



CCMG Statement on the Conduct of Voting and Counting for the Eight (8) Ward By-Elections Held on 2 May 2024

7 May 2024

I. Introduction

The Electoral Commission of Zambia (ECZ) designated 2 May 2024 as the Election Day for the Luangwa Ward, Chama District of Eastern Province, Munwa Ward, Chienge District of Luapula Province, Kaunga Ward, Luangwa District of Lusaka Province, Kaela Ward, Lupososhi District of Northern Province, Chikenge Ward, Kabompo District of North-Western Province, Malala Ward, Chikankata District of Southern Province, Luumbo and Chisanga Wards, Gwembe District of Southern Province, and Ndanda Ward, Limulunga District of Western Province By-elections. In Chisanga Ward, only one candidate (UPND) successfully filed their nomination and was declared duly elected, having been unopposed. As part of its electoral process observation effort, the Christian Churches Monitoring Group (CCMG) deployed nine (9) (one observer for each ward) long-term observers (LTOs) to observe the general political environment before Election Day.

For Election Day, CCMG recruited, trained, and deployed thirty-nine (39) monitors including thirty-one (31) Process and Results Verification for Transparency (PRVT) Monitors, to each polling station in Munwa (3 monitors), Kaunga (3 monitors), Luangwa (4 monitors), Chikenge (3 monitors), Kaela (3 monitors), Malala (5 Observers), Luumbo (6 monitors), and Ndanda Ward (5 monitors). CCMG also deployed eight (8) Ward Supervisors who served as mobile observers throughout the wards. PRVT Monitors arrived at their assigned polling stations at 05:30 hours and remained there throughout the polling station setup, voting, and counting until the polling station official results were publicly announced and posted.

The objective of CCMG's PRVT in the by-elections was to **enhance transparency** by providing systematic factual information on the conduct of the electoral process; **improve accountability** by independently verifying the accuracy of the official results as announced by the ECZ and **promote inclusivity** by giving voters the confidence to participate in the electoral processes.

II. Pre-Election Assessment

a) Nominations

CCMG noted with great concern reports of harassment and intimidation during the nomination process, including political violence and harassment. As noted in CCMG's statement on nominations, these incidents included the harassment of ECZ officials by suspected UPND members in Kaunga Ward (Luangwa District, Lusaka Province). In the same ward, another

incident involved the abduction and attempted blocking of a Socialist Party candidate from filing their nomination in Kaunga Ward. In addition, political violence by suspected UPND members in Luumbo Ward (Gweembe District, Southern Province) against the Socialist Party (SP) candidate led to the replacement of the candidate, and in Chisanga Ward (Gweembe District, Southern Province) politically motivated violence by suspected UPND members prevented the Socialist Party from filing in nomination, hence the UPND candidate was declared unopposed.

b) Campaign Period

Voter Education

LTOs reported having witnessed or heard of voter education activities (VEA) being conducted by ECZ through its Voter Education Facilitators, District Voter Education Committee (DVEC), and media in all wards. LTOs in Luangwa Ward and Luumbo Wards reported witnessing or hearing of VEA conducted by civil society and faith-based organisations (CSOs/FBOs); LTOs in Kaela, Kaunga and Luumbo Wards reported VEA targeted at youth; LTOS in Kaela, Kaunga, Luumbo, and Ndanda Wards reported witnessing or hearing of VEA targeted at women; and LTOs in Kaela and Luumbo Wards reported witnessing or hearing of VEA targeted at persons with disabilities.

General Political Environment

LTOs in three (3) wards reported incidents of issuance of handouts as an inducement to support candidates: in Kaunga Ward, the LTO reported having heard of the UPND candidate offering a cow to people in the ward; in Luangwa Ward the LTO reported that sweets were given out to men, women, and children by suspected UPND members during a campaign activity; and in Munwa Ward the LTO reported that foodstuffs and cash were given out by suspected UPND members.

In Munwa Ward, the LTO reported an incident where youths from the 14 wards of Chiengi District were ferried to drum up support in the ward by UPND members. The LTO reported the use of government vehicles for UPND party campaign activities by the Minister of Youth, Sport, and Art. The LTO also reported incidents where UPND supporters collected Voter ID numbers from voters, and that money and UPND-branded foodstuffs were distributed in a campaign activity.

