ on Facebook and Instagram, without further details on the advertiser, nor contact information, resulted in limited information on the advertisers and spendings. Under the UN Guiding principles on businesses and human rights, private companies have a responsibility to respect human rights, independently of the States’ willingness to fulfil their own human rights obligations (principle 11).

⁶⁰ International Covenant on Political and Civil Rights (Article 19); ICCPR, General Comment 34 on freedoms of opinion and expression; The African Charter on Human and People’s Rights (African Charter) (Article 9); The African Charter on Democracy, Elections and Governance (ACDEG) (Article 27), the SADC Principles and Guidelines Governing Democratic Elections (Article 4).

interference, violence, or the threat of violence – including online – enabling voters to freely form an opinion.⁶¹

The constitution provides for privacy, freedom of expression, and access to information.⁶² It explicitly outlaws incitement to violence and hate speech. Legal reforms have started harmonizing the legal framework with the constitution,⁶³ improving access to information, including to government officials and the police. Zimbabwean stakeholders commended the multi-stakeholder approach to reforms that allowed for inclusive discussions.

Despite these improvements, the political context in Zimbabwe is marked by a combination of newly enacted and longstanding laws that criminalize legitimate speech and provide for harsh prison terms. Such laws are cited as the basis for arresting journalists and human rights defenders for content published online and offline.⁶⁴ However, court cases usually last a long time, and convictions are rare. Provisions, at times overly broad, that criminalize the distribution of “falsehoods” and statements “willfully injuring the sovereignty and national interest of Zimbabwe,” or “undermining the authority or insulting the president,” are contrary to Zimbabwe’s fundamental regional and international obligations.⁶⁵

Though a variety of online media have emerged, state-owned media continued to dominate print and broadcast outlets, and media ownership lacked diversity.⁶⁶ Overall, the Center found that the media landscape was highly polarized along political lines.

⁶¹ 2011 joint declaration on freedom of expression and the internet (UN, OSCE, OAS, ACHPR), Section 6.e: “States are under a positive obligation to facilitate universal access to the Internet”; ICCPR, General Comment 25, para. 19: “Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”

⁶² Sections 57, 61, 62 of the constitution.

⁶³ The legislature repealed the repressive Access to Information and Protection of Privacy Act (AIPPA) in 2019, and enacted the Freedom of Information Act (FIA), the Cyber and Data Protection Act (CDPA), and the Zimbabwe Media Commission (ZMC) Act.

⁶⁴ It includes laws such as the Criminal Law (Codification and Reform) Act, sections 31 and 33; Section 164C of the Criminal Law (Codification and Reform) Act, as amended by the Cyber and Data Protection Act; the Criminal Law Codification and Reform Amendment Bill (the “Patriotic Bill”); section 14 of Statutory Instrument 83 of 2020; Section 88(b) of the Postal and Telecommunications Act [Chapter 12:05].

⁶⁵ Principle 22 of the ACHPR Declaration of Principles of Freedom of Expression and Access to Information reads that states “shall repeal laws that criminalize sedition, insult and publication of false news.”

⁶⁶ Although telecoms’ liberalization has led to the licensing of six commercial TV channels and 14 community radio stations since 2020, some interlocutors pointed out relationships between their owners or members of their boards of trustees and the ruling party, which did not allow for enhanced diversity. The 2009 joint statement on the media and elections (UN, OSCE, OAS, ACHPR) notes: “States should put in place a range of measures [...] to create an environment in which a pluralistic media sector can flourish. These should include, among others, obligations of transparency of media ownership, licensing of different types of broadcasters to promote diversity [...]”

The media coverage of the election is governed by the constitution, the Electoral Act and the ZEC Statutory Instrument 33 of 2008.⁶⁷ Section 61 of the constitution requires that all state-owned media should freely determine their editorial content, be impartial, and afford fair opportunity to divergent views. The Electoral Act and the ZEC Statutory Instrument 33 of 2008 provide, among other things, for free access to the public broadcaster, equitable treatment of all parties and candidates, and ZEC media monitoring.⁶⁸ Nevertheless, several Carter Center interlocutors questioned the ZEC's capacity to meaningfully monitor media. The overall lack of accountability mechanisms in the law and the late publication of information hindered public accountability.⁶⁹

Steps have been taken to improve media coverage of elections, including the signing of the Media Code of Conduct pledge in August, and media training throughout the country.⁷⁰ However, media watchdogs and candidates reported biased coverage in favor of the ruling party, including live coverage,⁷¹ which created an unlevel playing field among candidates. They also noted the spread of disinformation, and derogatory and inciteful speech in the media, mirroring offline violence and speeches by politicians.⁷² This did not allow for inclusive debate and ran counter to journalistic ethics and Zimbabwean laws.

Several interlocutors reported that voters didn't get sufficient information about the election due to the unbalanced media coverage, the focus on rallies rather than political platforms, and the barring of community radio stations from airing political content.

⁶⁷ Electoral Act, sections 160E to 160K.

⁶⁸ The Electoral Act, Section 160K stipulates that "the Commission, with the assistance, at its request, of the Zimbabwe Media Commission (ZMC) [...] and the Broadcasting Authority of Zimbabwe (BAZ) shall monitor the Zimbabwean news media during any election period." Beginning of June, the ZMC announced that the ZEC would establish a media monitoring committee.

⁶⁹ The SI 33 of 2008 requires the public broadcaster (ZBC) to give the commission its election program schedule within a period of seven days after the nomination day or first nomination day. On July 17 and 23, MISA wrote the ZEC requesting the schedule. The schedule was finally published on July 28 in *The Herald*, the major state-owned newspaper. According to MISA, "the schedule is essential to effectively monitor how public media discharges its duties and if this is in line with the Constitution." Moreover, the law does not require the public release of monitoring reports during the electoral process.

⁷⁰ Trainings were conducted by, among others, ZMC, ZEC, MISA, Zimbabwe Union of Journalists, and UNESCO.

⁷¹ According to Media Monitors, a CSO monitoring legacy and online media, the ZANU-PF ruling party received about 60% of coverage between July 23 and Aug. 11, mostly on the state-owned print and broadcast media, and commercial radio stations. Main opposition party CCC received 16-19% of coverage, mostly in privately owned newspapers and online. On July 25, after the deputy information minister declared that CCC was "refusing to take up airtime on ZBC," the CCC described the state-owned broadcaster coverage as "biased, derogatory and manipulated."

⁷² Media repeatedly released headlines, articles, and op-eds containing derogatory and inciting expressions such as "reject sellouts," "puppets," "kickout the opposition of cities, towns," "that intellectual prostitute."

In this context, journalists faced a host of challenges, including a restrictive and deteriorating environment, and a resurgence of violence starting in 2022. Recent reports indicate that journalists have been barred from covering political events, leading other journalists to increase self-censorship.⁷³ The media sector also is negatively impacted by the burdensome requirement for dual accreditation from the Zimbabwe Media Commission (ZMC) and the ZEC, and the dire economic situation. These provisions allowed state-owned media to remain dominant and undermined journalists' independence and ability to cover campaigns.⁷⁴ In the run-up to the 2023 elections, several foreign media announced that they were denied accreditation by the ZEC.⁷⁵

Estimates on the internet penetration rate vary widely – from one-third to two-thirds of the population – but Center interlocutors agreed that most users had access to WhatsApp, Meta's messaging platform, rather than social media platforms and websites.⁷⁶ Infrastructure issues and the disproportionately high cost of data limit access to the internet and associated rights, such as participation in political life and access to public information online.⁷⁷ Only about 12 % of people 13 and older have access to Facebook, and just 3% have access to X (formerly Twitter), the major platform for discussing political issues.⁷⁸ Carter Center data show that WhatsApp is the most-used platform, both in rural and urban areas.

Most of the Center's interlocutors indicated that media and digital literacy rates are low in the country, despite remarkably high general literacy rates, leaving voters vulnerable to misinformation.⁷⁹ Several quality fact-checking initiatives, including ZimFact and FactCheck Zim, released verified election-related information in pre-bunking and debunking efforts. They circulated information online, via WhatsApp, or through media, but faced issues with laws barring their partner community radio stations from airing political information.

Commendably, the government has launched a digitization policy that includes the creation of community and village information centers to help address the internet

⁷³ See MISA Zimbabwe [2022 state of the media report](#) and Reporters without Borders [Media freedom index 2023](#).

⁷⁴ SADC Protocol on Culture, Information, and Sport Article 18.4 states: "Member States agree to create political and economic environment conducive to the growth of ethical, diverse and pluralistic media."

⁷⁵ See [RSF article](#) as of August 21, 2023.

⁷⁶ The Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ) reported internet penetration at 65.3% in 2022, while the private firm DataReportal estimated it at 34.8% in 2023.

⁷⁷ Article 13 (1) of the African Charter on Human and People's Rights provides that "every citizen shall have the right to participate freely in government."

⁷⁸ We are social, Data Reportal, [Digital 2023: Zimbabwe](#)

⁷⁹ UN, OAS, OSCE 2020 joint declaration on freedom of expression in the digital age (1.b.v.) reads: "States should make a concerted effort to promote digital media and information literacy, including in relation to elections."

divide. However, the legal framework unduly curtailed free speech online and allowed for interception of telecommunication without sufficient judicial oversight.⁸⁰ In addition, Center interlocutors raised concerns about the government’s increasing surveillance capacities.⁸¹ On the eve of the elections, internet service was degraded, limiting access to information.⁸²

Although the Cyber and Data Protection Act (CDPA) provides for the protection of personal data, voters told the Center that they received unsolicited political text messages asking them to support the president’s campaign, which is contrary to Zimbabwean law and regional and international standards on privacy.⁸³ The CDPA mandated the Postal and Telecommunications Regulatory Authority (POTRAZ) with data protection authority. Several Center interlocutors expressed concerns about the concentration of powers and competing interests within a single entity.

The Center observed false and intimidating information; negative campaigning and criticism targeting the ZEC or political parties; and antagonistic narratives including demeaning, hateful, or inflammatory content by both major parties, their supporters or shadow accounts on Facebook and Twitter.⁸⁴ Carter Center interlocutors also reported a wide range of misinformation and intimidation on Facebook, X, and WhatsApp. These included cases of unsophisticated doctored pictures and videos; vicious insults; body-shaming; allegations, including of a sexual nature; and death threats. This distorted the digital space and did not allow for an environment free from threats of violence or manipulation.

GENDER, MARGINALIZED POPULATIONS, AND PARTICIPATORY RIGHTS

Zimbabwe is a party to the main international and regional instruments that recognize the right of women, youth, and people with disabilities to participate in

⁸⁰ Interception of Communication Act [Chapter 11:20]. The U.N. resolution on privacy in the digital age calls upon states “to establish [...] independent, effective, adequately resourced and impartial judicial, administrative and/or parliamentary domestic oversight mechanisms capable of ensuring transparency, as appropriate, and accountability for State surveillance of communications, their interception and the collection of personal data.”

⁸¹ Principle 38(2) of the ACHPR Revised Declaration of Principles on Freedom of Expressions notes that “States shall not engage in or condone any disruption of access to the internet and other digital technologies for segments of the public or an entire population.”

⁸² NetBlocks, the observatory, confirmed the degradation of internet service on the afternoon of August 22. On Aug. 17, Access Now and more than 45 Zimbabwean and international organizations released an [open letter](#) demanding Zimbabwean authorities break the cycle of internet shutdowns.

⁸³ The Cyber and Data Protection Act, section 3, defines consent as “any manifestation of specific unequivocal, freely given, informed expression of will by which the data subject [...] accepts that his or her data be processed.”

⁸⁴ Negative campaigning and derogatory speech included terms referring to the liberation war narratives and traitors, including Western countries; or to alleged corruption issues, violence, or election rigging. The Center also identified hateful comments based on gender, sexual orientation, or ethnic origin.

political and public affairs, including the right to vote and be elected.⁸⁵ These instruments also guarantee equality and non-discrimination.⁸⁶ Women, youth, and people with disabilities remain underrepresented in Zimbabwe's public institutions, including elected bodies. Zimbabwe's political parties largely failed to take steps to promote the participation of women, youth and people with disabilities as candidates in the 2023 elections.

WOMEN

The constitution contains a comprehensive bill of human rights, including the right to equal treatment for women. It also sets the obligation to promote full gender balance and full participation of women in all spheres as a national objective that should guide all government institutions and agencies at every level in formulating and implementing laws and policy decisions. It also requires the state to take all necessary measures to ensure gender parity, including in the elective bodies,⁸⁷ and provides for temporary measures guaranteeing women some reserved seats in parliament, provincial and metropolitan councils,⁸⁸ and local councils. These measures fall short of ensuring actual gender parity, however, as they are not fully enabled in the subordinate legislation. There are no penalties for political parties that failed to ensure gender equality in nomination of party candidates; nor are there incentives to promote gender parity.

Zimbabwe's Electoral Act requires the ZEC to mainstream gender into electoral processes. To ensure compliance with the constitution, ZEC developed a Gender and Inclusion Strategy.⁸⁹ The ZEC chairperson and four of its eight commissioners are women. Observers reported that women were well represented at lower levels of

⁸⁵ This includes UDHR, ICCPR, CEDAW, CRPD and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) (ACHPR-PW) and the Southern African Development Community Protocol on Gender and Development, the African Charter on Democracy, Elections, and Governance (ACDEG) and African Youth Charter.

⁸⁶ UDHR, Article 2, ICCPR, articles 2 and 26, CEDAW, articles 2, 3, and 4; CRPD, articles 3 and 4.

⁸⁷ 2013 Zimbabwe Constitution, Section 17(b)ii.

⁸⁸ The constitution mandates that 50% of the 60 proportional representation seats in the Senate as well as one of the reserved seats for a member with disabilities be allocated to women, guaranteeing women at least 31 of the 80 Senate seats (*See electoral system section*). For the National Assembly seats, women can compete with men on an equal basis for the 210 single-member, FPTP constituency seats. Additionally, 60 seats in the National Assembly under the proportional representation system are reserved for women. This is a temporary measure for the life of the first four parliaments after 2013. In 2023, for the first time, young women may also get seats under the newly introduced 10-seat quota reserved for youth. In addition to the ex officio members, 10 members of the provincial and metropolitan councils in all 10 provinces are elected based on proportional representation party lists in which male and female candidates are listed in alternating order, with every list being headed by a female candidate. The temporary measures were supposed to be applied for only two elections following the adoption of the constitution in 2013; however, the measures were extended for two more cycles by the 2021 amendments to the constitution.

