



Christian Churches Monitoring Group Statement on Observation and Results of the 17 September 2021 Parliamentary By-Elections in Lukashya and Mwansabombwe Constituencies

19 September 2020

I. Introduction

The Christian Churches Monitoring Group (CCMG) observed both the pre-election period and election day for the Lukashya and Mwansabombwe Parliamentary By-Elections. In the pre-election period, CCMG deployed eleven Long-Term Observers (LTOs) and for election day, CCMG recruited, trained and deployed a total of 144 Election Day Parallel Vote Tabulation (PVT) Observers to every polling station in Lukashya (97 Observers) and Mwansabombwe (47 Observers) Constituencies. CCMG also deployed nine Ward Supervisors who served as mobile observers throughout the wards. Election Day PVT Observers arrived at their assigned polling station and polling stream at 05:30 hours and remained there throughout the polling station setup and opening, voting, and counting until the official results for the parliamentary election for the polling station were publicly announced and posted. The objective of CCMG's by-election project was to make the Lukashya and Mwansabombwe by-elections **more transparent** by providing systematic factual information on the conduct of the process; **more accountable** by independently verifying the accuracy of the official results as announced by the Electoral Commission of Zambia (ECZ) and **more inclusive** by giving voters the confidence to participate in the electoral process.

II. Election Day Key Findings

Based on the reports from CCMG's 144 Election Day PVT Observers and nine Mobile Election Day Observers, CCMG finds that by-elections in Lukashya and Mwansabombwe followed the election day procedures for the set-up, voting and counting processes on election day. All observers who deployed to polling stations by 05:30 on 17 September were permitted to observe, however CCMG notes one presiding officer requested additional documentation and did not allow the CCMG observer to observe without further intervention from CCMG staff.

CCMG notes that all required materials were present at the start of voting, that political party representatives were present in polling stations. CCMG notes that ECZ officials and stakeholders generally adhered to the COVID-19 protocols, although CCMG encourages increased adherence to social distancing throughout electoral processes.

CCMG notes that on election day, procedures for the set-up, voting and counting were followed in both constituencies, and that election day was calm in both constituencies. Political party agents were largely present in polling stations and observed the counting of ballots.

III. Analysis of Election Results

CCMG notes that in both parliamentary by-elections, CCMG's PVT results match the official ECZ results. CCMG is therefore able to independently verify that the official ECZ results for the parliamentary by-elections in the two constituencies match ballots cast at polling stations.



Comparison of ECZ Official Results with CCMG PVT Results for Lukashya and Mwansabombwe 17 September 2020 By-Elections

Comparison of ECZ Official Results with CCMG PVT Results for Lukashya Constituency Parliamentary By-Election				
Candidate & Party	ECZ Official Results		CCMG PVT Results	Match
	Votes	% Votes	% Votes	
Bwalya, Chimponda of PAC	474	2.8%	2.8%	✓
Chisanga, George of PF	13,431	79.0%	79.0%	✓
Kabungo, Samuel of UPPZ	147	0.9%	0.9%	✓
Kabwe, Christopher of MMD	114	0.7%	0.7%	✓
Mulenga, Davies of UPND	2,684	15.8%	15.8%	✓
Sinyangwe, Brian of LM	143	0.8%	0.8%	✓
Rejected Ballots	322	1.8%	1.8%	✓
Registered Voters	55,188			
Turnout	31.4%		31.4%	✓

Comparison of ECZ Official Results with CCMG PVT Results for Mwansabombwe Constituency Parliamentary By-Election				
Candidate & Party	ECZ Official Results		CCMG PVT Results	Match
	Votes	% Votes	% Votes	
Chama, Josephine of UPPZ	129	1.5%	1.5%	✓
Chitungu, Sunday Maluba of UPND	1,522	17.3%	17.3%	✓
Kabaso, Kapampi of PF	6,478	73.5%	73.5%	✓
Musangu, Victor of NAREP	400	4.5%	4.5%	✓
Mwansa, Jason of LM	285	3.2%	3.2%	✓
Rejected Ballots	136	1.5%	1.5%	✓
Registered Voters	25,251			
Turnout	35.4%		35.5%	✓