LTOs in Luangwa and Luumbo Wards reported police officers providing security during a campaign activity organised by the UPND party. LTOs in Kaunga, Luangwa, Luumbo and Malala Wards reported that there was police presence during campaign activities by other parties. CCMG's LTOs did not report any incidents of disruption or cancellation of campaign events or meetings reported, or any incidents of violence during the campaign activities.

III. Election Day Key Findings

Based on reports from CCMG's 31 Election Day Monitors and 8 LTOs, CCMG finds that the eight ward by-elections followed the national and regional standard procedures for the set-up, voting, and counting processes. While all CCMG's monitors were permitted to observe, CCMG is concerned about a lack of understanding by ECZ officials of monitor access and accreditation. ECZ officials at the Nalwei Rural Health Center Polling Station in Malala Ward requested that the monitor provide a "civic centre form" despite the monitor presenting their accreditation credentials provided by the ECZ, in line with the Electoral Process Act.

At 100% of polling stations, polling officials checked the fingers of 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 presenting their NRC and voter ID, and no one was permitted to vote who had ink on their finger. CCMG notes that 61% of polling stations did not have Braille Jackets for blind voters while all other required materials were present at the start of voting.

At those polling stations where there were voters in the queue at 18hrs, 100% were allowed to vote. UPND party agents were present for counting at 100% of polling stations. Additionally, in 94% of polling stations, party agents representing SP party were present and in 65% of polling stations, party agents representing other parties/candidates (not SP or UPND) were present for the counting process. At 100% of the polling stations that had party/candidate agents present, party/candidate's agents 100% agreed with the results, signed the results forms and was given a copy; at 100% of polling stations 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 ballot papers were sorted into individual piles by the candidate. At 100% of polling stations, official results were posted at the polling station for the public to see.

CCMG Results Verification

Munwa Ward - Chiengwe District of Luapula Province

CCMG deployed three monitors to observe the three polling stations in the ward. The table below shows the comparison between the ECZ official results and the CCMG results.

Comparison of the ECZ Official Results with CCMG Estimates for Munwa Ward By-Election					
Candidate Name	Political Party	ECZ Results	%ECZ Results	% CCMG Results	Match?
CHEFU, Famous	UPND	968	80.3%	80.3%	Yes
KALENGA, Lewis	Socialist Party	174	14.4%	14.4%	Yes
CHISHALA, Elias	Christian Democracy	56	4.6%	4.6%	Yes
TELELA, Oasis	Leadership Movement	7	0.6%	0.6%	Yes

In addition, the ECZ's total number of rejected ballots is 1.9% while CCMG's is also 1.9%. CCMG's estimate for turnout matches the ECZ at 50.3%.

Kaunga Ward - Luangwa District of Lusaka Province

CCMG deployed three monitors to observe the three polling stations in the ward. The table below shows the comparison between the ECZ official results and the CCMG results.

Comparison of the ECZ Official Results with CCMG Estimates for Kaunga Ward By-Election					
Candidate Name	Political Party	ECZ Results	%ECZ Results	% CCMG Results	Match?
TEMBO, Henry	UPND	184	48.0%	48.0%	Yes
MWALE, Maneya	Socialist Party	108	28.2%	28.2%	Yes
MUSONDA, Armstrong	Citizens First	82	21.4%	21.4%	Yes
KABASO, Samson	Independent	9	2.3%	2.3%	Yes
MUMBA, Geoffrey	Leadership Movement	0	0.0%	0.0%	Yes

In addition, the ECZ's total number of rejected ballots is 3.3% while CCMG's is also 3.3%. CCMG's estimate for turnout matches the ECZ at 65.7%.

Luangwa Ward - Chama District of Eastern Province

CCMG deployed four monitors to observe the four polling stations in the ward. The table below shows the comparison between the ECZ official results and the CCMG results.

Comparison of the ECZ Official Results with CCMG Estimates for Luangwa Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Results	Match?
KALUBA, Sahani	UPND	488	53.3%	53.3%	Yes
SICHONE, Watson	Citizens First	273	29.8%	29.8%	Yes
SIBALE, Simmy	Socialist Party	140	15.2%	15.2%	Yes
PHIRI, Masau	Leadership Movement	15	1.7%	1.7%	Yes

In addition, the ECZ's total number of rejected ballots is 1.5% while CCMG's is also 1.5%. CCMG's estimate for turnout matches the ECZ at 66.2%.

Chikenge Ward - Kabompo District of North-Western Province

CCMG deployed three monitors to observe the three polling stations in the ward. The table below shows the comparison between the ECZ official results and the CCMG results.