⁸⁹ ZEC Gender and Inclusion [Policy](#).

election management. The constitution requires promotion of young women and women with disabilities, through reserved seats, mandating that 10 of the 60 seats for women be held by those under age 35 provided that political parties ensure that, and one of the senate seats reserved for persons with disability is a woman.

However, the order of women on the candidate lists for these reserved seats is left to the discretion of political parties. As a result, women with disabilities may not be given priority on the list.

Lack of publicly available disaggregated data on candidates' age and disability status did not allow for public scrutiny of party lists submitted for the 2023 elections. Moreover, the Electoral Act applicable to this election is not fully in line with the constitution on women's quotas, which aim to ensure equality between genders in elected office.⁹⁰

People who spoke to The Carter Center expressed concern that political parties treated the temporary affirmative-action measures as an excuse not to promote female candidates to run for FPTP seats and expected most female candidates to only run for the 60 seats reserved for them. Female candidates are perceived as weak due to cultural barriers and a lack of financial resources for effective campaigning and are therefore likely to undermine the overall performance of a party in the FPTP races.

Numbers from the nomination process show fewer female candidates at all levels than in the 2018 elections.⁹¹ Only one woman, Elizabeth Valerio of the United Zimbabwe Alliance (UZA), was able to run for president, and then only after the Electoral Court of Zimbabwe overturned the Nomination Court's rejection of her registration on technical grounds.⁹²

Political parties largely failed to ensure gender balance among their nominated candidates for the National Assembly, and the number of female candidates nominated for FPTP seats in 2023 decreased to 11%, down from 14.4% in 2018. The

⁹⁰ 2013 Zimbabwe Constitution, Section 17(b)ii.

⁹¹ The numbers presented in this section are based on the lists gazetted after the nomination process on June 30, 2023. According to the Zimbabwe National Statistics Agency report, in the 2018 elections, women made up only 48% of senators; 31% of parliament and 14% of local governments.

⁹² Valerio paid the nomination fee via bank transfer and presented a proof of payment; however, the ZEC did not accept it, saying the payment was not settled within the Nomination Court session. A higher court ruled that presenting a valid proof of payment sufficed to be eligible for registration. <https://www.veritaszim.net/node/6486>. Another female aspirant for the presidential office, Linda Masarira of the Labour Economists and African Democrats (LEAD), lost her court case challenging the Nomination Court's decision not to register her on the grounds of failure to provide proof of payment. <https://veritaszim.net/node/6499>.

11% decreased to 9.5% by election day for various reasons, with total number of female candidates dropping from 70 to 55 between the nomination process and election day.⁹³ Some of the contesting political parties did not field any female candidates.⁹⁴

Following the nomination results, women were eligible to compete in only 57 of 210 FPTP constituencies (27%), leaving 153 constituencies with only male candidates. In some constituencies, multiple female candidates ran for the same seat, and in several constituencies, the same political party fielded two or three candidates, meaning women had to compete with male candidates of their own party.⁹⁵

Interlocutors cited several obstacles preventing more women from running as party candidates, including the strong male patronage system within parties; nepotism during the selection of candidates for reserved seats; and internal structural barriers within parties. Women also are more likely to lack financial resources and are disproportionately affected by exorbitant nomination fees and campaign costs.

Political parties also largely failed to utilize existing quotas for fielding female candidates for reserved lists: Only four of 14 political parties fielded female candidates for reserved seats on the National Assembly;⁹⁶ five political parties put up female candidates for the Senate;⁹⁷ and only three political parties submitted lists for the provincial and metropolitan councils⁹⁸ and lists for the youth quota in the National Assembly.⁹⁹

⁹³ According to the information provided by ZEC on Aug.16 during the observer briefing, there were only 55 female candidates of 582 candidates running for the FPTP seats.

⁹⁴ The numbers are based on the gazette results of the Nomination Court. Zimbabwean Government Gazette Extraordinary, June 30, 2023. Some candidates were removed or added later as a result of judicial review. ZANU-PF – 23, CCC – 20, UZA – 9, FreeZim-Congress – 4, ZANC – 2, DOP – 1, ZNRP – 1, ZCPD – 1, MDC-T – 1, F.A. – 1. While ZANU-PF and CCC fielded the highest number of female candidates, they constituted only 11 and 9% of fielded candidates for the lower house seats by these parties respectively. The highest number of women on the party list was fielded by the UZA – 29%. The highest number of female candidates were registered in Bulawayo – 16 of 57 (28%), and the lowest in Mashonaland Central – only 1 of 40 (3%).

⁹⁵ See, for example, Pelandaba/Tshabalala, Pumula, Harare South, Harare West constituencies.

⁹⁶ Both the CCC and ZANU-PF fielded party lists (women's seats) for all 10 provinces, MDC-T managed to field party lists for only Manicaland and Matabeleland North, while Zimbabwe African People's Union (ZAPU) fielded a party list only in Matabeleland North. Some parties were deprived of the opportunity to submit lists for reserved seats as their aspirants for FPTP seats were not registered by the Nomination Court.

⁹⁷ Both the CCC and ZANU-PF fielded in all the 10 provinces, while the MDC-T, ZAPU, and Democratic Union of Zimbabwe managed to field in one province each.

⁹⁸ ZANU-PF fielded lists for all 10 provinces, CCC for nine, and MDC-T submitted a list only for Matabeleland North.

⁹⁹ While CCC and ZANU-PF fielded youth lists for all 10 provinces, MDC-T submitted a list only for Matabeleland North.

Overall, 15% of the candidates in the local council race are women, compared with 17% in the 2018 election. In addition to the directly elected seats, for the first time an additional 30% of the total members of the local council were reserved for women, who were elected by a system of proportional representation.¹⁰⁰ This translated into 602 seats being added to the existing 1,970 council seats. However, only six political parties put up lists with female candidates under these mechanisms, and in some wards, only one political party submitted such lists.¹⁰¹ While sharply increased nomination fees are believed to affect participation of women in the elections for the National Assembly, participation of women on the local level also remains low, even though no nomination fees are charged for candidates on this level.

Women represent about 54% of registered voters in Zimbabwe. Interlocutors cited patriarchal stereotypes, existing gender roles, lack of resources, election-related violence, and harassment as factors preventing women from playing a more active role in political life and achieving gender equality.¹⁰² In rallies attended by Carter Center long-term observers, the majority of participants were women, especially when the candidate organizing the rally was a woman. Observers reported incidents of intimidation and/or electoral violence against women in rural areas, some of whom were assaulted for putting up party posters. Some candidates reported that their female supporters were harassed by their opponent's male supporters when they attempted to attend a meeting and said that female candidates were kept from campaigning in certain locations.

Female candidates and would-be candidates told the mission that they had been victims of violence or threats of violence, cyberbullying, and online smear campaigns and harassment by opponents and the general public. The response from relevant authorities was inadequate.¹⁰³ This included being targeted by vicious, organized attacks online, including attacks of a sexual nature, body-shaming, and death threats. Hence, campaigning via social media or messaging platforms required blocking or excluding perpetrators. The Carter Center's social media monitoring unit identified repeated instances of derogatory speech targeting female politicians on

¹⁰⁰ This measure was introduced in an attempt to implement recently constitutionally introduced quotas for women, however, the Electoral Act was amended after the proclamation of the elections.

¹⁰¹ See, for example, Rusape town council, Tongogara RDC.

¹⁰² The CEDAW committee recommended amending the Political Parties Finance Act to specifically provide for the allocation of campaign financing and the provision of training for women candidates for elections and to adopt legislation criminalizing political harassment and sexist attacks against women candidates and political activists.

¹⁰³ The ZEC Gender and Inclusion Policy also acknowledges that "the culture of political violence, misogyny, male chauvinism and intimidation persist in Zimbabwe's electoral processes."

Facebook and Twitter.¹⁰⁴ This did not allow for an inclusive or violence-free campaign environment and hindered women’s political participation.¹⁰⁵

Interlocutors noted that there are no effective remedies in place to lodge a complaint against such attacks, partially because of gaps in the legal framework¹⁰⁶ and also because the relevant authorities lack either the capacity or the will to effectively investigate such cases. According to Carter Center interlocutors, in reported cases of physical violence or harassment, the police failed to take effective actions to bring those responsible to justice.

POTRAZ, an authority mandated to monitor, ensure personal data protection and investigate instances of violence online, said it has not received any complaints of violence online, nor has it identified any instances through its monitoring. The Zimbabwe Gender Commission reported that it did not receive serious complaints related to violence online and offline during the campaign period either.

Interlocutors also indicated that in some areas, most female candidates running for legislative or local elections refused opportunities offered to them to campaign online via third-party online platforms, due to cultural barriers and lack of confidence, among other reasons.¹⁰⁷

Youth

Zimbabwe’s constitution recognizes youth as a special group. According to the 2022 census, approximately 72% of the population of Zimbabwe is below age 35.¹⁰⁸ The 2021 constitutional amendments allocate seats in the National Assembly for 10 youth members ages 21-35, one from each province, and that half of candidates on a party’s list for these seats should be women.¹⁰⁹ Additionally, the constitution

¹⁰⁴ This included degrading, ageist remarks; body-shaming; insults such as “you are a bitch,” “you are too old,” “you are a political whore, go hang,” “keep quiet, undignified woman,” “a mouth like a vagina,” and “you are a dog.”

¹⁰⁵ Best practices recommend that countries “adopt a zero-tolerance policy toward all forms of violence that undermines women’s participation,” U.N. Committee on the Elimination of Discrimination against Women, 2013, Recommendation 30, para. 73.f.

¹⁰⁶ The Cyber and Data Protection Act contains a list of violations; however, it was not incorporated in the Criminal Code, hence such acts were not treated as criminal offenses.

¹⁰⁷ The 2022 Joint Declaration on Freedom of Expression and Gender Justice by the U.N., OSCE, OAS, and ACHPR, Section 1.b states: “Eliminating discrimination against women requires a “whole of society” approach. States, the private sector and civil society should work together to address discrimination, stereotyping and interpretations of culture, religion and tradition that subordinate and disempower women and are a root cause of sexual and gender-based violence as well as gendered censorship.”

¹⁰⁸ Population census [report](#), 2022.

¹⁰⁹ Persons aged 18-40 made up 60% of Zimbabwe’s registered voters in 2018.

mandates that 10 of the 60 seats specifically allocated for women should be for women under age 35, should political parties provide for that.

Nevertheless, only three political parties submitted youth quota party lists presenting alternating female and male candidates.¹¹⁰ Interlocutors from one political party told The Carter Center that they were not able to submit lists because the ZEC refused to register their candidates on technical grounds, and those rejections were upheld by the courts. Because of a lack of publicly available information on the age of the candidates, it was not possible to determine to what extent the parties complied with the requirement to promote young women on party lists for the reserved seats, as mandated by the constitution.

According to the ZEC, young voters constituted 41.7% of total voters in 2023. Though recent voter registration efforts aimed to increase the number of young people on the voter roll, Carter Center observers were informed that growing voter apathy and fear of election-related violence are key factors preventing youth from more actively engaging in political processes. Also, ageism and a lack of financial resources tend to limit participation of youth as candidates.

Interlocutors stated that political parties often use young people – young men in particular – as mobilizers or even as provocateurs.¹¹¹ Positively, the Carter Center noted there are voter education programs the aim to address this issue.

People with disabilities

There is no accurate data on the number of people with disabilities in Zimbabwe.¹¹² However, the constitution contains a range of provisions aimed at guaranteeing rights and prohibiting discrimination. The constitution recognizes sign language as one of the country's 16 languages and mandates the promotion of its use. It also provides that two members of the Senate shall be elected to represent people with disabilities and be a person with a disability as defined in the Electoral Law.¹¹³ The 2021 constitutional amendments also promote representation of women with

¹¹⁰ ZANU-PF submitted party lists for all provinces, CCC for every province except Bulawayo, and MDC-T for only one province, Matabeleland North.

¹¹¹ Such instances of youth manipulation were reported to Carter Center in Harare, Manicaland, Mashonaland Central, Mashonaland East, Masvingo, and Matabele North.

¹¹² The 2022 population and housing [census](#) presents a figure of 9.53% of the population as living with functional difficulty. U.N. and other agencies estimated it to be 7-15%.

¹¹³ The Electoral Act defines “person with a disability” as a person with a physical, mental or sensory disability, including a visual, hearing or speech functional disability, which gives rise to physical, cultural or social barriers inhibiting the person from participating at an equal level with other members of society in activities, undertakings or fields of employment that are open to other members of society.

disabilities within the 60-seat quota for the National Assembly. The election of these two members took place on Aug. 26.

However, there is no publicly available disaggregated data about candidates' age and disability status, so it is not possible to assess to what extent political parties promoted participation of people with disabilities. Furthermore, while the Electoral Act contains a definition of a person with a disability, the law doesn't specify what qualifies as a disability.

People with disabilities continue to face legal and administrative barriers. Lack of accessibility remains a serious concern due to a variety of factors, including both physical obstacles to polling stations and campaign event venues, as well as campaign-related information and political manifestos of candidates and parties. There is no specific provision for enabling voters with visual impairments to vote without assistance – such as braille ballots, electronic voting machines with an audio guide, or tactile ballot guides.¹¹⁴ The amended Electoral Act provides for assisted voting for illiterate or physically disabled voters, who can be assisted by a person of their choice or by a presiding officer in the presence of two other electoral officers.¹¹⁵

Despite legislative safeguards, people with disabilities remain largely invisible in all levels of society. Some of them lack identity documents¹¹⁶ and so are not able to exercise their right to vote or to stand for office. Interlocutors expressed concerns that families of some people with disabilities did not take steps to ensure that they were registered as voters because of existing cultural norms and stigma, or because of challenges accessing registration venues. Moreover, women and girls with disabilities are particularly vulnerable to discrimination.¹¹⁷

The law mandates accessibility of all polling stations. Consistent with its inclusion commitments, the ZEC employed people with disabilities as polling staff and undertook efforts to target people with disabilities, including deaf voters, in its voter

¹¹⁴ CRPD Article 21 holds that “State Parties must take all appropriate measures to ensure that persons with disabilities can exercise the right to expression ... on an equal basis with others and through all forms of communication of their choice.” It goes on to mention providing information in accessible formats, including braille and sign language.

¹¹⁵ While the Electoral Act does not mention the mandatory presence of the police officer in addition to polling station officers, the ZEC manual, explicitly mentions it. In observed instances of the observed assisted voting, The Carter Center observers noted that police officer participated in assisted voting.