IV. Pre-Election Assessment

The pre-election period was generally peaceful, with political parties adhering to the agreed-upon campaign schedules and police providing security equitably at party campaign events. CCMG also noted increasing adherence to COVID-19 mitigation measures during these by-elections by both the ECZ and political parties. However, CCMG's observers reported several incidents of violations of the Electoral Code of Conduct and other practices that need to be addressed for future elections, including confrontations between parties at nominations, destruction of parties' property, harassment of parties during their meetings/activities by other parties' supporters, use of military attire by some political party supporters, widespread use of handouts by multiple parties, disruption and property damage at a mobile NRC issuance centre and distribution of DMMU goods during the by-election period, which CCMG has recommended against several times previously. The DMMU distribution in Mwanabombwe was of even greater concern because DMMU officials were documented attending ruling party campaign events and in one instance distributing goods with ruling party officials present. CCMG views the DMMU officials' behaviour as a violation of the Code of Conduct and as acts that contribute to lower public confidence in the election process and results. In the final week of the campaigns, CCMG also noted ferrying of youth by political parties from other constituencies to Mwanabombwe, against the ECZ's COVID-19 guidance.

The administration of the election was improved by ECZ's decision to convert polling streams into polling stations for the 2021 election and to pilot that initiative in the 17 September by-elections. CCMG applauds the ECZ for this decision; however, the ECZ made the decision with little time left until election day and failed to provide specific information to stakeholders on how this would change election day procedures. In addition, accreditation of observers and political party agents, both for nominations and for election day, was hampered by a short time period in which to complete the accreditation procedures and the length of time needed for administrative formalities. Nevertheless, all of CCMG's election day observers (144 PVT Observers and 9 Supervisors) received accreditation.

IV. Recommendations and Conclusion

CCMG will endeavour to engage with key stakeholders, including the ECZ, the Zambia Police, political parties, the DMMU, media houses and CSOs, to share its findings and key recommendations below:

Electoral Commission of Zambia

- **Code of Conduct Violations:** ECZ should swiftly investigate all allegations of violations of the Electoral Code of Conduct. CCMG observers reported multiple Code violations including political violence and harassment of opponents, wearing of military attire by some political party supporters and widespread use of handouts, among others, all of which are detailed in this and CCMG's pre-election reports. These Code violations have been repeated in multiple by-elections without sanction on the offending parties, and so CCMG calls on the ECZ to consult with stakeholders to gain agreement on mechanisms that would allow more comprehensive and timely enforcement of the Code, including punitive actions against violators.
- **Adverse DMMU Behaviour:** ECZ should engage the DMMU to gain their commitment to no longer distribute goods during campaign periods, as this has an



adverse effect on public confidence in the fairness of the election. In addition, ECZ should investigate urgently the attendance of DMMU officials during this by-election at ruling party events and the attendance of ruling party officials at a DMMU distribution. CCMG views this behavior as a violation of the Electoral Code of Conduct Article 15 (i) and (k) and asks that ECZ take punitive actions where appropriate and engage DMMU to ensure the behaviour is not repeated in future elections.

