



**Christian Churches Monitoring Group Statement on Observation of the 20 April  
Councillor By-Election in Chililabombwe and Serenje District  
For Immediate Release  
24 April 2023**

### **I. Introduction**

Article 57 (1) of the Constitution of Zambia provides for a mechanism to fill any vacancy created in the office of a Member of Parliament, Mayor, Council Chairperson and provides ninety (90) days as a period within which a by-election shall be held. In compliance with this provision, the Electoral Commission of Zambia (ECZ) set 20 April 2023 as the date for the by-elections in Chililabombwe and Serenje Districts.

CCMG recruited, trained and deployed two (2) Long-Term Observers to observe the pre-election environment in Chitimukulu Ward in Chililabombwe and Muchinda Ward in Serenje Districts. For election day, CCMG recruited, trained and deployed eleven (11) election day monitors, stationed in 2 (two) polling stations of Chitimukulu Ward and nine (9) polling stations of Muchinda ward. CCMG's Long-Term Observers were also deployed as roving monitors on election day to provide support to their election day monitors, and to report on any critical incidents they witnessed or heard of during the observation. CCMG's election day monitors arrived at their assigned polling stations by 05:30 hours and remained there to observe the polling station setup and opening, voting, counting until the official announcement of the Councillor results. The objective of CCMG's by-election project was to contribute to enhanced **transparency and accountability** of the by-elections by providing systematic and factual information on the conduct of the electoral process, and **inclusion** by giving voters the confidence to participate in the electoral process.

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

Despite the electoral environment being generally calm and peaceful, CCMG noted with great concern isolated incidents of violence in Muchinda Ward of Serenje District where on 8th April 2023 it was reported that UPND supporters allegedly attacked the Socialist Party President Dr Fred Mmembe and his party supporters at a campaign rally in Mulilima village in Muchinda. It was also alleged that Dr Fred M'membe used a firearm in public and assaulted UPND members. In another related incident, a CCMG monitor reported that on 9th April 2023, UPND supporters stormed and attacked the Socialist Party constituency office in Mulilima Village in Muchinda Ward where they made away with campaign materials belonging to the party. Additionally, on 19th April, a CCMG LTO reported having heard that the UPND cadres clashed with Socialist Party cadres around 01:00 hrs whom they suspected of bribing potential voters with money and mealie meal after three (3) bags of mealie meal were found in the Socialist Party campaign vehicle in X residential area of Chitimukulu Ward. The UPND cadres apprehended five (5) (two Kitwe and three Chililabombwe residents) suspected Socialist party

cadres and took them to Chililabombwe Central Police station. The Socialist party cadres were later released. Such acts could undermine the credibility and integrity of the election and both the Electoral Commission of Zambia and the Zambia Police Service must act more decisively and within the law to immediately address misconduct by political parties and their candidates and supporters, as was recommended in our statement released on 12 April 2023.

### III. Election Day Key Findings

Based on reports from CCMG’s 11 Election Day Monitors and 2 Long-Term Observers, CCMG finds that both the Chitimukulu and Muchinda Councillor by elections followed the standard procedures for the set-up and opening, voting and counting processes. All of CCMG’s monitors were permitted to monitor. At 100% of the polling stations, polling officials checked the fingers of potential voters for indelible ink before voting and marked the voters’ fingers/thumbs with indelible ink before voting. At 100% of polling stations, no one voted without the requisite documents (NRC and voter ID) or had ink on their finger prior to voting. CCMG further noted that 27% of polling stations did not have Braille Jackets for blind voters while all other required materials were present at the start of voting.

At polling stations with voters in the queue at 18:00 hours, all were given an opportunity to vote. PF and UPND party agents were present for counting at 100% of polling stations and at 91% of polling stations, polling agents for other parties (not PF or UPND) were present for counting. The party/candidates’ agents present in polling stations all agreed with the results, signed the results forms and each was given a copy. At all polling stations, ballot papers were counted at the polling station where they were cast; all ballot papers were shown to all party agents and monitors present so they could see how each ballot paper was marked; all ballot papers were sorted into individual piles by candidate. At 91% of polling stations, official results were posted outside for the public to see, however, the results were not posted at Mulilima Primary School-02 in Muchinga Ward, Serenje District.

### CCMG Results Verification

The table below shows the comparison between the ECZ official results and the CCMG results.

<b>Comparison of the ECZ official results with CCMG Estimates for the Chitimukulu, Chililabombwe District, Councillor By-Election</b>						
<b>Candidate Name</b>	<b>Political Party</b>	<b>ECZ Results</b>	<b>%ECZ Results</b>	<b>CCMG Results</b>	<b>% CCMG Results</b>	<b>Match?</b>
Solomon Banda	UPND	501	58.9%	501	58.9%	YES
Kamwilila Lumbala	CFP	11	1.3%	11	1.3%	YES

Luapula Ruth	SP	73	8.6%	73	8.6%	YES
Maliseni Malwa	LM	11	1.3%	11	1.3%	YES
Mwape Donald	PF	251	29.5%	251	29.5%	YES

In addition, CCMG estimates the rejected ballots at 0.4%. The turnout for the by-election for both ECZ official results and CCMG results is 59.9%.