¹¹⁶ According to the National Human Rights Commission [report](#), “Parents’ and other family and community member’s negative and discriminatory attitudes towards PWDs often resulted in them ‘hiding’ their children with disabilities and they neither cared nor found value in registering them.”

¹¹⁷ The CEDAW Committee noted with concern the stigmatization and increasing risk of violence, exploitation, and abuse for women and girls with disabilities. [CEDAW concluding observations](#), para. 45.

education efforts. Polling stations were to be equipped with a special voting booth for use by people with disabilities.

ELECTORAL DISPUTE RESOLUTION

Effective, clear, and timely procedures for electoral dispute resolution are an essential part of a well-functioning electoral process, particularly as dispute resolution is fundamental to ensuring that all other human rights are fulfilled.¹¹⁸ The guarantee of a timely remedy is integral to the principle of effective means of redress.¹¹⁹

Zimbabwe's legal framework establishes two main avenues to resolve any electoral dispute: the election administration (the ZEC) and the courts. The constitution provides for the ZEC "to receive and consider complaints from the public" and to take appropriate action.¹²⁰ However, neither the constitution nor the Electoral Act provide specific details concerning the types of complaints accepted, the procedures for filing complaints, or the guidelines for the ZEC's decision-making process.¹²¹ Election-related disputes fall under the jurisdiction of various courts in Zimbabwe, some of which overlap.

The High Courts in Zimbabwe possess broad jurisdiction. While potential petitioners could file a case in the main tribunal of the High Court, each of the five High Courts has its own division that is dedicated to handling electoral disputes in a timely manner during the electoral period. The law mandates the Electoral Courts to render their decisions on election-related disputes within six months and provides a three-month deadline for appeals filed with the Supreme Court.¹²² The Chief Justice of Zimbabwe has the authority to appoint judges to these temporary specialized courts. Thirty-five judges were appointed on June 2 to hear appeals, applications, and

¹¹⁸ ICCPR, Article 2(3), "Each State Party to the present covenant undertakes: (a) to ensure that any person whose rights or freedoms are herein recognized as violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity; (b) to ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy; (c) to ensure that the competent authorities shall enforce such remedies when granted."

¹¹⁹ AU, AFCHPR, Article 7: "Every individual shall have the right to have his cause heard. This comprises: (a) the right to an appeal to competent national organs against acts violating his fundamental rights as recognized and guaranteed by conventions, laws, regulations and customs in force; (b) the right to be presumed innocent until proved guilty by a competent court or tribunal; (c) the right to defense, including the right to be defended by counsel of his choice; (d) the right to be tried within a reasonable time by an impartial court or tribunal."

¹²⁰ Zimbabwean Constitution, S239 (k)

¹²¹ Except S190 of the Electoral Act which regulates complaints arising during the voters' registration and voter transfer processes.

¹²² Electoral Act, S182 (1) and (2), respectively.

petitions related to the Electoral Act.¹²³ As of Aug. 16, more than 80 cases had been filed in front of the five Electoral Courts. Parties are required to present a discretionary security deposit as decided by the judge, which may restrict parties' right to justice.¹²⁴ The Constitutional Court exclusively handles complaints, petitions, or challenges related to the presidential race,¹²⁵ which must be resolved within 14 days from the date of application.¹²⁶

While efforts are made to determine the appropriate jurisdiction based on the type of case filed, petitioners can bypass the electoral courts and file election-related matters before the High Court. Its deadlines for adjudication, however, are not tailored to accommodate the expeditious nature of electoral matters. No expedited or special deadlines are in place for consideration of election-related disputes filed prior to the election day, which deprives participants of a meaningful, swift, and effective remedy. In the lead-up to the Aug. 23 elections, more than 100 nomination challenges were filed in courts, delaying the finalization and printing of ballot papers by the ZEC.¹²⁷

The courts determined several cases concerning one's right to stand for office, including that of a prominent presidential aspirant. On June 21, 2023, Saviour Kasukuwere was announced as an independent candidate for the presidential election by the Nomination Court. However, his eligibility was challenged in court. The applicant argued that, under the constitution, all presidential candidates should be registered as voters. He claimed that because Mr. Kasukuwere had left his constituency for 18 consecutive months, he was no longer legally registered. The Zimbabwean High Court ruled that Mr. Kasukuwere had not provided proof of residency and could not run for president. The Supreme Court and the Constitutional Court later dismissed Mr. Kasukuwere's appeals to overturn that judgment.

In another case, presidential candidate Elizabeth Valerio successfully challenged the rejection to register her on technical grounds.¹²⁸

¹²³ General Notice 970 of 2023.

¹²⁴ U.N. (CCPR): General Comment 32: Right to Equality Before Courts and Tribunals and to Fair Trial (Article 14), para. 11.

¹²⁵ According to the Constitution, any Presidential petition shall be submitted within seven days from the announcement of the preliminary results. Zimbabwe Constitution, S93(1).

¹²⁶ Zimbabwe Constitution, S93(3).

¹²⁷ One of the cases that delayed printing of the ballots was a challenge of the nomination of the presidential candidate Mr. Saviour Kasukuwere, in which the final decision of the Constitutional Court was rendered on Aug. 9.

¹²⁸ [Elisabeth Valerio v Presiding Officer of the Nomination Court and Others Judgment](#)

In Bulawayo, 12 CCC National Assembly candidates were disqualified by the High Court from contesting the election based on allegations that their nomination papers were filed after the legal deadline. The 12 candidates appealed the decision to the Supreme Court, where ZEC officials testified that the nominations had been filed in a timely manner. The court reinstated their candidacies.

The judiciary addressed an unprecedented number of election-related disputes; some of them remained unresolved on election day, which undermined the right of contestants to stand. According to the Carter Center interlocutors, trust in the judiciary remains low.

CITIZEN PARTICIPATION AND NONPARTISAN ELECTION OBSERVATION

According to public international law, all people have the right to participate in the public affairs of their country.¹²⁹ This includes the right of citizens to participate in nongovernmental organizations (NGOs), including citizen observer organizations, and contribute to voter education efforts.¹³⁰ Through these means, civil society can play an essential role in upholding an electoral process that is accountable and in which all participants can have confidence.

Zimbabwe enjoys a rich and vibrant civil society, including faith-based organizations, civil society trusts and private voluntary organizations. The Catholic Commission for Justice and Peace, the Zimbabwe Council of Churches, the Zimbabwe Electoral Support Network (ZESN), and the Electoral Resource Center (ERC), among other civic organizations, have been involved in strengthening citizen participation as well as policy engagement toward improvement of the quality of electoral and democratic practices in the country. These organizations deployed observers on election day, and many regularly engage in civic education to promote inclusion and transparency of electoral processes.

The Carter Center noted, however, that there was limited civil society participation in the Aug. 23 election due to state restrictions and the ZEC's limited consultation of CSOs in various electoral processes, including delimitation of constituency and ward boundaries, voter education, and observation. In addition, the Center noted that the ZEC restricted local CSOs' election observation and voter education activities

129 U.N., International Covenant on Civil and Political Rights, Article 25(a); AU, African Charter on Human and Peoples' Rights, Article 13(1); U.N., Universal Declaration of Human Rights, Article 21(a).

¹³⁰ U.N., United Nations Human Rights Committee, General Comment 25 on "The Right to Participate in Public Affairs, Voting Rights and the Right to Equal Access to Public Service," para. 11; U.N., Human Rights and Elections: A Handbook on the Legal, Technical, and Human Rights Aspects of Elections, para. 124.

through its delayed accreditation of citizen observers and non-accreditation of a significant number of individual applicants.

Some CSOs specializing in election observation experienced challenges in receiving observer accreditations in a timely manner.¹³¹ Such delays in accreditation compromised the deployment of observers to their polling stations on time and their ability to observe the elections efficiently. ZESN and many other CSOs also complained about the intimidation of some of their observers, resulting in some trained and accredited observers withdrawing from observation out of concerns about their safety. Local CSO leaders also reported to the Center that the government's passing of restrictive laws, such as the Criminal Law Codification and Reform Act and the Private Voluntary Organization Amendment Bill, whose provisions both set the regulatory framework for CSOs, on the eve of the election significantly affected the ability of CSOs to participate freely in the election.

While both citizen and international observers engaged strongly around the elections, several hours after polls closed, Zimbabwean security forces raided the offices of ZESN and the ERC, both accredited and well-known civil society election observation groups, arresting about 40 people and confiscating equipment. The individuals were later charged with attempting to release election results before the official results were announced, and were released on bail on Aug. 25. They are scheduled to appear in court on Sept. 28. The raid and detentions were a severe restriction of fundamental civil and political rights of these organizations and individuals, and it prevented their efforts to contribute to transparency around critical phases of the election, including independent verification of officially announced results. ZESN continues to report harassment against its members.

ELECTION DAY

Carter Center observers assessed opening at 28 polling stations and voting at 201 polling stations, spending at least 30 minutes at each polling station. Although polling stations around the country generally opened on time, many within Harare, Bulawayo, and Manicaland opened with significant delays. In some instances, polling was delayed significantly – by 11 hours or more – due to late delivery of local authority and national assembly ballot papers. The Carter Center also observed major interruptions and delays in voting caused by ballot shortages. Other election materials were delivered on time, except for a few instances of incorrect voter rolls.

¹³¹ In Aug. 22, 2023, ZESN reported that the ZEC's accreditation of its observers in the provinces was very slow; many observers were accredited only on the eve of the election day.

Carter Center observers noted that the vast majority of polling stations did not make a voter roll available for public scrutiny prior to election day.

The ZEC released an official statement citing delays in printing the ballots because of legal challenges. The Center commends the ZEC for moving quickly to extend voting hours in polling stations that opened late and educating voters on this extension through multiple media channels.

Given the late opening hour in some locations and the requirement for polling stations to be open for 12 continuous hours, however, the extension resulted in some polling stations operating until late into the night. Some interlocutors expressed concern that if polling operations continued throughout the night, electoral staff would be fatigued; voters would experience challenges casting their vote in inadequately lit polling stations; observers would not be able to fulfill their responsibilities; and the voting operations could be vulnerable to manipulation.

The ZEC undertook efforts to assist voters to identify their polling stations with the use of an app. This was especially useful in light of the changes following the boundary delimitation process that preceded the elections. However, on election day, observers noted that a significant number of voters experienced challenges in identifying their polling stations and were at times turned away after spending hours in lines.

The Carter Center observers observed vote counting at 19 polling stations in nine of 10 provinces. According to the Center's data, urban polling stations had a turnout roughly 10% higher than rural ones. It is reasonable to expect that significant delays in delivering ballot papers and extensive queuing throughout the day negatively impact voter turnout and voters' perception of the ZEC's ability to effectively facilitate voting. The Carter Center commends the country's many polling station personnel for their professionalism despite logistical challenges.

The environment remained calm after the opening of polling stations despite delays and understandable frustrations, with no reports of disruptions inside or around the polling stations from any of the 148 observer reports from the polling process. Voters generally had sufficient understanding of voting procedures. The 300-meter prohibition on campaign material was respected in most polling centers. Of the polling stations visited by the Carter Center on election day, 89% were accessible for voters with disabilities

At their core, elections are political contests and *should* be peaceful competitions fully accessible to citizens, party agents, and observers. Carter Center reports noted the presence of ZANU-PF and CCC party agents in nearly all polling stations observed. In nearly 80% of observations (239 of 301), the two parties had an equal number of agents present. Citizen observers, such as ZESN and several others, also had a widespread presence in the country. Despite concerns expressed that COVID-19 procedures would restrict observation, there were no reports of accredited observers or party agents being turned away, and all reported having good access to view the process. Observers from the Forever Associates of Zimbabwe (FAZ)¹³² were present in 10% of polling stations observed and, in some locations, its representatives conducted exit polls, which reportedly had an intimidating effect on the electorate.

The Carter Center observers generally rated voting as positive and effectively implemented in most of the polling stations they visited. However, a relatively small number of polling stations concentrated in a few key areas reported significant problems or incidents concerning lack of materials and long delays in poll openings. In areas where there were shortages of ballots, surrounding polling stations in the ward also were affected. In addition, observers reported prohibited or disruptive circumstances, instances of assisted voting (beyond needed), and instances of voters not being able to find themselves on the voter roll in some locations. The Carter Center observers reported many instances of assisted voting, and particularly elevated numbers in some polling stations, including one in which polling officials reported as many as 131 voters requesting assistance, which constitutes more than 13% of the maximum number of voters in that station. Some interlocutors expressed concerns about the overutilization of voter assistance, especially in rural areas, which could have compromised the secrecy of vote. Also, the presence of local chiefs – and their involvement in registering voters – raised concerns regarding potential unfair influence.

Overall, the Center’s observers assessed compliance with voting laws and regulations as positive in polling stations observed. While the Center observed closing procedures in a smaller number of polling stations, observers noted that polling stations fully followed those procedures. There were no officially lodged complaints at the polling stations observed, and observers and party agents present did not informally report any problems. Compliance with legal procedures was slightly lower for ballot counting, which occurred at the same polling stations.

¹³² FAZ is a civil society organization affiliated with ZANU-PF, accredited to observe the 2023 elections. See <https://faztrust.com/about/>.

During this phase, two teams observed inadequate application of procedures for ballot counting, reconciliation, recounting, contested ballots, and posting results at the center.

The Carter Center observers assessed tabulation at the ward, constituency, and provincial levels. These processes were assessed as very good in 67 % of observations and as reasonable in 31% of observations. The process took place without reported interference in the tabulation process.

ZANU-PF and CCC again had general parity in the number of party agents deployed at tabulation centers. In Mashonaland West, party agents complained that they did not receive their accreditation to observe, however, ZEC staff resolved the issue for them. FAZ observers were present in half of the centers observed. On average, women made up 66% of staff at polling stations observed – 62% in rural areas and 71% in urban areas. Women served as presiding officers in 43% of polling stations observed – 33% in rural areas and 53% in urban areas.

The Carter Center acknowledges the country's many polling station personnel for their professionalism despite logistical challenges.