- **Campaign Schedules:** The ECZ should continue the practice of developing campaign schedules with the political parties and ensuring they are adhered to, as this was effective in reducing political violence in the by-elections.
- **Accreditation Improvements:** The ECZ should revise its accreditation procedures for observers and party agents to lessen the administrative burden required and ensure adequate time, staff and materials are allocated to the exercise to avoid congestion and delays during accreditation, as occurred during these by-elections.
- **Polling Officer Training & E-Day Hotline:** A polling officer interfered with a CCMG observer's right to observe, a situation that has also occurred in previous elections. The ECZ should place special emphasis on the rights of observers and political party agents in its training of polling officials. CCMG also requests again that ECZ establish an election day hotline to address any issues relating to accreditation and observers' access to polling stations expeditiously.
- **Timely Communications:** While CCMG applauds the piloting of the conversion of polling streams to stations in this by-election, the ECZ failed to convey this change and provide details about it in a timely manner with stakeholders. CCMG urges the ECZ to conduct a thorough review of the pilot and to provide stakeholders meaningful opportunities to give feedback on the issue.
- **COVID-19 Protocols:** ECZ should continue to provide clear COVID-19 guidelines for the conduct of electoral processes, ensure publicity of guidelines and implement the guidelines during nominations and voting, as was largely done during these by-elections.

Zambia Police

- **Equitable Provision of Security:** The Police should continue to provide security in an equitable manner to all political parties at events, as they did during these two by-elections per CCMG observer reports.
- **Response to Political Clashes/Violent Acts:** While the Police intervened appropriately in most instances to prevent further escalation of politically-motivated violent acts during these by-elections, CCMG observers reported that in a pre-election incident in Kasama the lack of action by Police who were present during the incident allowed damage to property to take place, though two cadres were arrested later. CCMG calls for a thorough investigation of the incident and punitive action. CCMG urges the Police to be consistent in their response to political violence and to always take a proactive role in all such incidents to ensure the protection of life and property.
- **Space for Campaigns/Meetings:** The Police shut down a Leadership Movement Party meeting due to non-compliance with COVID-19 mitigation measures during these by-elections. CCMG urges the Police not to take such action unless an authorized officer, per the relevant Statutory Instrument, specifically requests their assistance to do so. Medical Officers of Health or an authorized officer from the local authority are the appropriate authorities to decide whether a meeting complies with COVID-19



protocols. In addition, authorized officers should provide clear explanations of how to bring an event into compliance with the guidelines and provide the parties an opportunity to do so.

Political Parties

- **Campaign Schedules:** CCMG commends the political parties for largely adhering to the campaign schedules published by the ECZ and urges them to continue to do so for future elections.
- **Military Regalia:** These by-elections were marked by a troubling increase in the wearing of military regalia by supporters of multiple political parties, primarily Leadership Movement Party and UPND. CCMG notes that Section 3(1) of the Public Order Act prohibits the use of uniforms and flags in connection with political objects and that political parties and the ECZ have previously agreed to discourage military regalia as a violence prevention method. CCMG urges the parties to instruct all supporters to desist from wearing military regalia with immediate effect.
- **Political Violence:** In these by-elections, though largely peaceful, CCMG observers recorded multiple confrontations between political party supporters, including two incidents of politically motivated violent acts. These incidents primarily involved PF and UPND. Over the years, both parties have agreed multiple times to ensure their supporters do not engage in violence, yet these incidents continue to occur. CCMG calls on political parties to take the issue of political violence seriously and to make greater efforts to ensure their supporters refrain from harassment of and retaliation against other political parties and destruction of property during electoral processes.
- **COVID-19 Protocols:** CCMG appeals to political parties to abide by the COVID-19 prevention measures set out by the ECZ and the Ministry of Health in their mobilisation activities. Specifically, CCMG urges the parties to desist from ferrying youth from other constituencies as occurred during the Mwanabombwe by-election by PF with disregard to the ECZ guidelines.
- **Use of Vulgar Language:** CCMG is aware of multiple instances of politicians using vulgar and unpalatable language and calls on politicians across all parties to show leadership and desist from this practice.

DMMU

- **Goods Distribution During Campaigns:** CCMG calls on the DMMU to suspend the distribution of goods/food staff and other related materials in an area where a by-election is being held, as this leads to a perception of bias and reduces confidence in the fairness of the election.
- **Political Behaviour:** CCMG calls on the DMMU to publicly denounce the behaviour of its officials who appeared at ruling party events during these by-elections or who allowed ruling party officials to be present during goods distribution, acts which raise questions about their political neutrality. CCMG views these acts as violations of the Electoral Code of Conduct. As this is the second by-election in which such direct political behavior by DMMU officials has occurred, CCMG calls upon the DMMU to develop clear guidelines for how its officials are to behave during electoral processes and to demand strict political neutrality.