<b>Comparison of the ECZ official results with CCMG Estimates for the Muchinda Councillor By-Election</b>						
<b>Candidate Name</b>	<b>Political Party</b>	<b>ECZ Results</b>	<b>%ECZ Results</b>	<b>CCMG Results</b>	<b>% CCMG Results</b>	<b>Match?</b>
Chikubula Mike	PF	241	10.3%	241	10.3%	YES
Kaonga Wezi	LM	22	0.9%	22	0.9%	YES
Kunda Rodwell	SP	817	34.4%	817	34.4%	YES
Phiri Thomas	UPND	1291	54.4%	1291	54.4%	YES

In addition, CCMG estimates the rejected ballots at 1.8%. The turnout for the by-election for both ECZ official results and CCMG results is 48.7%.

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

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

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

- **Code of Conduct Violations - Violence and Insulting Language:** CCMG noted with great concern isolated incidents of violence in Muchinda Ward of Serenje District involving UPND and Socialist party supporters. CCMG recommends that the ECZ effectively enforce the electoral code of conduct by sanctioning those violating the code through disqualification and others sanctions as provided for in the law.

- **Campaign Schedules:** We commend the ECZ for sharing a detailed and well-timed campaign schedule in both Chitimukulu and Muchinda wards ahead of the by elections. We call on political parties/candidates to ensure strict adherence to campaign schedules, and on the ECZ to ensure strict enforcement of the same.
- **Monitor Access:** CCMG noted marked improvements on understanding of access requirements for monitors/observers by polling officials and commends ECZ for improved training of officials for this by-election. However, CCMG continues to urge the ECZ to adopt accreditation best practices as submitted by a consortium of CSOs in February 2022 to ensure the right of observers to monitor electoral processes is not restricted.
- **Disaggregated Data:** CCMG urges ECZ to provide more disaggregated data (gender, age and disability) of validly nominated candidates for future elections.
- **Accessible Polling Stations:** ECZ should take practical steps towards full implementation of the 2011 High Court Judgement of Sarah Brotherton vs ECZ in order to make elections more accessible to persons with disabilities. CCMG observed that in all polling stations, voters had to use steps to reach the polling station making it difficult for those using wheelchairs to independently access the polling station.

#### *Political Parties*

- **Candidate Nomination and Participation of Women, Youth and PWDs:** CCMG noted adherence to nomination procedures by both ECZ and aspiring candidates. CCMG commends the Socialist Party for adopting a female candidate for the Chitimukulu Councillor by-election. However, CCMG still notes the general low participation of women, youth and persons with disabilities as candidates and calls on political parties to take deliberate steps towards adopting women, youth and PWDs in future elections in order to enhance their participation in politics.

#### *Zambia Police*

- **Equitable Provision of Security and Response:** We encourage the Zambia Police to continue providing equitable security to all political parties during campaigns and apply the law in a manner that demonstrates it is politically neutral.
- CCMG urges the police to take action against individuals involved in acts of violence by arresting and prosecuting perpetrators through the full process of the law

#### *Civil Society Organisations*

- **Voter Education:** CCMG commends civil society organisations' efforts towards providing voter education in this election and urges CSOs to enhance their efforts in this regard in future elections.

#### *Media*

- **Voter Education and Information:** While the media plays a critical role in shaping opinions of society, CCMG urges the media to remain politically neutral and to always verify information to avoid misinformation and disinformation particularly in the

context of elections. CCMG further urges local and national media to enhance their voter education/information activities during election periods to facilitate increased citizen engagement.

### **Conclusion**

While the electoral environment leading to the by-elections was generally calm and peaceful, CCMG noted with concern serious incidents of violence in Muchinda ward of Serenje district, which if left unchecked, may not only undermine the credibility of the by-elections but also have the potential to stir instability. Our appeal goes to all political parties to restrain their supporters by taking practical steps in educating their members on the Electoral Code of Conduct and to expel any party members perpetrating violence and any violations of the Code, and party presidents and leadership should be quick to condemn any violent actions of their own supporters. Going forward, it is our expectation that the Electoral Commission of Zambia will take time to reflect on the many violations of the Electoral Code of Conduct by political parties without any sanctions thus far. This is an opportunity for the Commission to call for electoral reforms both legislative and administrative in order to address many underlying challenges with electoral management. Further, ECZ should take practical steps towards full implementation of the 2011 High Court Judgement of Sarah Brotherton vs ECZ in order to make elections more accessible to persons with disabilities. CCMG observed that in all polling stations, voters had to use steps to reach the polling station making it difficult for those using wheelchairs to independently access the polling station.

