



## **Christian Churches Monitoring Group Statement on Observation the 21 October By-Elections: Parliamentary By-Election in Kaumbwe Constituency and Town Council Chairperson By-Elections in Chisamba and Lusangazi Districts**

*22 October 2021*

### **I. Introduction**

The Christian Churches Monitoring Group (CCMG) observed both the pre-election period and election day for the October 21 by-elections held in Kaumbwe Constituency and Chisamba and Lusangazi districts. In the pre-election period, CCMG deployed 17 Long-Term Observers (LTOs) and for election day, CCMG recruited, trained and deployed a total of 194 monitors, one at every polling station in Kaumbwe Constituency and Chisamba and Lusangazi districts. CCMG also deployed 17 ward supervisors who served as mobile monitors on election day throughout the wards. Election day monitors arrived at their assigned polling station at 05:30 hours and remained there throughout the polling station setup and opening, voting, and counting until the official results for the polling station were publicly announced and posted. The objective of CCMG's by-election project was to make the by-elections in Kaumbwe, Chisamba, and Lusangazi **more transparent and more accountable** by providing systematic factual information on the conduct of the process, and **more inclusive** by giving voters the confidence to participate in the electoral process.

### **II. Pre-Election Assessment**

Based on the reports of CCMG's monitors, CCMG notes that the pre-election environment for the three by-elections observed was generally calm. However, despite the Zambia Police providing security to both the PF and the UPND during the campaign period, CCMG monitors reported three incidents of politically-motivated violence in Kaumbwe Constituency perpetrated by UPND members. CCMG monitors also reported an instance of a traditional leader campaigning for a candidate in Kaumbwe Constituency. Additionally, a CCMG monitor reported UPND members using sexist language regarding women candidates. These acts violate the Electoral Code of Conduct and CCMG calls on the Electoral Commission of Zambia (ECZ) and the Police to investigate these and all breaches of the Code. CCMG also calls on UPND, to immediately take disciplinary action against those members responsible for these acts and for all political parties to ensure that members found perpetrating violence or other violations of the Code will face consequences.

CCMG also noted a relatively low level of voter education, particularly targeting women, youth, and persons with disabilities, and CCMG calls on the ECZ, the District Voter Education Committees (DVEC), civil society organisations (CSOs) and the media to increase their efforts in future elections to provide accessible information to all voters, with a particular focus on marginalized groups and including information on COVID-19 mitigation measures.

### **III. Election Day Key Findings**

Based on reports from CCMG's 194 Election Day Monitors and 17 Mobile Election Day Monitors, CCMG finds that the council chairperson by-elections in Chisamba and Lusangazi

and the parliamentary by-elections in Kaumbwe followed the standard procedures for the set-up, voting and counting processes on election day. All but two of CCMG's monitors who deployed to polling stations by 05:30 on 21 October were permitted to observe; however, after follow-up by the CCMG Secretariat with polling station officials the two monitors were ultimately permitted to observe. CCMG notes that all required materials were present at the start of voting and that political party representatives were present in all polling stations. CCMG notes that ECZ officials and stakeholders generally adhered to the COVID-19 protocols, including the use of social distancing in the set up of polling stations (91%) and providing hand washing or sanitizing facilities (95%). These rates are comparable to the rates seen in the 12 August 2021 elections. The use of thermo scanners continues to be low (14%, compared to 14% for the 12 August 2021 elections), and CCMG encourages continued and increased adherence to all COVID-19 mitigation measures set out by the ECZ and Ministry of Health.

At those polling stations where there were voters in the queue at 18hrs, all were given an opportunity to vote. PF party agents were present for the counting of ballot papers at 95% of polling stations while UPND party agents were present for counting at 99% of polling stations. In all the polling stations where there were party agents for PF, UPND and other parties (not PF or UPND) or independent candidates, they all agreed with the results, signed the results forms and each was given a copy. Ballot papers were counted at the polling station 100% of the time. At 100% of polling stations the ballot papers were shown to all party agents and monitors present so they could see how each ballot paper was marked. At 100% of polling stations the ballot papers were sorted into individual piles by candidate. At 100% of polling stations, all of the ballot papers were counted according to ECZ procedures. At 100% of polling stations PF or UPND party agents agreed with the by-election results.