ANNOUNCEMENT OF ELECTION RESULTS

The ZEC held a brief press conference late on Aug. 26 to announce the results of the presidential election. Incumbent Emmerson D. Mnangagwa received 2,350,711 votes (52.6%), and the leading opposition candidate Nelson Chamisa received 1,967,343 votes (44%). It released a picture of the collation of return forms from provincial command centers on its Facebook and X accounts, providing information on the number of ballots cast for each candidate at the provincial level.¹³³ The presidential candidates and their chief election agents were invited to witness the collation of presidential results. Some international observers were also present. Shortly after, the defeated CCC candidate rejected the presidential results, arguing that the party was in possession of V11 and V23 forms that differed from the ones used by the ZEC and announcing his intention to challenge the results.¹³⁴ The results for the National Assembly FPTP seats and the local authority were announced at the constituency and the ward level, respectively. The ZEC published the results on its webpage; however, technical problems made the site difficult to access and led to limited public access to information. Voter turnout was reported at 68.9%.

¹³³ See picture of the presidential results by province published by the ZEC, Aug. 27, 2023 <https://twitter.com/ZECzim/status/1695559127118807092/photo/1>.

¹³⁴ See CCC statement, Aug. 27, 2023 <https://twitter.com/CCCZimbabwe/status/1695576909839487050/photo/1>.

The observer organizations ZESN and ERC further released a joint statement calling on the ZEC to make disaggregated polling station results available online in order to increase transparency of the tabulation process.¹³⁵

CONCLUSION

In light of its overall findings, The Carter Center concludes that the 2023 electoral process did not adequately respect Zimbabwe's regional and international commitments for democratic and inclusive elections, undermining contestants' ability to compete on an equal basis and preventing the genuine expression of the will of the Zimbabwean people.

The Carter Center conducts election observation in accordance with the Declaration of Principles of International Election Observation and Code of Conduct for International Election Observation adopted at the United Nations in 2005.

The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in more than 65 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production. Visit: www.cartercenter.org to learn more about The Carter Center.

¹³⁵ See ZESN and ERC Joint statement, Aug. 27, 2023, <https://twitter.com/ZESN1/status/1695790504590426302/photo/1>.

Carter Center Finds Deep Flaws in Zimbabwe Elections and Calls for Release of Polling-Station Level Results

Aug. 31, 2023

ATLANTA — The Carter Center today issued its [preliminary statement \(PDF\)](#) on the Aug. 23 elections in Zimbabwe, finding that they took place in a restricted political environment with an unlevel playing field and that the election administration lacked independence and transparency in key areas, undermining the credibility of the process.

Overall, the Center concluded that the 2023 electoral process did not adequately respect Zimbabwe's regional and international commitments for democratic and inclusive elections, which made it difficult for contestants to compete on an equal basis and prevented the genuine expression of the will of the Zimbabwean people.

The Center's statement noted that Carter Center observers found that while voting day was largely peaceful and well implemented by polling staff, there were delayed openings caused by ballot shortages in several areas. Some delays lasted as long as 12 hours, which likely depressed voter turnout. The Center also found that critical election information — including the final voter list and the list of polling stations — was not readily available to stakeholders. Observers reported numerous instances of assisted voting in rural areas, raising concerns that the secrecy of the vote may have been compromised.

The Center further reported that agents from the two main political parties were present in most polling stations and tally centers that observers visited. There also was a widespread presence of citizen observers. However, Zimbabwean authorities conducted a raid on election night and shut down the nonpartisan citizen observation efforts of two respected civil society groups, the Zimbabwe Electoral Support Network and the Election Resource Center. The Center continues to urge the government of Zimbabwe to drop all charges against the civil society leaders and respect their rights of political participation.

On Aug. 26, the Zimbabwe Electoral Commission announced presidential election results indicating that incumbent President Emmerson D. Mnangagwa received 2,350,711 votes (52.6%) and that leading opposition candidate Nelson Chamisa received 1,967,343 (44%), with voter turnout reported as 69 percent. Chamisa has announced his intention to challenge the results.

Results for the National Assembly and local authority elections were announced at the constituency and the ward level, respectively. The electoral published the results on its webpage; however, technical problems made the site difficult to access and led to limited public access to information.

Given the highly polarized post-election environment and lack of trust among political stakeholders, the Center stressed that it is critical that the electoral commission publish detailed

results at the polling-station level on a timely basis so that political parties and observers can cross-verify the results, in accordance with international best practice, to help ensure the transparency and credibility of the election process.

Background:

Following an invitation from the government of Zimbabwe to observe the Aug. 23 elections, The Carter Center launched an observation [mission](#) in late July with a 10-person core team. Fifteen long-term observers joined them in early August, and in mid-August, 48 additional short-term observers arrived in Zimbabwe. The delegation was led by the former chairman of the Independent National Electoral Commission of Nigeria, Attahiru Muhammadu Jega.

For unexplained reasons, Zimbabwean authorities would not approve accreditation for 30 of the Center's short-term observers, even though they had been provided visas and were in the country. On Aug. 22, the Center issued a [public statement](#) asking the government of Zimbabwe to approve the accreditations, calling the failure to do so a severe and unwarranted obstruction to the Center's mission that was inconsistent with commonly recognized and respected norms and practices and unprecedented in the Center's 30-plus years of observing elections.

The Carter Center has observed more than 110 elections in over 40 different countries since 1989. It conducts its missions in accordance with the 2005 Declaration of Principles for International Election Observation, and its assessments and analyses of elections are based on regional and international human rights obligations and standards for democratic elections, including the SADC Principles and Guidelines and the African Charter on Democracy, Elections and Governance.

Team	Province	City
0101	Harare	Harare
0102		
0104		
0105		
0107		
0108		
0109		
0110		
0111		
0112		
0201	Mashonaland East	Marondera
0301	Mashonaland West	Chinhoyi
0302		Chegutu
0401	Manicaland	Mutare
0501	Masvingo	Masvingo
0502		Chiredzi
0503		Masvingo
0504		Mwenezi
0601	Midlands	Gweru
0701	Matabeleland South	Gwanda
0702		Beitbridge
0703		Plumtree
0704		Plumtree
0801	Bulawayo	Bulawayo
0802		Binga
0803	Matabeleland North	Victoria Falls
0804		Lupane

User/Team		
Observation Time		
1. Location Details		
1.1. *Geographic Area: <i>Area of Responsibility</i>	Select One: North South East West Central	[GeoArea]
1.2. *Zimbabwean Province:	Select One: Bulawayo Metro Harare Metro Manicaland Mashonaland Central Mashonaland East Mashonaland West Masvingo Province Matabeleland North Matabeleland South Midlands	[provincezim]
1.3. *Electoral Constituency:		[ElecDist]
1.4. *Center ID:		[CenterID]
1.6. *Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: Urban Rural	[UrbanRural]
3. *Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>		[StationCount]
4. *Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: Yes No	[Barriers]
ANSWER ONLY IF Question #4 is equal to "Yes"		[BarriersDesc]
5. *If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>		
6. *Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the CENTER? <i>If there is only one station per "center," then please answer this question as "OUTSIDE the STATION." Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Security (beyond regulations) Bussing activities Other	[DisruptOutCent] Significant disorder None
ANSWER ONLY IF Question #6 excludes "None"		[DisruptOutCentDesc]
7. *If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>		
ANSWER ONLY IF Question #3 is greater than 1		
8. *Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the CENTER (but outside the stations)? No campaigning is allowed within 300 meters around the polling station. <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Security (beyond regulations) Other None	[DisruptInCent] Significant disorder
ANSWER ONLY IF Question #8 excludes "None" AND Question #3 is greater than 1		[DisruptInCentDesc]
9. *If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>		
ANSWER ONLY IF Question #3 is greater than 1		[StationID]
10. *Polling Station ID:		
12. *Start of Observation (station) (please use 24 hour clock): <i>For example: 3:00 pm should be 15:00 hrs.</i>		[StartTime]
14. *If present, please indicate the presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: Female Male Not observed	[POGender]
15. *Number of staff working at the polling station (excluding presiding officer):		[StaffCount]
16. *Number of FEMALE staff present (excluding presiding officer):		[FemaleStaff]
17. *Number of registered voters:		[RegVoterCount]
18. *Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the STATION? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Security (beyond regulations) Other None	[DisruptInStat] Significant disorder
ANSWER ONLY IF Question #18 excludes "None"		[DisruptInStatDesc]
19. *If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>		
20. *Were any electoral materials missing? <i>Electoral materials include: attendance register, ballot boxes, ballot box labels, ballot papers, booths/screens, envelopes, exercise books A4, gas lamp, indelible marking pen, rubber bands, stamps and stamp ink, polling process poster, forms, and voter roll.</i>	Select One: Yes No	[MaterialsMissing]
21. Were any of the following materials missing, insufficient, or incorrect? <i>A = Present and correct;
B = Missing (entirely absent);
C = Insufficient (fewer than required, but some present);
D = Incorrect (wrong)</i>		
21.1. *Attendance Register	Select One: A B C D	[AttendanceRgstr]
21.2. *Ballot Box(es)	Select One: A B C D	[BallotBox]
21.3. *Ballot Box Labels	Select One: A B C D	[BallotBoxLabels]
21.4. *Ballot Box Seals	Select One: A B C D	[Seals]
21.5. *Presidential Ballot Papers	Select One: A B C D	[BallotPapers]
21.6. *National Assembly Ballot Papers	Select One: A B C D	[NABallotPapers]
21.7. *Local Authority Ballot Papers	Select One: A B C D	[LABallotPapers]
21.8. *Booths/Screens (Standard)	Select One: A B C D	[Booths]
21.9. *Booths/Screens (PWDs)	Select One: A B C D	[BoothsPWDs]
21.10. *Envelopes	Select One: A B C D	[BallotEnv]

21.11. *Exercise Book A4	Select One: A B C D	[ExerciseBook]
21.12. *Gas Lamp	Select One: A B C D	[Light]
21.13. *Indelible Marking Pen	Select One: A B C D	[Pens]
21.14. *Rubber bands	Select One: A B C D	[RubberBands]
21.15. *Stamp Pad Ink	Select One: A B C D	[Ink]
21.16. *Stamp and Stamp Pad	Select One: A B C D	[Stamps]
21.17. *The Polling Process Poster	Select One: A B C D	[Poster]
21.18. *Forms	Select One: A B C D	[Forms]
21.19. *Voters' Roll	Select One: A B C D	[VoterList]
21.24. Other	Select One: A B C D	[OtherMat]
22. *If materials are missing, insufficient, or incorrect, please describe, including any "other" materials noted:		[MissingMatDesc]
23. *Does the station appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: Yes No	[Accessibility]
ANSWER ONLY IF Question #23 is equal to "No"		[AccessibilityDesc]
24. *If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:		
25. *Did the polling station open during your observation?	Select One: Yes No	[OpeningObs]
ANSWER ONLY IF Question #25 is equal to "No"		[OpeningObsDesc]
26. *If "no", please describe: <i>Why did the polling station fail to open on time?</i>		
ANSWER ONLY IF Question #25 is equal to "Yes"		[OpeningTime]
27. *At what time did the polling station open?		
28. If the polling station opened MORE THAN 30 MINUTES late, what are the reasons for delay? <i>If the polling station opened less than 30 [can be edited] minutes late, please select "Not applicable".</i>	Select Multiple: Missing materials Absent polling staff Unrest Other Not applicable	[OpeningLateReasons]
ANSWER ONLY IF Question #28 excludes "Not applicable"		[OpeningLateReasDesc]
29. If the polling station opened more than 30 minutes late, please describe the reasons, including any "other" reasons noted:		
SKIP TO Question #34 [How many party agents were present?] if Question #25 [OpeningObs] is equal to "No"		
30. *Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.

 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).

 NOT AT ALL — The procedure was omitted or was not followed meaningfully.

 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>	Select One: I have read and understand the definitions.	[BeforeProcedures]
31. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed</i>		
31.1. *Ballot inventory	Select One: A B C D E	[BallotInventory]
31.2. *Empty ballot box demonstration	Select One: A B C D E	[BallotBoxDemo]
31.3. *Ballot box sealing	Select One: A B C D E	[OpeningBallotBoxSeal]
31.4. *Reading of seal numbers	Select One: A B C D E	[SealNumReading]
31.5. *Room configuration	Select One: A B C D E	[RoomConfig]
31.6. *Indelible Finger Marking Pens Check <i>Did the polling station ensure that the indelible finger marking pens are not dry?</i>	Select One: A B C D E	[InkPrep]
31.7. *Checking of seal numbers for reopening	Select One: A B C D E	[SealNumCheck]
32. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:		[OpenProcedDesc]
33. *How many voters requested assistance with voting?		[AssistedVoterNumb]
34. How many party agents were present?		
34.1. *Zimbabwe African National Union - Patriotic Front (ZANU PF) Males		[MaleAgentsPtyA]
34.2. *Zimbabwe African National Union - Patriotic Front (ZANU PF) Females		[FemaleAgentsPtyA]
34.3. *Citizens Coalition for Change (CCC) Males		[MaleAgentsPtyB]
34.4. *Citizens Coalition for Change (CCC) Females		[FemaleAgentsPtyB]
34.5. *Movement for Democratic Change - Tsvangirai (MDC-T) Males		[MaleAgentsPtyC]
34.6. *Movement for Democratic Change - Tsvangirai (MDC-T) Females		[FemaleAgentsPtyC]
34.7. Other Party/Candidate Males <i>Please capture any other party agents at the polling station. Example: Party X, 2 Males</i>		[MaleAgentsOther]