Civil Society Organizations

- **Voter Education:** CSOs should increase their targeted and coordinated voter education and information campaigns on electoral processes, including the upcoming voter registration, with consideration for the needs of women, youth, and persons with disabilities, and increase sensitization efforts on COVID-19 prevention, including mitigation measures for political and electoral activities.

Media

- **Voter Education and Information:** As seen in these by-elections, public and private media play a key role in voter education and information and should increase their programs aimed at informing citizens of their right and civic duty to participate in political and electoral processes, and to provide information about upcoming electoral processes.

CCMG calls upon the ECZ to improve enforcement of the Code and take punitive measures against violators. CCMG is concerned about repeated violations of the Electoral Code of Conduct in the pre-election period in both constituencies. CCMG has previously called for strengthened commitment to the Electoral Code of Conduct by political parties and other stakeholders, and for the ECZ to swiftly and thoroughly investigate all violations. During these by elections, CCMG raised issues of repeated instances of politically-motivated violence, use of military regalia, adverse behaviour by DMMU officials, and widespread use of handouts.

CCMG calls on the ECZ to take concrete steps to determine ways to improve enforcement of the Code and take punitive actions against violators to discourage these behaviours as Zambia moves towards the 2021 general elections. In concert, CCMG urges political parties to make a true commitment to reducing political violence and to use internal mechanisms to control its supporters and punish those who engage in violence. CCMG also asks the DMMU to address the behaviour of its officials in the Mwansabombwe by-election and to ensure it does not occur in future electoral processes.

CCMG notes that on election day, procedures for the setup, voting and counting were followed in all both constituencies, that all required materials were present at the start of voting, that political party representatives were present in polling stations. However, CCMG urges the ECZ to conduct a thorough review of the conversion of polling streams to stations and to review its accreditation procedures and training of its officers to enhance the transparency and inclusivity of future electoral processes.

CCMG commends the ECZ for publishing and publicising its COVID-19 mitigation measures. CCMG commends voters in Mwansabombwe and Lukashya for casting their votes for their preferred candidate. Finally, CCMG would like to thank all its election day and long-term observers for observing the 17 September 2020 Parliamentary By-Elections.

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17 September 2020 Parliamentary By-Elections Observation



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Overview of CCMG

The Christian Churches Monitoring Group (CCMG) is an alliance of four faith-based organisations formed to help promote credible elections through non-partisan citizen monitoring. The CCMG partner organisations are Council of Churches in Zambia (CCZ); Evangelical Fellowship of Zambia (EFZ); Jesuit Centre for Theological Reflections (JCTR); and Zambia Conference of Catholic Bishops (ZCCB), formerly the Zambia Episcopal Conference (ZEC), through Caritas Zambia. CCMG was founded ahead of the 20th January 2015 presidential by-election. CCMG is a member of the Global Network of Domestic Election Monitors (GNDEM) (<https://gndem.org/>) and conducts all of its observation efforts in conformity with the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations (<https://gndem.org/declaration-of-global-principles/>). CCMG is strictly independent and non-partisan. We support no political party or candidate.

Detailed Findings Addendum

A. Detailed Findings from Election Day¹

Setup and Opening of Polling Stations

- 95% of polling stations were open by 06:30, and all polling stations were open by 07:00;
- At 98% of polling stations an agent for PF was present during opening and setup;
- At 99% of polling stations an agent for UPND was present during opening and setup;
- At 81% polling stations at least one agent for other parties was present during opening and setup;
- At 99% of polling stations, a security officer was present during opening and setup;
- At 100% of polling stations the ballot box was shown to be empty before being closed and sealed at the polling station; and
- All polling stations in the both constituencies had a voters' register, the correct parliamentary ballot papers, the official stamp/mark, and permanent/indelible markers for marking voters' fingers.