#### **IV. Recommendations and Conclusion**

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

##### ***Electoral Commission of Zambia***

- **Code of Conduct Violations:** CCMG calls on the ECZ to actively investigate the following breaches of the Electoral Code of Conduct which occurred during the two weeks preceding the by-election: 3 incidents of politically-motivated violence, 1 incident of use of gendered/sexist language which undermines the principle of non-discrimination, and an instance of a traditional leader campaigning for a candidate. According to the powers provided in the Electoral Process Act, the ECZ should take action against parties, candidates, and others that violate provisions of the Electoral Process Act. Failure to do so creates an environment of impunity and undermines voter confidence in electoral processes.
- **Accreditation:** CCMG notes that the ECZ's accreditation procedures for election monitors are unnecessarily cumbersome, burdensome and complicated, and continues to recommend that the ECZ revise its accreditation procedures in line with international best practices and regional standards that the ECZ is party to. These include the simplification of the accreditation process; elimination of any requirement to provide the polling station where the monitor is to observe; elimination of the required multiple certified documents/application forms; and the elimination of the need to appear in-person for accreditation. Furthermore, CCMG notes that accreditation procedures continue to be applied unevenly by District Electoral Officers and recommends the

simplification of these procedures and additional training for District Electoral Officers to enhance the transparency of the electoral process.

- **Monitor Access:** Despite being duly accredited, two CCMG monitors were initially not permitted to observe by a presiding officer. CCMG continues to call on the ECZ to strengthen its training of polling officials on the rights of monitors and observers, and to provide a hotline for any observer/monitor accessibility issues on election day.
- **Campaign Schedules:** CCMG noted that the ECZ developed and publicised campaign schedules, as it has done in past by-elections. CCMG observed that the publication of campaign schedules appears to have reduced party clashes at campaign events in past elections and therefore the ECZ should continue to work with political parties and the Zambia Police to develop these schedules, post them on accessible platforms including Facebook and the ECZ webpage, and ensure they are followed throughout the campaign period.
- **COVID-19 Protocols and Polling Officer Training:** CCMG encourages the ECZ to ensure that its officers are properly trained in COVID-19 mitigation measures throughout the set-up and voting processes, including social distancing, which was not maintained at 9% of polling stations during set-up.

### *Political Parties*

- **Campaign Schedules:** CCMG calls on political parties to continue to collaborate with the ECZ and the Police to develop campaign schedules and to circulate these schedules to their campaign teams and supporters. Political parties should adhere to the agreed-upon schedules and ensure that their members refrain from harassing other parties at their campaign events.
- **Political Violence:** Although the general environment was peaceful, CCMG notes with concern the three incidents of politically-motivated violence perpetrated by UPND members in Kaumbwe Constituency, which are detailed in the pre-election critical incidents section below. CCMG condemns these acts and calls on the UPND to immediately conduct internal investigations and disciplinary procedures against the members responsible, cooperate with the Police in their investigations, and uphold peaceful participation in elections. UPND now has a responsibility to lead by example in the political space and must not perpetuate an environment of politically-motivated violence and impunity..
- **Gendered and Sexist Language:** CCMG notes the incident of gendered/sexist language reported by one of CCMG's monitors in Kaumbwe Constituency and calls on political parties to condemn gender discrimination, take steps to support women candidates, and enhance women's meaningful participation at all levels of party structures.
- **COVID-19 Protocols:** CCMG continues to call on political parties to enforce strict adherence to COVID-19 mitigation measures at all their activities, and notes with concern that adherence to these important protocols decreased throughout the campaign period. CCMG recommends that political party campaign teams appoint an official responsible for enforcing COVID-19 mitigation measures and for educating party members on COVID-19 prevention.