34.8. Other Party/Candidate Females <i>Please capture any other party agents at the polling station. Example: Party X, 2 Females</i>		[FemaleAgentsOther]
35. How many observers from each election observation group were present?		
35.1. *EU Males		[MaleObsIntA]
35.2. *EU Females		[FemaleObsIntA]
35.3. Election Resource Center (ERC) Males		[MaleObsCitB]
35.4. Election Resource Center (ERC) Females		[FemaleObsCitB]
35.5. *Catholic Commission for Justice and Peace (CCJP) Males		[MaleObsCitC]
35.6. *Catholic Commission for Justice and Peace (CCJP) Females		[FemaleObsCitC]
35.7. *Zimbabwe Election Support Network (ZESN) Males		[MaleObsCitD]
35.8. *Zimbabwe Election Support Network (ZESN) Females		[FemaleObsCitD]
35.9. Zimbabwe Council of Churches (ZCC) Males		[MaleObsCitE]
35.10. Zimbabwe Council of Churches (ZCC) Females		[FemaleObsCitE]
35.11. Forever Associates Zimbabwe (FAZ) Males		[MaleObsCitF]
35.12. Forever Associates Zimbabwe (FAZ) Females		[FemaleObsCitF]
35.13. Heritage Trust Males		[MaleObsCitG]
35.14. Heritage Trust Females		[FemaleObsCitG]
35.15. *AU-COMESA Males		[MaleObsIntH]
35.16. *AU-COMESA Females		[FemaleObsIntH]
35.17. *SADC Males		[MaleObsIntI]
35.18. *SADC Females		[FemaleObsIntI]
35.19. Other Observer Males		[MaleObsOther]
35.20. Other Observer Females		[FemaleObsOther]
36. What level of access did each of the following groups have? <i>A = Sufficient access;
B = Deficient access (within regulations) — applied to one, some, or all;
C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all);
D = Not present;
E = Not observed</i>		
36.1. *Candidate/party agents	Select One: A B C D E	[AccessAgents]
36.2. *International observers	Select One: A B C D E	[AccessIntObs]
36.3. *Citizen observers	Select One: A B C D E	[AccessCitObs]
36.4. *Polling staff	Select One: A B C D E	[AccessPollStaff]
36.5. *Media	Select One: A B C D E	[AccessMedia]
36.6. Other	Select One: A B C D E	[AccessOther]
37. If any groups were not allowed sufficient access, please describe: <i>How were groups denied access and what was the impact?</i>		[AccessDesc]
38. *Did you observe any interference in the election process? <i>Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.</i>	Select Multiple: Candidate/party agents International observers Citizen observers Polling staff Media Voters Security Local officials Religious/traditional leaders Other No interference observed	[Interference]
ANSWER ONLY IF Question #38 excludes "No interference observed"		[InterferenceDesc]
39. *If any interference, please describe: <i>How were groups causing interference and what was the impact?</i>		
40. *End of Observation (Station):		[EndTime]
42. *Were there any officially lodged complaints? <i>If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.</i>	Select One: Yes No	[OfficialComp]
ANSWER ONLY IF Question #42 is equal to "Yes"		[OfficialCompDesc]
43. *If "yes", please describe: <i>Who filed complaints? What were the reasons? How were they addressed?</i>		
44. *Were there any problems reported to you by those present rather than those observed directly by you? <i>(Reported by e.g., agents, observers, voters)</i>	Select One: Yes No	[ProbReport]
ANSWER ONLY IF Question #44 is equal to "Yes"		[ProbReportDesc]
45. *If "yes", please describe: <i>Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.</i>		
46. *How would you evaluate party/candidate agents' performance?	Select One: Adequate Inadequate Not Observed/Observable	[AgentsEval]

ANSWER ONLY IF Question #46 is not equal to "Adequate"

[AgentsEvalDesc]

47. *Please describe the reasons for not choosing "Adequate":

48. *Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

*VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process.

 REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process.

 NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.*

Select One:

I have read and understand the definitions.

[BeforeProcedImp]

49. *What is your team's evaluation of the implementation of procedures by staff at this station?

This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.

Select One:

Very Good

Reasonable

Poor

Not Credible

[ProcedImpEval]

ANSWER ONLY IF Question #49 is not equal to "Very Good" AND Question #49 is not equal to "Reasonable"

[ProcedImpEvalDesc]

50. *What were the main reasons for not choosing "Very Good" or "Reasonable"?

51. *Before moving ahead, please review the following definitions regarding the overall assessment of the OPENING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

*VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The process was fully transparent.

 REASONABLE — Observed problems did not significantly affect the integrity or transparency of the opening process, but there is room for improvement.

 POOR — Significant problems with any of the following may have compromised the integrity of the process: errors in implementing opening procedures; polling staff subject to intimidation or interference; observers restricted.

 NOT CREDIBLE — Observed problems with the opening likely compromised the integrity of the process.*

Select One:

I have read and understand the definitions.

[BeforeOpenEnv]

52. *What is your team's overall assessment of the election environment and process at this station?

Select One:

Very Good

Reasonable

Poor

Not Credible

[ElecEnv]

ANSWER ONLY IF Question #52 is not equal to "Very Good" AND Question #52 is not equal to "Reasonable"

[ElecEnvDesc]

53. *What were the main reasons for not choosing "Very Good" or "Reasonable"?

54. Any other comments?

[AddComments]

User/Team		
Observation Time		
1. Location Details		
1.1. Geographic Area: <i>Area of Responsibility</i>	Select One: North South East West Central	[GeoArea]
1.2. Zimbabwean Province:	Select One: Bulawayo Metro Harare Metro Manicaland Mashonaland Central Mashonaland East Mashonaland West Masvingo Province Matabeleland North Matabeleland South Midlands	[provincezim]
1.3. Electoral Constituency:		[ElecDist]
1.4. Center ID:		[CenterID]
1.6. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: Urban Rural	[UrbanRural]
3. Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>		[StationCount]
4. Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: Yes No	[Barriers]
ANSWER ONLY IF Question #4 is equal to "Yes"		[BarriersDesc]
5. *If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>		
6. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the CENTER? <i>If there is only one station per "center," then please answer this question as "OUTSIDE the STATION." Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Security (beyond regulations) Bussing activities Other	[DisruptOutCent]
ANSWER ONLY IF Question #6 excludes "None"		[DisruptOutCentDesc]
7. *If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>		
8. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the CENTER (but outside the stations)? No campaigning is allowed within 300 meters around the polling station. <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Security (beyond regulations) Other None	[DisruptInCent]
ANSWER ONLY IF Question #8 excludes "None" AND Question #3 is greater than 1		[DisruptInCentDesc]
9. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>		
ANSWER ONLY IF Question #3 is greater than 1		[StationID]
10. Polling Station ID:		
12. *Start of Observation (station) (please use 24 hour clock): <i>For example: 3:00 pm should be 15:00 hrs.</i>		[StartTime]
14. If present, please indicate the presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: Female Male Not observed	[POGender]
15. *Number of staff working at the polling station (excluding presiding officer):		[StaffCount]
16. Number of FEMALE staff present (excluding presiding officer):		[FemaleStaff]
17. *Number of registered voters:		[RegVoterCount]
18. *Approximate number of voters who have voted by time of arrival: <i>If the number of voters is not directly recorded by the polling staff, it may be necessary to ask the presiding officer or other staff to estimate the number of voters or calculate by other means.</i>		[VotedCount]
19. *Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the STATION? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Security (beyond regulations) Other None	[DisruptInStat]
ANSWER ONLY IF Question #19 excludes "None"		[DisruptInStatDesc]
20. *If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>		
21. *Were any electoral materials missing? <i>Electoral materials include: attendance register, ballot boxes, ballot box labels, ballot papers, booths/screens, envelopes, exercise books A4, gas lamp, indelible marking pen, rubber bands, stamps and stamp ink, polling process poster, forms, and voter roll.</i>	Select One: Yes No	[MaterialsMissing]
22. Were any of the following materials missing, insufficient, or incorrect? <i>A = Present and correct;
B = Missing (entirely absent);
C = Insufficient (fewer than required, but some present);
D = Incorrect (wrong)</i>		
22.1. *Attendance Register	Select One: A B C D	[AttendanceRgstr]
22.2. *Ballot Box(es)	Select One: A B C D	[BallotBox]
22.3. *Ballot Box Labels	Select One: A B C D	[BallotBoxLabels]
22.4. *Ballot Box Seals	Select One: A B C D	[Seals]
22.5. *Presidential Ballot Papers	Select One: A B C D	[BallotPapers]
22.6. *National Assembly Ballot Papers	Select One: A B C D	[NABallotPapers]
22.7. *Local Authority Ballot Papers	Select One: A B C D	[LABallotPapers]
22.8. *Booths/Screens (Standard)	Select One: A B C D	[Booths]
22.9. *Booths/Screens (PWDs)	Select One: A B C D	[BoothsPWDs]

22.10. *Envelopes	Select One:	A	B	C	D	[BallotEnv]	
22.11. *Exercise Book A4	Select One:	A	B	C	D	[ExerciseBook]	
22.12. *Gas Lamp	Select One:	A	B	C	D	[Light]	
22.13. *Indelible Marking Pen	Select One:	A	B	C	D	[Pens]	
22.14. *Rubber bands	Select One:	A	B	C	D	[RubberBands]	
22.15. *Stamp and Stamp Pad	Select One:	A	B	C	D	[Stamps]	
22.16. *Stamp Pad Ink	Select One:	A	B	C	D	[Ink]	
22.17. *The Polling Process Poster	Select One:	A	B	C	D	[Poster]	
22.18. *Forms	Select One:	A	B	C	D	[Forms]	
22.20. *Voters' Roll	Select One:	A	B	C	D	[VoterList]	
22.24. *Other	Select One:	A	B	C	D	[OtherMat]	
23. If materials are missing, insufficient, or incorrect, please describe, including any "other" materials noted:						[MissingMatDesc]	
24. *Does the station appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One:	Yes	No			[Accessibility]	
ANSWER ONLY IF Question #24 is equal to "No"						[AccessibilityDesc]	
25. *If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:							
26. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.

 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).

 NOT AT ALL — The procedure was omitted or was not followed meaningfully.

 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>	Select One:	I have read and understand the definitions.				[BeforeProcedures]	
27. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
B = Adequately;
C = Inadequately;
D = Not at all;
E = Not observed</i>							
27.1. *Checking for Ink <i>Does the polling station check for ink?</i>	Select One:	A	B	C	D	E	[InkCheck]
27.2. *Voter Identification <i>Does the polling station confirm the voter's identity?</i>	Select One:	A	B	C	D	E	[VoterID]
27.3. *Voter Confirmation <i>Does the polling station confirm the voter is listed on the voter roll?</i>	Select One:	A	B	C	D	E	[ReadVoterName]
27.4. *Voter Age and Sex Statistics <i>Does the polling station collect the voter's age and sex statistics?</i>	Select One:	A	B	C	D	E	[VoterStats]
27.5. *Ballot Stamping <i>Does the polling station stamp the back of the ballot paper with the election's official mark?</i>	Select One:	A	B	C	D	E	[BallotStamp]
27.6. *Ballot Issuing <i>Does the polling station issue one ballot for each election?</i>	Select One:	A	B	C	D	E	[BallotIssue]
27.7. *Voter Instruction <i>Does the polling station show the voter how the ballot paper should be folded? Do they explain that after each ballot paper has been marked by the voter, it must be folded prior to inserting it into its corresponding color ballot box (Presidential - blue, National Assembly - Peach, and Local Councilor - Grey, in that order.</i>	Select One:	A	B	C	D	E	[VoterInstruc]
27.9. *Inking Fingers <i>Did the polling station re-inspect the voter's fingers to ensure there are no signs of indelible ink and then mark the appropriate voter's finger with an indelible ink marking pen?</i>	Select One:	A	B	C	D	E	[Inking]
27.10. *Ballot Casting	Select One:	A	B	C	D	E	[BallotCasting]
27.11. *Ballot Marking	Select One:	A	B	C	D	E	[BallotMarking]
27.13. *Assisted Voting	Select One:	A	B	C	D	E	[AssistVote]
28. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:						[ProceduresDesc]	
29. How many voters requested assistance with voting?						[AssistedVoterNumb]	
30. Which, if any, of the following ineligible voters were allowed to vote?	Select Multiple:	Persons not on list — unauthorized Persons with unauthorized ID Persons without ID Voters with spoiled ballots Voters already crossed off list Voters already inked Underage persons Security personnel — unauthorized Voters by proxy (e.g. relatives) Voters improperly assisted Other No ineligible voters allowed				[IneligibleVoters]	
ANSWER ONLY IF Question #30 excludes "No ineligible voters allowed"						[IneligibleDesc]	
31. Please describe, including any "others" noted:							
32. Which, if any, of the following eligible voters were NOT allowed to vote?	Select Multiple:	Persons on list with ID Polling staff EMB members Citizen observers Party/candidate agents Security personnel — authorized Journalists — national Other No eligible voters prevented				[EligibleVoters]	
ANSWER ONLY IF Question #32 excludes "No eligible voters prevented"						[EligibleDesc]	
33. Please describe, including any "others" noted:							
34. Are ballot boxes correctly sealed? <i>All seals should be correctly applied and ballot boxes should be secure from tampering.</i>	Select One:	Yes	No			[BallotBoxSeal]	