¹ CCMG deployed observers to every polling station, formerly polling streams prior to the ECZ's pilot conversion of polling streams to stations, in Lukashya and Mwansabombwe Constituencies.



Voting Process

- At 99% polling stations election officials stamped every parliamentary ballot paper with the official mark/stamp²;
- At 100% polling stations indelible ink was applied to the finger of every vote;
- At 100% polling stations no one was permitted to vote if they did not have their NRC and Voter's Card with them;
- At 100% polling stations no one was allowed to vote who had indelible ink on their thumbs or fingers;
- At 49% polling stations some (less than half) able-bodied women (not physically disabled) were assisted to vote by a man; and
- At 94% polling stations no unauthorized persons were present at any time during the voting process.³

Counting Process

- At 100% of polling stations all party polling agents present were permitted to observe the counting of parliamentary ballot papers;
- At 97% polling stations there was sufficient light during the counting of parliamentary ballot papers;
- At 99% polling stations a representative for PF was present during counting;
- At 100% polling stations a representative for UPND was present during counting;
- At 86% of polling stations a representative for another party (neither PF or UPND) was present during counting process; and
- At 99% polling stations polling officials showed the parliamentary ballot papers to all party representatives so that they could see how each was marked.

Accessibility of Voting for People with Disabilities

- 59% of polling stations polling streams had Braille jackets for blind voters;
- At 24% of polling stations, voters had to go up the stairs to reach the polling stream;
- At 99% of polling stations that there was sufficient light during the voting process; and
- At 97% of polling stations people with disabilities, pregnant women and nursing mothers were allowed to go to the front of the queue.

COVID-19 Mitigation Measures

- 100% of polling stations had hand washing/sanitizing facilities;
- At 99% of polling stations ECZ officials were using COVID-19 protective wear, such as masks and sanitizers;
- At 6% of polling stations some people, were turned away and not allowed to vote as they did not comply with COVID-19 mitigation measures (primarily use of face masks); and

² At Kapesa Primary School in Mununshi Ward (Mwansabombwe Constituency), four ballot papers were not stamped and were later discarded during counting.

³ These instances include: at Kapanda School in Lusenga Ward (Lukashya) a CCMG observer reported two UPND and one PF official without credentials; at Lualuo School in Lualuo Ward (Lukashya) a CCMG observer reported LM officials without credentials; at Musa School in Kapongolo (Lukashya) a CCMG observer reported MMD, PF, PAC, UPND, and UPPZ officials without credentials; and at Mwasha School in Mukanga Ward (Lukashya) two UPND officials without credentials.



- At 97% of polling streams social distancing (1 metre) was maintained between all persons in the set-up for the polling station.

Participation of Women

- Out of an average of five ECZ officials in the polling stations, 3 were women;
- 41% of the polling stations had a female security officer; and
- 31% of party representatives for PF were women, with 21% for UPND were women, while other parties' representatives were 38% women.

Election Day Critical Incidents

CCMG received a total of three critical incident reports on election day, detailed as follows:

One CCMG observer was initially not permitted to observe at Kabila School in Lusenga Ward (Lukashya Constituency) despite being duly accredited by the ECZ and presenting the accreditation badge. The presiding officer demanded a signed declaration form, which is not required by the ECZ's procedures for observers. Following intervention by CCMG staff, the observer was allowed to observe.

CCMG recorded one critical incident in Mulele Ward (Mwansabombwe Constituency), where an observer heard of a UPND supporter providing handouts to voters coming and going from the station. The incident was reported to the ECZ and police arrested the individual.

CCMG recorded one critical incident of disagreement over results by individuals gathered outside the polling station at Chisanga Market in Kupumaula Ward (Lukashya Constituency). However, the situation did not escalate.