### *Zambia Police*

- **Equitable Provision of Security and Response:** CCMG commends the Police for equitably providing security to both the PF and UPND, as well as to other parties, during the campaign period. CCMG calls on the Police to quickly and transparently investigate all allegations of violence and ensure that parties and their supporters are

able to campaign freely and in accordance with the campaign schedule and not face threats or politically-motivated violence.

### ***Civil Society Organizations***

- **Voter Education:** As CCMG monitors documented decreased voter information/education by CSOs during the final week of the campaign, CCMG calls on CSOs to increase and enhance their voter education and information campaigns for future by-elections/electoral processes, particularly those activities targeted to the needs of women, youth, and persons with disabilities. CCMG notes the need to increase sensitization efforts on COVID-19 prevention, including mitigation measures for political and electoral activities by CSOs, in order to enhance compliance by stakeholders participating in electoral processes.

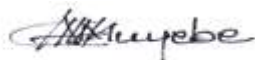
### ***Media***

- **Voter Education and Information:** As monitors reported a relatively low level of voter education and information through media, for future by-elections/electoral processes CCMG calls on local media to increase their efforts to provide citizens with accessible information on electoral processes, including sensitizing the public on adherence to COVID-19 mitigation measures at all times during the electoral process.



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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.

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## Detailed Findings Addendum

### A. Detailed Findings from Election Day

#### *Setup and Opening of Polling Stations*

- 13% of polling stations were open by 06:00 and all polling stations were open by 06:30;
- At 93% of polling stations an agent for PF was present during opening and setup;
- At 98% of polling stations an agent for UPND was present during opening and setup;
- At 71% of polling stations at least one agent for other parties (not PF or UPND) or for an independent candidate 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 had a voters' register, the correct ballot papers, the official stamp/mark, and permanent/indelible ink for marking voters' fingers.

#### *Voting Process*

- At 100% of polling stations election officials stamped ballot papers with the official mark/stamp;
- At 100% of polling stations indelible ink was applied to voters' fingers;
- At 100% of polling stations no one was permitted to vote if they did not have their NRC and Voter's Card with them, if they already had indelible ink on their finger, or if they did not appear in the voters register;
- At 1% of polling stations a few (one to five) eligible voters were turned away and not permitted to vote even though they had their NRC and Voter's Card with them, did not have indelible ink on their finger, and their names were on the voters register;
- At 25% of polling stations a few (one to five) men voted on behalf of an able-bodied woman (not physically disabled); and
- At 6% of polling stations someone (other than polling officials) assisted multiple people to vote.

#### *Counting Process*

- At 100% of polling stations all party polling agents present were permitted to observe the counting of ballot papers;
- At 93% of polling stations there was sufficient light during the counting of ballot papers;
- At 95% of polling stations a representative for PF was present during counting;
- At 99% of polling stations a representative for UPND was present during counting;

- At 77% of polling stations a representative for another party (neither PF or UPND) was present during counting process;
- At 100% of polling stations, polling officials showed the ballot papers to all party representatives so that they could see how each was marked;

#### *Party Agents during Counting Process*

- At 95% of the polling station where PF party agents were present during the counting process, all agreed with the by election results, signed the results forms, and were issued a copy of the form;
- At 99% of the polling stations where UPND agents were present during the counting processes, all agreed with the results, signed the results forms and were issued with a copy of the form; and
- At 85% of polling stations where an agent for other parties (not PF or UPND) or an independent candidate was present during the counting process, all agreed with the results, signed the results forms and were issued with a copy of the form.

#### *Accessibility of Voting for People with Disabilities*

- 46% of polling stations had Braille jackets for blind voters. For the 12 August 2021 elections, 44% of polling stations had Braille jackets.
- At 74% of polling stations, voters had to go up the stairs to reach the polling station. For the 12 August 2021 elections, 48% of polling stations were only accessible using stairs.
- At 99% of polling stations people with disabilities, pregnant women and nursing mothers were allowed to go to the front of the queue. For the 12 August 2021 elections, at 96% 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*