Comparison of the ECZ Official Results with CCMG Estimates for Chikenge Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Results	Match?
MUKUMBI, Ndonji	UPND	512	98.1%	98.1%	Yes
PHIRI, Jameson	Leadership Movement	10	1.9%	1.9%	Yes

In addition, the ECZ's total number of rejected ballots is 0.4% while CCMG's is also 0.4%. CCMG's estimate for turnout matches the ECZ at 45.7%.

Kaela Ward - Lupososhi District of Northern Province

CCMG deployed three monitors to observe the three polling stations in the ward. The table below shows the comparison between the ECZ official results and the CCMG results.

Comparison of the ECZ Official Results with CCMG Estimates for Kaela Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Results	Match?
MPUNDU, Effort	UPND	330	53.7%	53.7%	Yes
CHALWE, Rodgers	Socialist Party	230	37.5%	37.5%	Yes
KANDEKE, Isiah	Independent	34	3.3%	3.3%	Yes
BULANDI, John	Leadership Movement	20	3.3%	3.3%	Yes

In addition, the ECZ's total number of rejected ballots is 2.2% while CCMG's is also 2.2%. CCMG's estimate for turnout matches the ECZ at 71.2%.

Luumbo Ward - Gweembe District of Southern Province

CCMG deployed six monitors to observe the six polling stations in the ward. The table below shows the comparison between the ECZ official results and the CCMG results.

Comparison of the ECZ Official Results with CCMG Estimates for Luumbo Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Results	Match?
NDOONGO, Chidila	UPND	949	70.5%	70.5%	Yes
MUNDANDO, Goldwin	Socialist Party	286	21.2%	21.2%	Yes
MWIINGA, Dibinti	Golden Party of Zambia	111	8.2%	8.2%	Yes

In addition, the ECZ's total number of rejected ballots is 0.4% while CCMG's is also 0.4%. CCMG's estimate for turnout matches the ECZ at 53.3%.

Malala Ward - Chikankata District of Southern Province

CCMG deployed five monitors to observe the five polling stations in the ward. The table below shows the comparison between the ECZ official results and the CCMG results.

Comparison of the ECZ Official Results with CCMG Estimates for Malala Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Results	Match?
HAMOONGA, Chris	UPND	1,049	92.3%	92.3%	Yes
HACHISIBIKE, Bigbrain	Socialist Party	42	3.7%	3.7%	Yes
MWEEMBA, Brian	Leadership Movement	32	2.8%	2.8%	Yes
MWANAMAKON DO, Davies	New Heritage Party	14	1.2%	1.2%	Yes

In addition, the ECZ's total number of rejected ballots is 0.4% while CCMG's is also 0.4%. CCMG's estimate for turnout matches the ECZ at 48.8%.

Ndanda Ward - Limulunga District of Western Province

CCMG deployed five monitors to observe the five polling stations in the ward. The table below shows the comparison between the ECZ official results and the CCMG results.

Comparison of the ECZ Official Results with CCMG Estimates for Ndanda Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Results	Match?
MILIMO, Sindanyambe	UPND	880	78.6%	78.6%	Yes
KANYIMA, Likumbi	Socialist Party	240	21.4%	21.4%	Yes

In addition, the ECZ's total number of rejected ballots is 0.4% while CCMG's is also 0.4%. CCMG's estimate for turnout matches the ECZ at 65.9%.

IV. Recommendations

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

Electoral Commission of Zambia

- **Electoral Code of Conduct Violations:** CCMG's LTOs observed multiple incidents of violations of the Electoral Code of Conduct. All stakeholders engaging in the electoral processes, including political parties and their members, are bound by the Electoral Code of Conduct and the ECZ is mandated to sanction those found in violation of the Code. CCMG reports the following violations: use of handouts as inducements to support particular candidates with one involving the Minister of Youth, Sport, and Art. These acts by the Minister are a violation of paragraph 3 (1) (b) and paragraphs 15 (h), (k), and (l) of the Electoral Code of Conduct. CCMG calls on the ECZ to investigate these violations swiftly and transparently in line with paragraph 3 (1) (b) of the Electoral Code of Conduct which places a duty on the Commission to ensure that political parties do not use state resources to campaign for the benefit of any political party or candidate. The CCMG observer in Munwa Ward reported hearing of UPND supporters collecting NRC numbers from voters in the ward. CCMG urges the ECZ to enhance its efforts in the enforcement of the electoral code of conduct, with the Zambian Police, to enhance the integrity of elections. CCMG reported additional violations during nominations, as detailed below.
- **Accreditation:** All of CCMG's observers were accredited by the ECZ, however, in Malala Ward, Chikankata District, accreditation was suspended for some time due to depletion of accreditation materials in some wards. CCMG urges ECZ to ensure there are adequate materials before the accreditation processes.