ANSWER ONLY IF Question #34 is equal to "No"					[BallotBoxSealDesc]
35. If "no", please describe:					
36. Are additional polling materials secured from potential theft or misuse? <i>Additional materials should be stored compactly and out of the way of traffic in the polling station. Disorganized or poorly stored materials are vulnerable to tampering.</i>	Select One: Yes No				[MatSecure]
ANSWER ONLY IF Question #36 is equal to "No"					[MatSecureDesc]
37. If "no", please describe					
38. Is the polling station layout in accordance with regulations? <i>A HINT SHOULD INCLUDE THE REGULATIONS WHICH DETERMINE LAYOUT PROCEDURES.</i>	Select One: Yes No				[LayoutReg]
ANSWER ONLY IF Question #38 is equal to "No"					[LayoutRegDesc]
39. If "no", please describe:					
40. Does the polling station layout effectively facilitate the flow of voters? <i>The layout should allow voters to move through the process without skipping steps or crossing paths with other parts of the queue.</i>	Select One: Yes No				[LayoutFlow]
ANSWER ONLY IF Question #40 is equal to "No"					[LayoutFlowDesc]
41. If "no", please describe:					
42. Are voters able to cast their ballots in secret? <i>Secrecy of the ballot should not be undermined or violated because of crowding or exposed booths.</i>	Select One: Yes No				[BallotSecret]
ANSWER ONLY IF Question #42 is equal to "No"					[BallotSecretDesc]
43. If "no", please describe:					
44. Was the number of staff working in the polling station sufficient for an efficient and orderly process? <i>(OPTIONAL) A hint may include indicators of disorder or delay when caused by an insufficient number of polling staff.</i>	Select One: Yes No Not observed				[StaffSufficient]
ANSWER ONLY IF Question #44 is not equal to "Yes"					[StaffSufficientDesc]
45. If "no" or "not observed", please describe:					
46. How long did a typical voter have to wait in the queue before entering the polling station? <i>If there is no queue, enter 0, otherwise, ask the second or third voter in line how long they have waited so far to inform your estimate.
Provide your answer in minutes. For example, if a voter waited 1.5 hours, enter 90 (minutes).</i>					[LineWait]
47. How long did it take a typical voter to complete the voting process once they entered the polling station? <i>The voting process begins when the voter enters the polling station and ends when the voter has cast his or her ballot and is able to leave the polling station. Watch two or three voters carry out the voting process, and provide an estimate in minutes of how long the process took.</i>					[VoteTime]
48. Which, if any, of the following irregular processes did you observe?	Select Multiple: Multiple voting Illicit assistance Violation of secrecy of the ballot	Ballot stuffing Family voting	Interruption of voting Possible vote buying/selling Other	Voter intimidation No irregularities observed	[IrregProcess]
ANSWER ONLY IF Question #48 excludes "No irregularities observed"					[IrregProcessDesc]
49. If any irregularities, please describe: <i>Please comment on the frequency and severity of the irregularities, noting the extent of their impact on the voting process.</i>					
50. How many candidate agents were present?					
50.1. *Zimbabwe African National Union - Patriotic Front (ZANU PF) Males					[MaleAgentsPtyA]
50.2. *Zimbabwe African National Union - Patriotic Front (ZANU PF) Females					[FemaleAgentsPtyA]
50.3. *Citizens Coalition for Change (CCC) Males					[MaleAgentsPtyB]
50.4. *Citizens Coalition for Change (CCC) Females					[FemaleAgentsPtyB]
50.5. *Movement for Democratic Change - Tsvangirai (MDC-T) Males					[MaleAgentsPtyC]
50.6. *Movement for Democratic Change - Tsvangirai (MDC-T) Females					[FemaleAgentsPtyC]
50.7. Other Party/Candidate Males <i>Please capture any other party agents at the polling station. Example: Party X, 2 Males</i>					[MaleAgentsOther]
50.8. Other Party/Candidate Females <i>Please capture any other party agents at the polling station. Example: Party X, 2 Females</i>					[FemaleAgentsOther]
51. How many observers from each election observation group were present?					
51.1. *EU Males					[MaleObsIntA]
51.2. *EU Females					[FemaleObsIntA]
51.3. *Election Resource Center (ERC) Males					[MaleObsCitB]
51.4. *Election Resource Center (ERC) Females					[FemaleObsCitB]
51.5. *Catholic Commission for Justice and Peace (CCJP) Males					[MaleObsCitC]
51.6. *Catholic Commission for Justice and Peace (CCJP) Females					[FemaleObsCitC]
51.7. *Zimbabwe Election Support Network (ZESN) Males					[MaleObsCitD]
51.8. *Zimbabwe Election Support Network (ZESN) Females					[FemaleObsCitD]
51.9. Zimbabwe Council of Churches (ZCC) Males					[MaleObsCitE]
51.10. Zimbabwe Council of Churches (ZCC) Females					[FemaleObsCitE]
51.11. Forever Associates Zimbabwe (FAZ) Males					[MaleObsCitF]

51.12. Forever Associates Zimbabwe (FAZ) Females		[FemaleObsCitF]
51.13. Heritage Trust Males		[MaleObsCitG]
51.14. Heritage Trust Females		[FemaleObsCitG]
51.15. AU-COMESA Males		[MaleObsIntH]
51.16. AU-COMESA Females		[FemaleObsIntH]
51.17. *SADC Males		[MaleObsIntI]
51.18. *SADC Females		[FemaleObsIntI]
51.19. Other Observer Males		[MaleObsOther]
51.20. Other Observer Females		[FemaleObsOther]
52. What level of access did each of the following groups have? A = Sufficient access; B = Deficient access (within regulations) — applied to one, some, or all; C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all); D = Not present; E = Not observed		
52.1. *Candidate/party agents	Select One: A B C D E	[AccessAgents]
52.2. *International observers	Select One: A B C D E	[AccessIntObs]
52.3. *Citizen observers	Select One: A B C D E	[AccessCitObs]
52.4. *Polling staff	Select One: A B C D E	[AccessPollStaff]
52.5. *Media	Select One: A B C D E	[AccessMedia]
52.6. *Other	Select One: A B C D E	[AccessOther]
53. If any groups were not allowed sufficient access, please describe: How were groups denied access and what was the impact?		
54. *Did you observe any interference in the election process? Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.		
	Select Multiple: Candidate/party agents International observers Citizen observers Polling staff Media Voters Security Local officials Religious/traditional leaders Other No interference observed	[Interference]
ANSWER ONLY IF Question #54 excludes "No interference observed"		
55. *If any interference, please describe: How were groups causing interference and what was the impact?		
56. End of Observation (Station):		
58. *Were there any officially lodged complaints? If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.		
	Select One: Yes No	[OfficialComp]
ANSWER ONLY IF Question #58 is equal to "Yes"		
59. If "yes", please describe: Who filed complaints? What were the reasons? How were they addressed?		
60. *Were there any problems reported to you by those present rather than those observed directly by you? (Reported by e.g., agents, observers, voters)		
	Select One: Yes No	[ProbReport]
ANSWER ONLY IF Question #60 is equal to "Yes"		
61. If "yes", please describe: Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.		
62. How would you evaluate voters' understanding of voting procedures?		
	Select One: Adequate Inadequate Not Observed/Observable	[VotUnderstd]
ANSWER ONLY IF Question #62 is not equal to "Adequate"		
63. Please describe the reasons for not choosing "Adequate":		
64. How would you evaluate party/candidate agents' performance?		
	Select One: Adequate Inadequate Not Observed/Observable	[AgentsEval]
ANSWER ONLY IF Question #64 is not equal to "Adequate"		
65. Please describe the reasons for not choosing "Adequate":		
66. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.		
	Select One: I have read and understand the definitions.	[BeforeProcedImp]
67. *What is your team's evaluation of the implementation of procedures by staff at this station? This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.		
	Select One: Very Good Reasonable Poor Not Credible	[ProcedImpEval]
ANSWER ONLY IF Question #67 is not equal to "Very Good" AND Question #67 is not equal to "Reasonable"		
68. What were the main reasons for not choosing "Very Good" or "Reasonable"?		

69. Before moving ahead, please review the following definitions regarding the overall assessment of the ELECTION ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

*VERY GOOD — The environment and process fully allowed voters to freely exercise their right to vote. The process was fully transparent.

 REASONABLE — The environment and process were acceptable in ensuring that voters could freely exercise their right to vote. Any observed problems did not significantly affect the integrity or transparency of the process.

 POOR — For some voters, the environment or process was not conducive to the free exercise of the right to vote, equality, or transparency. Observed problems may have compromised the integrity of the process.

 NOT CREDIBLE — The environment or the process prevented voters from freely exercising their right to vote or affected the fairness of polling. Observed problems likely compromised the integrity of the polling process.*

Select One:

I have read and understand the definitions.

[BeforeElecEnv]

70. *What is your team's overall assessment of the election environment and process at this station? **Select One:**

Very Good Reasonable Poor Not Credible

[ElecEnv]

ANSWER ONLY IF Question #70 is not equal to "Very Good" AND Question #70 is not equal to "Reasonable"

[ElecEnvDesc]

71. *What were the main reasons for not choosing "Very Good" or "Reasonable"?

72. Any other comments?

[AddComments]

User/Team		
Observation Time		
1. Location Details		
1.1. *Geographic Area: <i>Area of Responsibility</i>	Select One: North South East West Central	[GeoArea]
1.2. *Zimbabwean Province:	Select One: Bulawayo Metro Harare Metro Manicaland Mashonaland Central Mashonaland East Mashonaland West Masvingo Province Matabeleland North Matabeleland South Midlands	[provincezim]
1.3. Electoral Constituency:		[ElecDist]
1.4. Center ID:		[CenterID]
1.6. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities...</i>	Select One: Urban Rural	[UrbanRural]
3. Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>		[StationCount]
4. Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: Yes No	[Barriers]
ANSWER ONLY IF Question #4 is equal to "Yes"		[BarriersDesc]
5. If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>		
6. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the CENTER? <i>If there is only one station per "center," then please answer this question as "OUTSIDE the STATION." Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Security (beyond regulations) Bussing activities Other	[DisruptOutCent]
ANSWER ONLY IF Question #6 excludes "None"		[DisruptOutCentDesc]
7. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>		
8. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the CENTER (but outside the stations)? No campaigning is allowed within 300 meters around the polling station. <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Security (beyond regulations) Other None	[DisruptInCent]
ANSWER ONLY IF Question #8 excludes "None" AND Question #3 is greater than 1		[DisruptInCentDesc]
9. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>		
ANSWER ONLY IF Question #3 is greater than 1		[StationID]
10. Polling Station ID:		
12. Start of Observation (station) (please use 24 hour clock): <i>For example: 3:00 pm should be 15:00 hrs.</i>		[StartTime]
14. If present, please indicate the presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: Female Male Not observed	[POGender]
15. Number of staff working at the polling station (excluding presiding officer):		[StaffCount]
16. Number of FEMALE staff present (excluding presiding officer):		[FemaleStaff]
17. Number of registered voters:		[RegVoterCount]
18. Approximate number of voters who have voted by time of arrival: <i>If the number of voters is not directly recorded by the polling staff, it may be necessary to ask the presiding officer or other staff to estimate the number of voters or calculate by other means.</i>		[VotedCount]
19. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the STATION? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Prohibited campaigning Prohibited campaign material Ineffective queue management Intimidation Violence Security (beyond regulations) Other None	[DisruptInStat]
ANSWER ONLY IF Question #19 excludes "None"		[DisruptInStatDesc]
20. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>		
21. Were any of the following materials missing, insufficient, or incorrect? <i>A = Present and correct;
B = Missing (entirely absent);
C = Insufficient (fewer than required, but some present);
D = Incorrect (wrong)</i>		
21.1. Attendance Register	Select One: A B C D	[AttendanceRgstr]
21.2. Ballot Box(es)	Select One: A B C D	[BallotBox]
21.3. Ballot Box Labels	Select One: A B C D	[BallotBoxLabels]
21.4. Presidential Ballot Papers	Select One: A B C D	[BallotPapers]
21.5. Booths/Screens (Standard)	Select One: A B C D	[Booths]
21.6. Booths/Screens (PWDs)	Select One: A B C D	[BoothsPWDs]
21.7. Envelopes	Select One: A B C D	[BallotEnv]
21.8. Exercise Book A4	Select One: A B C D	[ExerciseBook]
21.9. Gas Lamp	Select One: A B C D	[Light]
21.10. Rubber bands	Select One: A B C D	[RubberBands]
21.11. Stamp and Stamp Pad	Select One: A B C D	[Stamps]

21.12. Stamp Pad Ink	Select One: A B C D	[Ink]
21.13. Ballot Box Seals	Select One: A B C D	[Seals]
21.14. Indelible Marking Pen	Select One: A B C D	[Pens]
21.15. The Polling Process Poster	Select One: A B C D	[Poster]
21.16. Forms	Select One: A B C D	[Forms]
21.17. Voters' Roll	Select One: A B C D	[VoterList]
21.22. Other	Select One: A B C D	[OtherMat]
22. If materials are missing, insufficient, or incorrect, please describe, including any "other" materials noted:		[MissingMatDesc]
23. Does the station appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: Yes No	[Accessibility]
ANSWER ONLY IF Question #23 is equal to "No"		[AccessibilityDesc]
24. If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:		
25. Did you observe the official closing of the polling station? <i>Generally, a polling station is closed when announced by the judge. Depending on regulations and implementation, it may be distinct from the time of the last vote.</i>	Select One: Yes No	[ClosingObs]
ANSWER ONLY IF Question #25 is equal to "No"		[ClosingObsDesc]
26. If "no", please describe:		
27. At what time was the closing of the polling station announced? <i>The closing time should match the time in regulations unless an emergency change was made by the EMB.</i>		[ClosingAnnounced]
28. Approximately how many voters were waiting in the queue at the time of closing?	Select One: 0 1-10 11-25 26-50 51-100 More than 100	[ClosingQueue]
29. Did you observe the last vote at the polling station?	Select One: Yes No	[LastVoteObs]
ANSWER ONLY IF Question #29 is equal to "Yes"		[LastVoteTime]
30. If "yes", at what time did the last voter vote?		
ANSWER ONLY IF Question #28 is not equal to "0"		[ClosingQueueEligible]
31. Were all eligible persons in the queue at the time of closing allowed to vote?	Select One: Yes No Not observed	
ANSWER ONLY IF Question #28 is not equal to "0"		[ClosingQueuePrevent]
32. Were any and all voters prevented from joining the queue after closing?	Select One: Yes No Not observed	
33. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.

 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).

 NOT AT ALL — The procedure was omitted or was not followed meaningfully.

 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>	Select One: I have read and understand the definitions.	[BeforeProcedures]
34. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
B = Adequately;
C = Inadequately;
D = Not at all;
E = Not observed</i>		
34.1. Closing announcement	Select One: A B C D E	[ClosingAnnouncement]
34.2. Queue management	Select One: A B C D E	[QueueManagement]
34.3. Processing of postal votes (if received) before sealing ballot box	Select One: A B C D E	[PostalVotes]
34.4. Sealing of ballot boxes (incl. slot)	Select One: A B C D E	[BallotBoxSealing]
34.5. Recording of seal numbers	Select One: A B C D E	[SealNumRecording]
34.6. Securing of sensitive polling materials	Select One: A B C D E	[MaterialSecuring]
34.7. Storage of materials	Select One: A B C D E	[MaterialStorage]
34.8. Transfer of materials	Select One: A B C D E	[MaterialTransfer]
35. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:		[ClosingProcedDesc]
36. How many agents representing each party/candidate were present?		
36.1. Zimbabwe African National Union - Patriotic Front (ZANU PF) Males		[MaleAgentsPtyA]
36.2. Zimbabwe African National Union - Patriotic Front (ZANU PF) Females		[FemaleAgentsPtyA]
36.3. Citizens Coalition for Change (CCC) Males		[MaleAgentsPtyB]
36.4. Citizens Coalition for Change (CCC) Females		[FemaleAgentsPtyB]
36.5. Movement for Democratic Change - Tsvangirai (MDC-T) Males		[MaleAgentsPtyC]
36.6. Movement for Democratic Change - Tsvangirai (MDC-T) Females		[FemaleAgentsPtyC]
36.7. Other Party/Candidate Males <i>Please capture any other party agents at the polling station. Example: Party X, 2 Males</i>		[MaleAgentsOther]
36.8. Other Party/Candidate Females <i>Please capture any other party agents at the polling station. Example: Party X, 2 Females</i>		[FemaleAgentsOther]