- 95% of polling stations had hand washing/sanitizing facilities. For the 12 August 2021 elections, 95% of polling stations had hand washing/sanitizing facilities.
- At 100% of polling stations ECZ officials were using COVID-19 protective wear, such as masks and sanitizers. For the 12 August 2021 elections, ECZ officials were using COVID-19 protective wear at 99% of polling stations.
- At 91% of polling stations social distancing (1 metre) was maintained between all persons in the set-up for the polling station.
- At 14% of polling stations a thermometer/thermo scanner was used to take the temperature of all persons entering the polling station. Similarly, for the 12 August 2021 elections, 14% of polling stations used a thermometer/thermo scanner to take the temperature of all persons entering the polling station.
- At 5% of polling stations a few people (one to five) and at 1% of polling stations some people (6 to 25) were turned away and not allowed to vote as they did not comply with COVID-19 mitigation measures (including use of face masks and handwashing). For the 12 August 2021 elections, at 12% of polling stations a few people (one to five) were not permitted to vote due to noncompliance with COVID-19 mitigation measures.

#### *Participation of Women*

- Out of an average of 5 ECZ officials in the polling stations, 2 were women;
- 34% of the polling stations had a female security officer; and

- 30% of party representatives for PF were women, 20% for UPND were women, and other parties' representatives were 33% women.

### *Election Day Critical Incidents*

CCMG's monitors reported four critical incidents on election day. In one incident, one of CCMG's monitors were initially denied access to a polling station at Kabanga Primary School in Chisamba despite the monitor being in possession of an accreditation card issued by ECZ. Another incident reported involved a UPND party agent campaigning at Mbaza Community School polling station in Kaumbwe. In the other two incidents, which took place at Mupamapoma Primary School and Kabanga Primary School (both in Chisamba), results were not posted outside the polling station for the public to see.

## **B. Detailed Key Findings from the Pre-Election Period**

### *Voter Education/Information*

Eighty-one percent (81%) of CCMG's monitors reported witnessing or hearing of voter education/information by the ECZ and 44% reported witnessing or hearing of voter education/information by the District Voter Education Committee (DVEC) in the week preceding the election. Voter education/information activities by both CSOs and local media decreased during the week prior to the elections, with 50% of CCMG monitors witnessing or hearing of voter education by CSOs and 31% of the monitors witnessing or hearing of voter education/information by local media during that period.

The CCMG monitors that either witnessed or heard of voter education activities being conducted by different stakeholders reported that voter education/information targeting marginalised groups decreased throughout the campaign period. Only thirty percent (30%) of CCMG monitors reported hearing of or witnessing voter education targeting women, youth or persons with disabilities (PWDs) during the final week of the campaign period.

### *Election Preparations*

A total of 88% of CCMG's monitors reported witnessing or hearing of preparations for the by-elections by the ECZ throughout the pre-election period. These preparations included nominations and accreditation of monitors and party agents.

### *Political Parties Campaign Activities*

CCMG's monitors reported that political parties intensified their campaign activities during the final week before the by-election, with 56% of CCMG's monitors witnessing or hearing of campaign activities conducted by PF, 62% by UPND, and 56% by other parties (not PF or UPND).

CCMG's monitors reported that throughout the campaign period, security was provided by police at 26% of campaign events by PF, 25% of events by UPND and 19% of events by other parties (not PF or UPND) large enough to require a security presence. During the final week of campaigning, CCMG's monitors reported having security being provided by police in 31% of campaign events by PF, 31% of events by UPND and 21% of events by other parties (not PF or UPND).

Throughout the campaign period, 24% of CCMG monitors reported that political parties provided COVID-19 supplies (both branded and unbranded), including face masks and hand sanitisers.

During the campaign period, none of CCMG's monitors witnessed or heard of a political party being prevented from conducting a campaign activity due to COVID-19 mitigation measures, nor any use of any government vehicles for campaign activities. None of the CCMG monitors

witnessed or heard of the use of vehicles without number plates for campaign purposes. CCMG monitors did not report any campaign activities taking place in a prohibited place, or the use of military attire by political party supporters.