Furthermore, CCMG calls on the Zambia Police, Anti-Corruption Commission, and other relevant law enforcement agencies to act immediately to thoroughly investigate all reports of violence, intimidation and vote buying and arrest perpetrators irrespective of their political affiliation. CCMG commends the voters who exercised their democratic rights in the 20 April by-elections. Finally, we thank our 2 LTOs who worked tirelessly to document events leading up to the poll and the 11 election day monitors who deployed to their polling stations at 05:30 and remained there until the announcement of the Councillor results.

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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 Conference of Catholic Bishops (ZCCB), 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*

- All 100%, of the polling stations opened between 6h00 and 06h30;
- At 91% of polling stations, an agent for PF was present; at 100% of polling stations an agent for UPND was present; at 100% of polling stations an agent for SP was present, while at 91% of polling stations, an agent representing other parties, not PF or UPND, was present during opening and setup.
- At 100% of polling stations, a security officer was present during opening and setup; the ballot box was shown to be empty before being closed and sealed at the polling station; and had a voters' register, the correct ballot papers, the official stamp/mark, and permanent/indelible ink for marking voters' fingers.

#### *Voting Process*

- At 64% of the polling stations, all potential voters in the queue by 1800 hrs were given an opportunity to vote, while in 36% there was no one in line at close of voting hours at 1800 hrs.
- At 91% of polling stations a few (one to five) men voted on behalf of an able-bodied woman (not physically disabled);
- 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 100% 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; and
- At 100% of polling stations, no one (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 100% of polling stations there was sufficient light during the counting of ballot papers;
- At 100% of polling stations, polling officials showed the ballot papers to all party representatives so that they could see how each was marked;
- At 100% of the polling stations, there were no incidents of violence or harassment, and intimidation to both polling officials, party agents, voters or monitors.

#### *Party Agents during Counting Process*

- At 100% of polling stations a representative for PF was present during counting;
- At 100% of polling stations a representative for UPND was present during counting;

- At 91% of polling stations a representative for LM or SP party was present during counting;
- At 100% of the polling stations where PF 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;
- At 100% 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 100% of the polling stations where party 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;

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

- 73% of polling stations had Braille jackets for blind voters.
- At 100% of polling stations, voters had to use steps to reach the polling station.
- At 100% of polling stations, people with disabilities, pregnant women and nursing mothers were allowed to go to the front of the queue.

#### *Participation of Women*

- There was an average of 6 ECZ officials in the polling stations, and 3 were women; in addition, 36% of the presiding officers were women.
- 27% of the polling stations had a female security officer; and,
- 30% of party representatives for PF were women, 18% of party representatives for UPND were women, and other parties' (LM and SP) representatives were 40% women.

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

#### *Voter Education/Information*

CCMG's monitors reported witnessing or hearing of voter education targeting women, youth, and persons with disabilities, in varying degrees with 63% of monitors citing voter information/education activities aimed at youth, 58% aimed at women, and 11% reporting aimed at persons with disabilities. 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 persons with disabilities, given the low number of voter education/information activities aimed at that group in this election.

#### *Election Preparations*

96% of CCMG's Long-Term Observers reported having witnessed or heard of election preparations by the ECZ, while 74% reported having witnessed or heard of training of ECZ officials with activities, peaking in the last week to the by-election.

### **D. Critical Incidents**

Critical incidents are incidents that are serious in nature and which are reported immediately by CCMG observers and on which there is follow-up and verification of all available details.



CCMG received and confirmed three (3) critical incident reports in the pre-election period as follows:

- On 8<sup>th</sup> April 2023 CCMG LTO in Muchinda ward reported having heard of two incidents of violence. In the first incident, UPND supporters allegedly attacked the Socialist Party President Dr. Fred M'membe and his party supporters at a campaign rally in Mulilima village in Muchinda. It was also reported that Dr. Fred M'membe, President of the Socialist Party used a firearm in public and assaulted UPND members.
- In another related incident, CCMG LTO reported that on 9th April 2023 UPND supporters stormed and attacked the Socialist Party constituency office in Mulilima Village in Muchinda ward where they made away with campaign materials belonging to the Socialist Party.
- CCMG LTO on 19th April reported having heard that the UPND cadres clashed with Socialist party cadres around 01:00 hrs whom they suspected were bribing potential voters with money and mealie meal (about 3 bags) which they found in the campaign vehicle in X residential area. The UPND cadres apprehended 5 (2 came from Kitwe and 3 are Chililabombwe residents) suspected Socialist party cadres who they took to Chililabombwe Central Police station. The Socialist party cadres were then later released. The Police were not present at the scene.