37. How many observers from each election observation group were present?	
37.1. EU Males	[MaleObsIntA]
37.2. EU Females	[FemaleObsIntA]
37.3. Election Resource Center (ERC) Males	[MaleObsCitB]
37.4. Election Resource Center (ERC) Females	[FemaleObsCitB]
37.5. Catholic Commission for Justice and Peace (CCJP) Males	[MaleObsCitC]
37.6. Catholic Commission for Justice and Peace (CCJP) Females	[FemaleObsCitC]
37.7. Zimbabwe Election Support Network (ZESN) Males	[MaleObsCitD]
37.8. Zimbabwe Election Support Network (ZESN) Females	[FemaleObsCitD]
37.9. Zimbabwe Council of Churches (ZCC) Males	[MaleObsCitE]
37.10. Zimbabwe Council of Churches (ZCC) Females	[FemaleObsCitE]
37.11. Forever Associates Zimbabwe (FAZ) Males	[MaleObsCitF]
37.12. Forever Associates Zimbabwe (FAZ) Females	[FemaleObsCitF]
37.13. Heritage Trust Males	[MaleObsCitG]
37.14. Heritage Trust Females	[FemaleObsCitG]
37.15. AU-COMESA Males	[MaleObsIntH]
37.16. AU-COMESA Females	[FemaleObsIntH]
37.17. SADC Males	[MaleObsIntI]
37.18. SADC Females	[FemaleObsIntI]
37.19. Other Observer Males	[MaleObsOther]
37.20. Other Observer Females	[FemaleObsOther]

38. What level of access did each of the following groups have? A = Sufficient access; B = Deficient access (within regulations) — applied to one, some, or all; C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all); D = Not present; E = Not observed	
38.1. Candidate/party agents	Select One: [AccessAgents] A B C D E
38.2. International observers	Select One: [AccessIntObs] A B C D E
38.3. Citizen observers	Select One: [AccessCitObs] A B C D E
38.4. Polling staff	Select One: [AccessPollStaff] A B C D E
38.5. Media	Select One: [AccessMedia] A B C D E
38.6. Other	Select One: [AccessOther] A B C D E

39. If any groups were not allowed sufficient access, please describe:
How were groups denied access and what was the impact? [AccessDesc]

40. Did you observe any interference in the election process? <i>Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.</i>	Select Multiple: [Interference] Candidate/party agents International observers Citizen observers Polling staff Media Voters Security Local officials Religious/traditional leaders Other No interference observed
---	--

ANSWER ONLY IF Question #40 excludes "No interference observed" [InterferenceDesc]

41. If any interference, please describe:
How were groups causing interference and what was the impact?

42. End of Observation (Station): [EndTime]

44. Were there any officially lodged complaints? <i>If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.</i>	Select One: [OfficialComp] Yes No
---	--------------------------------------

ANSWER ONLY IF Question #44 is equal to "Yes" [OfficialCompDesc]

45. If "yes", please describe:
Who filed complaints? What were the reasons? How were they addressed?

46. Were there any problems reported to you by those present rather than those observed directly by you? <i>(Reported by e.g., agents, observers, voters)</i>	Select One: [ProbReport] Yes No
--	------------------------------------

ANSWER ONLY IF Question #46 is equal to "Yes" [ProbReportDesc]

47. If "yes", please describe:
Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.

48. How would you evaluate party/candidate agents' performance?	Select One: [AgentsEval] Adequate Inadequate Not Observed/Observable
---	---

ANSWER ONLY IF Question #48 is not equal to "Adequate" [AgentsEvalDesc]

49. Please describe the reasons for not choosing "Adequate":

50. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process.

 REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process.

 NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.

Select One:

I have read and understand the definitions.

[BeforeProcedImp]

51. *What is your team's evaluation of the implementation of procedures by staff at this station?

This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.

Select One:

Very Good

Reasonable

Poor

Not Credible

[ProcedImpEval]

ANSWER ONLY IF Question #51 is not equal to "Very Good" AND Question #51 is not equal to "Reasonable"

[ProcedImpEvalDesc]

52. *What were the main reasons for not choosing "Very Good" or "Reasonable"?

53. *Before moving ahead, please review the following definitions regarding the overall assessment of the CLOSING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The process was fully transparent.

 REASONABLE — Observed problems did not significantly affect the integrity or transparency of the closing process, but there is room for improvement.

 POOR — Significant problems with any of the following may have compromised the integrity of the results: errors in implementing closing procedures; polling staff subject to intimidation or interference; observers restricted.

 NOT CREDIBLE — Observed problems with the closing likely compromised the integrity of the results.

Select One:

I have read and understand the definitions.

[BeforeCloseEnv]

54. *What is your team's overall assessment of the election environment and process at this station?

Select One:

Very Good

Reasonable

Poor

Not Credible

[ElecEnv]

ANSWER ONLY IF Question #54 is not equal to "Very Good" AND Question #54 is not equal to "Reasonable"

[ElecEnvDesc]

55. *What were the main reasons for not choosing "Very Good" or "Reasonable"?

56. *Any other comments?

[AddComments]

User/Team												
Observation Time												
1. Location Details												
1.1. *Geographic Area: <i>Area of Responsibility</i>	Select One:	North	South	East	West	Central	[GeoArea]					
1.2. Zimbabwean Province:	Select One:	Bulawayo Metro	Harare Metro	Manicaland	Mashonaland Central	Mashonaland East	Mashonaland West	Masvingo Province	Matabeleland North	Matabeleland South	Midlands	[provincezim]
1.3. *Electoral Constituency:							[ElecDist]					
1.4. *Center ID:							[CenterID]					
1.6. *Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities...</i>	Select One:	Urban	Rural				[UrbanRural]					
3. *Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>							[StationCount]					
4. *Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One:	Yes	No				[Barriers]					
ANSWER ONLY IF Question #4 is equal to "Yes"							[BarriersDesc]					
5. If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>												
6. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the CENTER? <i>If there is only one station per "center," then please answer this question as "OUTSIDE the STATION." Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple:	Intimidation	Violence	Significant disorder	Security (beyond regulations)	Other	None	[DisruptOutCountCent]				
ANSWER ONLY IF Question #6 excludes "None"							[DisruptOutCtCentDesc]					
7. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>												
8. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the CENTER (but outside the stations)? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple:	Intimidation	Violence	Significant disorder	Security (beyond regulations)	Other	None	[DisruptInCountCent]				
ANSWER ONLY IF Question #8 excludes "None" AND Question #3 is greater than 1							[DisruptInCtCentDesc]					
9. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>												
ANSWER ONLY IF Question #3 is greater than 1							[StationID]					
10. Polling Station ID:												
12. Start of Observation (station) (please use 24 hour clock): <i>For example: 3:00 pm should be 15:00 hrs.</i>							[StartTime]					
14. If present, please indicate the presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One:	Female	Male	Not observed			[POGender]					
15. Number of staff working at the polling station (excluding presiding officer):							[StaffCount]					
16. Number of FEMALE staff present (excluding presiding officer):							[FemaleStaff]					
17. Approximate number of voters who have voted by time of arrival: <i>If the number of voters is not directly recorded by the polling staff, it may be necessary to ask the presiding officer or other staff to estimate the number of voters or calculate by other means.</i>							[VotedCount]					
18. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the STATION? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple:	Intimidation	Violence	Significant disorder	Security (beyond regulations)	Other	None	[DisruptInCountStat]				
ANSWER ONLY IF Question #18 excludes "None"							[DisruptInCtStatDesc]					
19. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>												
20. Were any of the following materials missing, insufficient, or incorrect? <i>A = Present and correct;
B = Missing (entirely absent);
C = Insufficient (fewer than required, but some present);
D = Incorrect (wrong)</i>												
20.1. Attendance Register	Select One:	A	B	C	D		[AttendanceRgstr]					
20.2. Ballot Box(es)	Select One:	A	B	C	D		[BallotBox]					
20.3. Ballot Box Labels	Select One:	A	B	C	D		[BallotBoxLabels]					
20.4. Booths/Screens (Standard)	Select One:	A	B	C	D		[Booths]					
20.5. Booths/Screens (PWDs)	Select One:	A	B	C	D		[BoothsPWDs]					
20.6. Envelopes	Select One:	A	B	C	D		[BallotEnv]					
20.7. Exercise Book A4	Select One:	A	B	C	D		[ExerciseBook]					
20.8. Gas Lamp	Select One:	A	B	C	D		[Light]					
20.9. Indelible Marking Pen	Select One:	A	B	C	D		[Pens]					
20.10. Rubber bands	Select One:	A	B	C	D		[RubberBands]					
20.11. Stamp and Stamp Pad	Select One:	A	B	C	D		[Stamps]					
20.12. Stamp Pad Ink	Select One:	A	B	C	D		[Ink]					
20.13. The Polling Process Poster	Select One:	A	B	C	D		[Poster]					

20.14. Forms	Select One: A B C D	[Forms]
20.15. Voters' Roll	Select One: A B C D	[VoterList]
20.17. Other	Select One: A B C D	[OtherMat]
21. If materials are missing, insufficient, or incorrect, please describe, including any "other" materials noted:		[MissingMatDesc]
22. Does the station appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: Yes No	[Accessibility]
ANSWER ONLY IF Question #22 is equal to "No"		[AccessibilityDesc]
23. If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:		
24. Number of registered voters:		[RegVoterCount]
25. Please record the number of ballots in each of the following categories:		
25.1. Ballots received		[BallotsReceived]
25.2. Unused ballots		[BallotsUnused]
25.3. Ballots in box		[BallotsInBox]
25.4. Spoiled ballots		[BallotsSpoiled]
25.5. Challenged ballots		[BallotsChallenged]
26. Please record the number of votes for the following candidates:		
26.1. Emmerson Mnangagwa (ZANU-PF)		[VotesPartyCandA]
26.2. Nelson Chamisa (CCC)		[VotesPartyCandB]
26.3. Douglas Mwonozora (MDC)		[VotesPartyCandC]
26.4. Elisabeth Valerio (UZA)		[VotesPartyCandD]
27. Please record the number of votes for the following political parties:		
27.1. Zimbabwe African National Union - Patriotic Front (ZANU-PF)		[VotesPartyA]
27.2. Citizen's Coalition for Change (CCC)		[VotesPartyB]
27.3. Movement for Democratic Change - Tsvangirai (MDC-T)		[VotesPartyC]
27.4. United Zimbabwe Alliance Party (UZA)		[VotesPartyD]
28. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.

 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).

 NOT AT ALL — The procedure was omitted or was not followed meaningfully.

 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>	Select One: I have read and understand the definitions.	[BeforeProcedures]
29. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed</i>		
29.1. Ballot verification and sorting	Select One: A B C D E	[BallotVerifySort]
29.2. Presidential ballot counting	Select One: A B C D E	[BallotCounting]
29.3. Parliamentary ballot counting	Select One: A B C D E	[PABallotCounting]
29.4. Local authority ballot counting	Select One: A B C D E	[LABallotCounting]
29.5. Reconciliation	Select One: A B C D E	[Reconciliation]
29.6. Recounting of ballots	Select One: A B C D E	[BallotRecount]
29.7. Contested ballots	Select One: A B C D E	[BallotContest]
29.9. Completion of protocol form	Select One: A B C D E	[ProtocolForm]
29.10. Announcement of results (verbal)	Select One: A B C D E	[ResultAnnounceVerbal]
29.11. Distribution of results (copies of results sheets)	Select One: A B C D E	[ResultDistribution]
29.12. Posting of results (at station/center)	Select One: A B C D E	[ResultPosting]
30. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:		[CountProcedDesc]
31. Did relevant stakeholders have an opportunity to sign the results?	Select One: Yes No Not observed	[ResultSigning]
ANSWER ONLY IF Question #31 is not equal to "Yes"		[ResultSigningNoDesc]
32. If "no" or "not observed", please describe:		

ANSWER ONLY IF Question #31 is equal to "Yes"	Select One:	[ResultSigningObsDec]
33. If "yes", did any observers elect not to sign the results?	Yes No	
ANSWER ONLY IF Question #33 is equal to "Yes" AND Question #31 is equal to "Yes"		[ResultSignObsDecDesc]
34. If "yes", please describe:		
35. How many party agents were present?		
35.1. Zimbabwe African National Union - Patriotic Front (ZANU PF) Males		[MaleAgentsPtyA]
35.2. Zimbabwe African National Union - Patriotic Front (ZANU PF) Females		[FemaleAgentsPtyA]
35.3. Citizens Coalition for Change (CCC) Males		[MaleAgentsPtyB]
35.4. Citizens Coalition for Change (CCC) Females		[FemaleAgentsPtyB]
35.5. Movement for Democratic Change - Tsvangirai (MDC-T) Males		[MaleAgentsPtyC]
35.6. Movement for Democratic Change - Tsvangirai (MDC-T) Females		[FemaleAgentsPtyC]
35.7. Other Party/Candidate Males <i>Please capture any other party agents at the polling station. Example: Party X, 2 Males</i>		[MaleAgentsOther]
35.8. Other Party/Candidate Females <i>Please capture any other party agents at the polling station. Example: Party X, 2 Females</i>		[FemaleAgentsOther]
36. How many observers from each election observation group were present?		
36.1. EU Females		[FemaleObsIntA]
36.2. EU Males		[MaleObsIntA]
36.3. Election Resource Center (ERC) Males		[MaleObsCitB]
36.4. Election Resource Center (ERC) Females		[FemaleObsCitB]
36.5. Catholic Commission for Justice and Peace (CCJP) Males		[MaleObsCitC]
36.6. Catholic Commission for Justice and Peace (CCJP) Females		[FemaleObsCitC]
36.7. Zimbabwe Election Support Network (ZESN) Males		[MaleObsCitD]
36.8. Zimbabwe Election Support Network (ZESN) Females		[FemaleObsCitD]
36.9. Zimbabwe Council of Churches (ZCC) Males		[MaleObsCitE]
36.10. Zimbabwe Council of Churches (ZCC) Females		[FemaleObsCitE]
36.11. Forever Associates Zimbabwe (FAZ) Females		[FemaleObsCitF]
36.12. Forever Associates Zimbabwe (FAZ) Males		[MaleObsCitF]
36.13. Heritage Trust Males		[MaleObsCitG]
36.14. Heritage Trust Females		[FemaleObsCitG]
36.15. AU-COMESA Males		[MaleObsIntH]
36.16. AU-COMESA Females		[FemaleObsIntH]
36.17. SADC Males		[MaleObsIntI]
36.18. SADC Females		[FemaleObsIntI]
36.19. Other Observer Males		[MaleObsOther]
36.20. Other Observer Females		[FemaleObsOther]
37. What level of access did each of the following groups have? <i>A = Sufficient access;
B = Deficient access (within regulations) — applied to one, some, or all;
C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all);
D = Not present;
E = Not observed</i>		
37.1. Candidate/party agents	Select One: A B C D E	[AccessAgents]
37.2. International observers	Select One: A B C D E	[AccessIntObs]
37.3. Citizen observers	Select One: A B C D E	[AccessCitObs]
37.4. Polling staff	Select One: A B C D E	[AccessPollStaff]
37.5. Media	Select One: A B C D E	[AccessMedia]
37.6. Other	Select One: A B C D E	[AccessOther]
38. If any groups were not allowed sufficient access, please describe: <i>How were groups denied access and what was the impact?</i>		[AccessDesc]
39. Did you observe any interference in the election process? <i>Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.</i>	Select Multiple: Candidate/party agents International observers Citizen observers Polling staff Media Voters Security Local officials Religious/traditional leaders Other No interference observed	[Interference]

ANSWER ONLY IF Question #39 excludes "No interference observed"		[InterferenceDesc]
40. If any interference, please describe: <i>How were groups causing interference and what was the impact?</i>		
41. End of Observation (Station):		[EndTime]
43. Were there any officially lodged complaints? <i>If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.</i>		[OfficialComp]
ANSWER ONLY IF Question #43 is equal to "Yes"		[OfficialCompDesc]
44. If "yes", please describe: <i>Who filed complaints? What were the reasons? How were they addressed?</i>		
45. Were there any problems reported to you by those present rather than those observed directly by you? <i>(Reported by e.g., agents, observers, voters)</i>		[ProbReport]
ANSWER ONLY IF Question #45 is equal to "Yes"		[ProbReportDesc]
46. If "yes", please describe: <i>Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.</i>		
47. How would you evaluate party/candidate agents' performance?		[AgentsEval]
ANSWER ONLY IF Question #47 is not equal to "Adequate"		[AgentsEvalDesc]
48. Please describe the reasons for not choosing "Adequate":		
49. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process.

 REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process.

 NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.</i>		
50. What is your team's evaluation of the implementation of procedures by staff at this station? <i>This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.</i>		[ProcedImpEval]
ANSWER ONLY IF Question #50 is not equal to "Very Good" AND Question #50 is not equal to "Reasonable"		[ProcedImpEvalDesc]
51. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
52. Before moving ahead, please review the following definitions regarding the overall assessment of the COUNTING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The counting process was fully transparent.

 REASONABLE — Observed problems did not significantly affect the integrity or transparency of the counting process, but there is room for improvement.

 POOR — Significant problems with any of the following may have compromised the integrity of the results: errors in implementing counting procedures; counting staff subject to intimidation or interference; observers restricted.

 NOT CREDIBLE — Observed problems with the counting likely compromised the integrity of the results.</i>		
53. What is your team's overall assessment of the election environment and process at this station?		[ElecEnv]
ANSWER ONLY IF Question #53 is not equal to "Very Good" AND Question #53 is not equal to "Reasonable"		[ElecEnvDesc]
54. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
55. Any other comments?		
		[AddComments]

User/Team		
Observation Time		
1. Location Details		
1.1. Geographic Area: <i>Area of Responsibility</i>	Select One: North South East West Central	[GeoArea]
1.2. Zimbabwean Province:	Select One: Bulawayo Metro Harare Metro Manicaland Mashonaland Central Mashonaland East Mashonaland West Masvingo Province Matabeleland North Matabeleland South Midlands	[provincezim]
1.3. Center ID:		[CenterID]
3. Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: Yes No	[Barriers]
ANSWER ONLY IF Question #3 is equal to "Yes"		[BarriersDesc]
4. If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>		
5. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the center? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Intimidation Violence Significant disorder Security (beyond regulations) Other None	[DisruptOutAggCent]
ANSWER ONLY IF Question #5 excludes "None"		[DisruptOutAggCentDesc]
6. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>		
7. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the center? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Intimidation Violence Significant disorder Security (beyond regulations) Other None	[DisruptInAggCent]
ANSWER ONLY IF Question #7 excludes "None"		[DisruptInAggCentDesc]
8. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>		
9. Start of Observation (station) (please use 24 hour clock): <i>For example: 3:00 pm should be 15:00 hrs.</i>		[StartTime]
11. If materials are missing, insufficient, or incorrect, please describe, including any "other" materials noted:		[MissingMatDesc]
12. Does the center appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: Yes No	[AccessibilityCenter]
13. If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:		[AccessibilityDesc]
14. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.

 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).

 NOT AT ALL — The procedure was omitted or was not followed meaningfully.

 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>	Select One: I have read and understand the definitions.	[BeforeProcedures]
15. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
B = Adequately;
C = Inadequately;
D = Not at all;
E = Not observed</i>		
15.1. Receipt of materials	Select One: A B C D E	[MaterialsReceipt]
15.2. Data recording/entry	Select One: A B C D E	[DataRecord]
15.3. Tabulation	Select One: A B C D E	[Tabulation]
15.4. Proclamation/display of results	Select One: A B C D E	[ResultsAnnounce]
15.5. Quarantined materials/results	Select One: A B C D E	[QuarantinedMat]
15.6. Recount	Select One: A B C D E	[Recount]
16. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:		[AggProcedDesc]
17. Total number of polling station results this tabulation center is responsible for: <i>Leave blank if unknown/not observable.</i>		[PollStatResultsResp]
18. Number of polling station results received to date: <i>Leave blank if unknown/not observable. Include TOTAL number of results quarantined.</i>		[PollStatResultsRec]
19. Number of polling station results quarantined to date: <i>Leave blank if unknown/not observable.</i>		[PollStatResultsQuar]
20. Please describe quarantine: <i>E.g., reasons for quarantine, PC/PS IDs of those quarantined.</i>		[QuarantinedDesc]
21. How many quarantined results have been processed to date? <i>Leave blank if unknown/not observable.</i>		[QuarantinedProcessed]
22. How many polling stations require the recount of materials? <i>Leave blank if unknown/not observable.</i>		[PollStatRecount]
23. Please describe recount: <i>E.g., overall situation, PC/PS IDs.</i>		[RecountDesc]
24. How many recounts of polling station results have taken place to date? <i>Leave blank if unknown/not observable.</i>		[RecountComplete]
25. How many recounts confirmed the earlier tallies? <i>Leave blank if unknown/not observable.</i>		[RecountConfirm]

26. Were there any results that should have received scrutiny but did not? **Select One:** [ResultScrutinyNeeded]
 Yes No

ANSWER ONLY IF Question #26 is equal to "Yes" [ResultScrutinyDesc]

27. If "yes," please describe:

28. How many candidate agents were present?

28.1. Zimbabwe African National Union - Patriotic Front (ZANU PF) Males [MaleAgentsPtyA]

28.2. Zimbabwe African National Union - Patriotic Front (ZANU PF) Females [FemaleAgentsPtyA]

28.3. Citizens Coalition for Change (CCC) Males [MaleAgentsPtyB]

28.4. Citizens Coalition for Change (CCC) Females [FemaleAgentsPtyB]

28.5. Movement for Democratic Change - Tsvangirai (MDC-T) Males [MaleAgentsPtyC]

28.6. Movement for Democratic Change - Tsvangirai (MDC-T) Females [FemaleAgentsPtyC]

28.7. Other Party/Candidate Males [MaleAgentsOther]

Please capture any other party agents at the polling station. Example: Party X, 2 Males

28.8. Other Party/Candidate Females [FemaleAgentsOther]

Please capture any other party agents at the polling station. Example: Party X, 2 Females

29. How many observers from each election observation group were present?

29.1. EU Males [MaleObsIntA]

29.2. EU Females [FemaleObsIntA]

29.3. Election Resource Center (ERC) Males [MaleObsCitB]

29.4. Election Resource Center (ERC) Females [FemaleObsCitB]

29.5. Zimbabwe Council of Churches (ZCC) Males [MaleObsCitE]

29.6. Zimbabwe Election Support Network (ZESN) Males [MaleObsCitD]

29.7. Catholic Commission for Justice and Peace (CCJP) Males [MaleObsCitC]

29.8. Catholic Commission for Justice and Peace (CCJP) Females [FemaleObsCitC]

29.9. Zimbabwe Election Support Network (ZESN) Females [FemaleObsCitD]

29.10. Zimbabwe Council of Churches (ZCC) Females [FemaleObsCitE]

29.11. Forever Associates Zimbabwe (FAZ) Males [MaleObsCitF]

29.12. Forever Associates Zimbabwe (FAZ) Females [FemaleObsCitF]

29.13. Heritage Trust Males [MaleObsCitG]

29.14. Heritage Trust Females [FemaleObsCitG]

29.15. AU-COMESA Males [MaleObsIntH]

29.16. AU-COMESA Females [FemaleObsIntH]

29.17. SADC Males [MaleObsIntI]

29.18. SADC Females [FemaleObsIntI]

29.19. Other Observer Males [MaleObsOther]

29.20. Other Observer Females [FemaleObsOther]

30. What level of access did each of the following groups have?
 A = Sufficient access;
B = Deficient access (within regulations) — applied to one, some, or all;
C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all);
D = Not present;
E = Not observed

30.1. Center staff **Select One:** [AccessCenterStaff]
 A B C D E

30.2. Candidate/party agents **Select One:** [AccessAgents]
 A B C D E

30.3. International observers **Select One:** [AccessIntObs]
 A B C D E

30.4. Citizen observers **Select One:** [AccessCitObs]
 A B C D E

30.5. Media **Select One:** [AccessMedia]
 A B C D E

30.6. Security **Select One:** [AccessSecurity]
 A B C D E

30.7. Other **Select One:** [AccessOther]
 A B C D E

31. If any groups were not allowed sufficient access, please describe: [AccessDesc]
 How were groups denied access and what was the impact?

32. Did you observe any interference in the tabulation process? <i>Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.</i>	Select Multiple: Center staff Candidate/party agents International observers Citizen observers Media Security Local officials Religious/traditional leaders Other No interference observed	[InterferenceAgg]
ANSWER ONLY IF Question #32 excludes "No interference observed"		
33. If any interference, please describe: <i>How were groups causing interference and what was the impact?</i>		[InterferenceDesc]
34. End of Observation (Station):		[EndTime]
36. Were there any officially lodged complaints? <i>If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.</i>	Select One: Yes No	[OfficialComp]
ANSWER ONLY IF Question #36 is equal to "Yes"		
37. If "yes", please describe: <i>Who filed complaints? What were the reasons? How were they addressed?</i>		[OfficialCompDesc]
38. Were there any problems reported to you by those present rather than those observed directly by you? <i>(Reported by e.g., agents, observers, voters)</i>	Select One: Yes No	[ProbReport]
ANSWER ONLY IF Question #38 is equal to "Yes"		
39. If "yes", please describe: <i>Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.</i>		[ProbReportDesc]
40. How would you evaluate party/candidate agents' performance?	Select One: Adequate Inadequate Not Observed/Observable	[AgentsEval]
ANSWER ONLY IF Question #40 is not equal to "Adequate"		
41. Please describe the reasons for not choosing "Adequate":		[AgentsEvalDesc]
42. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process.

 REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process.

 NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.</i>	Select One: I have read and understand the definitions.	[BeforeProcedImp]
43. What is your team's evaluation of the implementation of procedures by staff at this station? <i>This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.</i>	Select One: Very Good Reasonable Poor Not Credible	[ProcedImpEval]
ANSWER ONLY IF Question #43 is not equal to "Very Good" AND Question #43 is not equal to "Reasonable"		
44. What were the main reasons for not choosing "Very Good" or "Reasonable"?		[ProcedImpEvalDesc]
45. Before moving ahead, please review the following definitions regarding the overall assessment of the AGGREGATION ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The aggregation process was fully transparent.

 REASONABLE — Observed problems did not significantly affect the integrity or transparency of the aggregation process, but there is room for improvement.

 POOR — Significant problems with any of the following may have compromised the integrity of the results: errors in implementing aggregation procedures; election staff subject to intimidation or interference; observers restricted; sensitive materials not secured.

 NOT CREDIBLE — Observed problems with the aggregation likely compromised the integrity of the results; OR there are significant, unexplained differences between counting results and aggregation results.</i>	Select One: I have read and understand the definitions.	[BeforeAggEnv]
46. What is your team's overall assessment of the aggregation environment and process at this center?	Select One: Very Good Reasonable Poor Not Credible	[AggEnv]
ANSWER ONLY IF Question #46 is not equal to "Very Good" AND Question #46 is not equal to "Reasonable"		
47. What were the main reasons for not choosing "Very Good" or "Reasonable"?		[AggEnvDesc]
48. Any other comments?		[AddComments]

Telephone: +263 4 794681-6

+263 4 793372-5

+263 4 706114-5

Fax: +263 4 705161

E-Mail: mfa@zimfa.gov.zw



MINISTRY OF FOREIGN AFFAIRS AND
INTERNATIONAL TRADE

P.O Box 4240

Munhumutapa Building

Sam Nujoma Street

Harare

Zimbabwe

"ALL CORRESPONDENCE TO BE ADDRESSED TO THE SECRETARY FOR FOREIGN AFFAIRS AND
INTERNATIONAL TRADE"

Ref: CX/E/639

16 November 2023

Director, Democracy Program

The Carter Center

One Copenhill, 453 John Lewis Freedom Parkway NE

Atlanta, GA 30307

United States of America

Att: Mr. David Carroll

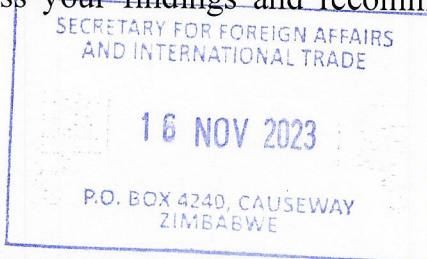
**RE: THE CARTER CENTER'S REQUEST TO UNDERTAKE A FOLLOW-
UP VISIT TO ZIMBABWE: NOVEMBER 2023**

Following receipt of your letter dated 14 November 2023 requesting to modify the dates of travel to Zimbabwe, please be advised that the request has been approved for the period 20 to 27 November 2023 and for the following officials;

- (i) Masa Janjusevic - Mission Director;
- (ii) Tomasz Janczy - Finance, Administration and Operations Director;
- (iii) Anna Melikyan - Gender and Legal Analyst.

We look forward to discuss ~~your findings and recommendations~~ on Zimbabwe's Harmonised Elections.


Ambassador R.N. Chikava



Acting Secretary for Foreign Affairs and International Trade