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

CCMG notes that there were three instances of politically-motivated violence, as follows:

<b><i>Politically motivated violence: 3 incidents, with UPND as the perpetrator in all 3 incidents. PF was the primary victim in 2 incidents, and the Democratic Party, Socialist Party and PF in 1 incident.</i></b>					
Type	Constituency	Province	Participants/Perpetrators	Targets	Police Action
UPND party members attacked PF members under unclear circumstances in a public space (October 10)	Kaumbwe	Eastern	UPND	PF	Police intervened and made 2 arrests
Suspected UPND members attacked members from other parties (October 17)	Kaumbwe	Eastern	UPND	Democratic Party, Socialist Party, PF	No information on police action available.
Suspected UPND members stoned the vehicle of PF vice president on his way from a radio station (October 18)	Kaumbwe	Eastern	UPND	PF	No information on police action available.

Throughout the campaign period, 14% of CCMG's monitors reported that political parties and an independent candidate distributed handouts:

Type	Constituency	Province	Perpetrator	Handouts
The UPND candidate distributed branded party regalia	Chisamba	Central	UPND	Branded party regalia
The DP candidate distributed food items to supporters	Msanzala	Eastern	Democratic Party	Food items



The PF candidate distributed handouts to party supporters	Msanzala	Eastern	PF	Branded party regalia, food items, other goods
The independent candidate distributed branded regalia to supporters	Kaumbwe	Eastern	Independent	Branded regalia

None of CCMG's monitors heard of instances of intimidation or harassment of a candidate or his/her supporters. None of the CCMG monitors reported cases of use of language which is inflammatory, defamatory, or insulting or which constitutes incitements to public disorder, insurrection, hate, or violence or war. However, one monitor in Kaumbwe Constituency reported an incident of gendered or sexist language, which is detailed below under pre-election critical incidents. None of CCMG's monitors reported incidents where a party supporter or voter was sexually assaulted for political motives. None of the CCMG monitors either heard of or witnessed any instances of parties arming their supporters.

#### *Offenses Against Marginalised Groups*

No CCMG monitors reported the use of threats or harassment against women candidates. However, one monitor reported the use of gender stereotypes/sexist language by political parties/candidates in Kaumbwe Constituency, as detailed in the pre-election critical incidents section.

#### *General Electoral Environment*

None of CCMG's monitors witnessed or heard of distribution of goods by the Disaster Management and Mitigation Unit (DMMU). However, one CCMG monitor reported an instance of a traditional leader using his influence to support an independent candidate as detailed in the critical incidents section. None of the CCMG monitors heard of disruptions of campaign activities or any government restrictions on campaigns.

#### *COVID-19 Preventive Measures*

A total of 65% of CCMG's monitors reported witnessing or hearing of voter education/information on COVID-19 mitigation measures for the by-elections, including the use of face masks, hand washing, and social distancing.

#### *Pre-Election Critical Incidents - 5 incidents*

During the pre-election period, CCMG received three critical incident reports, as detailed below. Two additional critical incidents involving politically-motivated violence in Kaumbwe were reported by the ECZ and the media and are detailed below.:

#### *Politically-Motivated Violence (3 incidents)*

- On 10 October, a CCMG monitor in Kaumbwe Constituency heard of an incident where UPND members violently attacked and injured PF members under unclear circumstances. An unknown number of PF members were injured. Police intervened and two UPND members were arrested.
- On 17 October, in Kaumbwe Constituency, suspected UPND members attacked members of the Socialist Party, and Democratic Party, as reported by the ECZ and media. No further details were available.

- On 18 October, suspected UPND members stoned the vehicle of the PF vice president as it left a radio station in Petauke District, as reported by the ECZ and media. No further details were available.

*Gendered or Sexist Language (1 incident)*

- On 13 October, a CCMG monitor in Kaumbwe Constituency heard of an incident where UPND party members, while conducting their campaign activities, claimed that only men were fit to be leaders in the area and discouraged people from voting for women leaders.

*Inappropriate Campaigning for Candidates (1 incident)*

- On 13 October, a CCMG monitor in Kaumbwe Constituency heard of an incident where a local chief openly campaigned for an independent candidate.