B. Detailed Key Findings from the Pre-Election Period

Voter Education/Information

All of CCMG's observers observed voter education/information conducted by the ECZ, however CCMG's observers reported consistently low levels of voter education/information by Civil Society Organizations (CSOs). Local media was observed conducting voter education/information in both constituencies, and CCMG's observers reported some voter education/information targeting women, persons with disabilities, and youth. CCMG also observed voter information/education on COVID-19 mitigation measures in both constituencies.

Election Preparations

CCMG's observers reported that nominations of candidates on 27 August followed all procedures for filing nominations and that the environment in all both constituencies was calm and peaceful throughout the nomination process. CCMG did observe a brief altercation between PF and UPND supporters in the vicinity of the nominations centre in Lukashya, though the swift intervention of police prevented escalation of the incident. However, CCMG noted that insufficient time was allocated by the ECZ for accreditation procedures for the nominations process in Lukashya.



Political Parties Campaign Activities

All of CCMG's observers witnessed or heard of campaign activities in both constituencies by both the Patriotic Front (PF), United Party for National Development (UPND), as well as Leadership Movement Party (LM), National Restoration Party (NAREP), United Prosperous and Peaceful Zambia (UPPZ), Movement for Multiparty Democracy (MMD) and People's Alliance for Change (PAC). CCMG's observers witnessed or heard of police providing security at campaign activities for both the PF and UPND. CCMG notes with concern multiple incidents of party supporters wearing military attire and CCMG calls on all stakeholders to condemn this practice.

Throughout the campaign period, and increasingly in the last week of the campaign, CCMG noted several instances of harassment of party supporters of opposing parties during their campaign activities. Although these situations did not escalate to violence due to intervention from the police, CCMG calls on political parties to refrain from harassment during campaign events and travel throughout the constituencies.

CCMG's observers did not report any government restrictions on campaign activities, or any traditional leaders using their influence to support a party

Politically-Motivated Violence, Use of Hate Speech and Other Electoral Offences

CCMG noted its concern at the widespread use of handouts by political parties throughout the campaign period, with CCMG's observers reporting handouts of food and clothing provided by nearly all contesting political parties providing handouts including food and clothing. CCMG notes that this practice is in contravention of the Electoral Code of Conduct. CCMG did not record any instances of hate speech or buying of voter's cards, however CCMG did report several instances of politically-motivated violence, detailed below under critical incidents.

COVID-19 Prevention Measures

CCMG observed adherence to COVID-19 prevention measures (primarily use of face masks, hand washing) during candidate nominations by the ECZ, as well as voter education/information on COVID-19 mitigation measures. CCMG also observed parties providing COVID-19 supplies to supporters (primarily unbranded face masks and hand sanitizers). CCMG also observed increasing adherence to COVID-19 mitigation measures by political parties during campaign events, including use of face masks and provision of hand washing facilities, however CCMG did report an instance of youth being ferried from outside the constituency in Mwansabombwe by the PF, in contravention of the COVID-19 guidelines.

Pre-Election Critical Incidents

During the pre-election period, CCMG received three (3) critical incident reports, detailed as follows:

On August 27, CCMG recorded a confrontation between PF and UPND cadres in the vicinity of the nominations venue during nominations for Lukashya Constituency in Kasama. The incident occurred as the PF candidate was taking part in the nominations process. In the confrontation, the PF cadres insulted the UPND cadre and threw stones at his vehicle. Police



swiftly intervened and stopped the initial confrontation, as well as a subsequent brief retaliation from UPND cadres. No casualties or arrests were reported.

On September 13, CCMG received a report of disruption of mobile NRC issuance in Lukashya Constituency in Chiba Ward by UPND cadres. During the incident, NRC issuance was suspended and property was destroyed.

On September 16, CCMG received a report of an incident of PF cadres destroying a UPND campaign vehicle in Kasama Central Constituency. Although police were present as the incident took place, they did not respond to the destruction of property. However, police made two arrests later in the day.