- **Nominations:** CCMG’s observers reported incidents of politically motivated violence and harassment including harassment of ECZ officials and blocking of a candidate from filing their nomination by suspected UPND members in Kaunga Ward (Luangwa District, Lusaka Province). These acts represent violations of the Electoral Code of Conduct and preventing a candidate from filing his or her nomination is a violation of Section 83 (2) of the Electoral Process Act which states that “*a person shall not prevent another person from exercising a right conferred by this Act*”. Therefore, ECZ and Zambia Police should proactively address these issues regardless of whether they take place at the designated nomination centre or at any point in a candidate’s attempt to file his or her nomination.
- **Monitor/Observer Access:** CCMG noted with concern a continued lack of understanding of access requirements for monitors at the Nalwei Rural Health Center polling station in Ndanda Ward Limulunga District of Western Province. In this instance, the CCMG monitor was asked to produce a signed civic centre form despite the monitor having produced their accreditation card. According to the Electoral Process Act No. 35 of 2016 and as amended in 2019, ECZ issues accreditation to monitors/observers and party agents to grant them access to polling stations without any other requirements.
- **Inclusion for People with Disabilities:** CCMG calls on the ECZ to enhance access to polling stations for people with disabilities by providing ramps. CCMG monitors reported that in 42% of polling stations, voters had to go up some steps to reach the polling station. The ECZ should take steps towards implementing the 2011 Sela Brotherton vs the ECZ case Judgement to provide reasonable accommodation for people with disabilities.

Political Parties

- **Candidate Nomination and Participation of Women, Youth and PWDs:** CCMG noted adherence to nomination procedures by both ECZ and aspiring candidates, however, CCMG remains concerned with the lack of participation of women in the by-elections. Of 28 candidates in the by-elections, only one candidate is a woman. We call on political parties to take concrete steps to create an enabling environment for the participation of women in future elections as both candidates and voters.
- **Inducement of Voters:** CCMG’s LTOs reported that there were several incidents of handouts as inducement to support a candidate. All these incidents were perpetrated by alleged UPND supporters reported during the campaign period. CCMG calls on UPND party leadership to condemn and cease these acts by its supporters, which are prohibited in the Electoral Code of Conduct and to refrain from interfering with the electoral processes by using inducements.
- **Prevention of Candidates from Filing Nominations:** In Kaunga Ward (Luangwa District, Lusaka Province), the Socialist Party candidate (female, youth) was allegedly abducted by suspected UPND members when the Socialist Party candidate was in transit from the civic centre with her Affidavit to file her nomination. CCMG calls on

the UPND party leadership and members to cease from such acts, as they abrogate both the Electoral Code of Conduct and human rights.

Zambia Police

- **Provision of Security and Investigation of Incidents:** CCMG LTOs reported a generally calm campaign and election day environment with Zambia Police reported to have provided security at campaign events in Luangwa, Luumbo, Kaunga, and Malala Wards. However, several lapses in security responses during the nomination process were observed in Chisanga, Luumbo and Kaunga Wards. The Zambia Police should provide security for all electoral processes and campaign activities for both the ruling party and opposition and ensure swift response to reports of violence or other criminal activities, and work closely with the ECZ on enforcement of the electoral code of conduct regardless of the political affiliation of the victim or perpetrator. CCMG calls on the police to impartially, swiftly and transparently in their work on electoral and political processes.

Secretary to Cabinet

- **Leave for Ministers Appointed as Campaign Managers:** Appointing campaign managers for any campaign is the right of any political party/candidate, however, CCMG expects that where a Minister is appointed as a campaign manager, they will take unpaid leave as they will be performing their party functions and not official duties. CCMG expects that the Secretary to Cabinet will ensure that Ministers on campaign duty will be given leave and that they will not draw a salary during the period. By doing so, the Secretary to Cabinet will be ensuring compliance with Paragraph 3 (1) (b) of the Electoral Code of Conduct. CCMG urges the ECZ to equally enforce Paragraph 3 (1) (b) of the Electoral Code of Conduct as not doing so will be neglecting the duties assigned to the Commission in the Electoral Code of Conduct. CCMG calls on the Secretary to the Cabinet to make public proof of unpaid leave for all Ministers involved in the campaigns.

Civil Society Organisations

- **Voter Education:** Civil society/faith-based organisations (CSOs/FBOs) should play a critical role in providing civic and voter education aimed at enhancing the participation of citizens specifically targeting youth, women, and people with disabilities. CCMG urges CSOs to step up their efforts and collaborate with local media in future elections for increased voter turnout and to help ensure informed voting.

Media

- **Voter Education and Information:** CCMG calls upon the media to collaborate with ECZ and local CSOs in future elections to provide a platform for voter education. Similarly, CCMG calls on the media to consider using their platforms to raise awareness to citizens on the electoral code of conduct and its violations during electoral activities before, during and after elections.

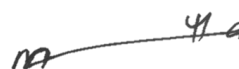
Conclusion

While the pre-election period remained calm and peaceful, CCMG is concerned about the growing trend of harassment of opposition candidates during the nomination process, including extreme instances in which candidates are prevented from filing their nomination. CCMG notes with concern the harassment of an ECZ official in Kaunga Ward, Lusaka Province and the use of insulting and derogatory language by the Lusaka Province Youth Chairperson and other UPND members towards an opposition candidate. Preventing a candidate from filing his or her nomination is a violation of Section 83 (2) of the Electoral Process Act which states that “*a person shall not prevent another person from exercising a right conferred by this Act*”, CCMG calls on the ECZ and Zambia Police to proactively address these issues regardless of whether they take place at the designated nomination centres or at any point in a candidate’s attempt to file his or her nomination. CCMG urges ECZ to strictly, transparently, impartially, and swiftly enforce the Electoral Code of Conduct and sanction those parties and individuals responsible for violating the Code.

CCMG recognizes the ECZ poll staff for successful elections in all the wards and congratulates voters for turning out in numbers as evidenced by the record high turnout in Kaela Ward with 71.2%. CCMG thanks all its LTOs, Election Day Monitors, data clerks, the Provincial Coordinators, and the Steering Committee for their work and dedication to promoting transparency and integrity in the electoral process.



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Detailed Findings Addendum

A. Detailed Findings from Election Day

Setup and Opening of Polling Stations

- 100% of the polling stations were open by 06:30. Thirteen percent of polling stations opened by 06:00 and 87% of polling stations opened between 6:01 and 06:30.

- At 90% of the polling stations, an agent for SP was present during the opening and setup; at 100% of polling stations an agent for UPND was present during the opening and setup; and at 65% of polling stations, an agent representing other parties or independent candidate 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 100% of polling stations election officials stamped ballot papers with the official mark/stamp.
- At 97% 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 13% of polling stations a few (1 to 5) voters who appeared to be eligible 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 55% of polling stations a few (1 to 5) men voted on behalf of an able-bodied woman (not physically disabled).
- 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 87% 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.

Party Agents during Counting Process

- At 94% of polling stations a representative for SP was present during counting.
- At 100% of polling stations a representative for UPND was present during counting.
- At 65% of polling stations a representative for other parties (not UPND or SP)/independent candidates was present during counting.
- At 100% of the polling stations where there were party agents representing SP, UPND, other parties or independent, all agreed with the results, signed the results forms and were issued with a copy of Gen 20.

Accessibility of Voting for People with Disabilities

- 61% of polling stations had Braille jackets for blind voters.

- At 42% of polling stations, voters had to go up the stairs 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 six ECZ officials in the polling stations, an average of three of whom were women;
- 32% of the polling stations had a female security officer.
- 46% of party representatives for SP were women, 35% of party representatives for UPND were women, and other parties/independent candidates representatives were 40% women.

B. Critical Incidents

Critical incidents are incidents that are serious and which are reported immediately by CCMG observers and on which there is follow-up and verification of all available details. CCMG received one (1) critical incident report in the election period as follows:

Election Day Critical Incidents

Harassment and Intimidation

- A CCMG observer at Kaunga B Primary School - 01, reported a harassment incident after a female Socialist Party supporter was intimidated by a female UPND party agent. The Socialist Party agent was assisting her visually impaired mother when the UPND agent claimed that she intended to add more votes. The incident did not escalate beyond that and the voting went on normally.