



CCMG Statement on the Conduct of Voting and Counting for the Nine (9) Ward By-Elections Held on 12 July 2024

15 July 2024

I. Introduction

According to Article 57 (1) of the Constitution of Zambia, the Electoral Commission of Zambia (ECZ) is mandated to hold elections to fill any vacancy occurring in the office of a Member of Parliament, Mayor, Council Chairperson, and Councillor within 90 days from the date of occurrence. The by-elections took place to fill the nine (9) vacancies necessitated by the occurrence of death of one (1) councillor and resignations of eight (8) councillors. In keeping with this, the ECZ set 12 July 2024 as the date for the ward by-elections in Mubula Ward (Choma District) and Njame Ward (Chirundu District) of Southern Province, Mulalo and Luchinde Wards (Nakonde District), Chinama Ward (Kanchibiya District) of Muchinga Province, Lushiba Ward (Kawambwa District) of Luapula Province, Kaminzekenzeke Ward (Mufumbwe District) of North-Western Province, and Mwenyi and Liumena Wards (Sikongo District) in Western Province.

As part of its electoral process observation effort, the Christian Churches Monitoring Group (CCMG) deployed nine (9) Long-Term Observers (LTOs) to observe candidate nominations and the pre-election general political environment leading to the poll day. The ECZ designated 11 June as the date for candidate nominations which was conducted at the ward level in all the 9 wards. For election day, CCMG recruited, trained, and deployed fifty-four (54) Process and Results Verification for Transparency (PRVT) monitors, one for each polling station in each ward. All CCMG's PRVT monitors arrived at their assigned polling station at 05:30 hours and remained there throughout the polling station setup, voting, and counting until the official polling station 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.

CCMG notes with regret that four serious incidents of violence and attempted disruption of electoral processes took place on election day in Chirundu District and in Sikongo District. These incidents, which are detailed below, must be dealt with swiftly and transparently by the ECZ, the Zambia Police and the justice system to ensure that the perpetrators are held accountable and to serve as a deterrent in future elections as they potentially undermine the credibility of the electoral process.

II. Pre-Election Assessment Nominations

CCMG's LTOs reported strong adherence to nomination procedures and the Electoral Code of Conduct by all stakeholders. Additionally, CCMG's LTOs reported on the presence of agents representing political parties and aspiring candidates and on the provision of security by the Zambia Police ensuring an incident free nomination process in all nine wards. In Lushiba Ward (Kawambwa District of Luapula Province) the United National Independence Party (UNIP) candidate failed to provide complete party nomination papers and was not allowed to file his nomination. A total of

thirty-six candidates filed their nomination papers successfully, including six women candidates for five wards.

Campaign Period

Voter Education

There were significant efforts to inform and educate voters during the observation period, with all nine wards reporting having witnessed or heard of voter education conducted by the ECZ or Voter Education Facilitators (VEFs), by District Voter Education Committee (DVEC) in seven wards, by local media in seven wards and Civil Society and Faith-Based Organizations (CSO/FBOs) in 3 wards. Additionally, CCMG's LTOs reported having witnessed or heard of voter education information targeting women in seven wards, youth and persons with disabilities (PWDs) in six wards.

General Political Environment

CCMG LTOs reported witnessing or hearing of campaign activities by the Citizens First, Patriotic Front (PF), the United Party for National Development (UPND), Socialist Party (SP), Leadership Movement (LM), UNIP and United Prosperous and Peaceful Zambia (UPPZ), as well as independent candidates.

Electoral Code of Conduct Violations

- **Use of military-like attire:** On 11 July CCMG's LTO reported having heard of UPND cadres dressed in military-like attire at Kaminzekenzeke Market of Kaminzekenzeke Ward.
- **Voter inducement:** On 9 July, CCMG's LTO heard of UPND party officials distributing money (K20s) as an inducement to residents of Kopa Village at Kopa Primary School in Chinama Ward. Additional incidents involving inducements and collecting of NRCs or voter cards or details are provided below.
- **Voters' cards collection (physical cards and details):** On 17 June, the LTO in Kaminzekenzeke Ward reported hearing of PF supporters collecting details of NRC cards and distributing money in exchange to voters in the surrounding areas of the Kanyanta Grounds during a party activity. On 9 July, CCMG LTO reported having seen the Socialist Party collecting NRCs cards and details from residents in Kanyanta camp in Kaminzekenzeke Ward. On 10 July, the LTO in Liumena Ward, Sikongo District, reported hearing of the UPND Council Chairperson for Sikongo District collecting voters' cards from residents in Nametu Village with a promise of giving them bags of mealie meal in exchange for votes for the UPND candidate. It was reported that the Council Chairperson promised to return the voters cards on Friday 12 July.
- **Use of state vehicles and use of vehicles without number plates:** On 22 June, CCMG's LTO witnessed the use of a state vehicle during campaign activities by the Western Province Minister in Liumena Ward in support of the UPND candidate. On 11 July, CCMG's LTO reported having witnessed the use of vehicles without number plates by UPND officials during their campaign activities in Kaminzekenzeke Ward.

The violations are in contravention of paragraphs 3(1)(b), and 15 (h) and (k) of the Electoral Code of Conduct and Regulation 39 of the Electoral Process (Registration of Voters) Regulations, 2020.

III. Election Day Key Findings and Critical Incidents

Based on reports from CCMG's 54 PRVT monitors and 9 LTOs, CCMG finds that the nine ward by-elections followed the national and regional standard procedures for the set-up, voting, and counting processes. However, CCMG reports four (4) serious incidents on election day involving violence and attempted disruption of the election day process:

- A CCMG observer documented an incident where UPND supporters forcibly entered the polling station at Machavika Primary School in Njame Ward (Chirundu District) after the

counting process. The incident resulted in an assault on a police officer and an ECZ official using pepper spray and the stealing of election materials. The police arrested three perpetrators in connection with the incident.

- A CCMG observer at Chilindi Primary School in Njame Ward (Chirundu District) reported an incident where suspected UPND supporters harassed voters in the queue resulting in injury to one voter who was hit on the face. Police officers managed the situation however this incident caused the voting process to be suspended for about 10 minutes.
- A CCMG observer reported that between 7 and 10 suspected UPND supporters forced their way into Chilindi Primary School in Njame Ward (Chirundu District) between 20:00 hours and 21:00 hours when totalling for the ward was underway. Using force, the UPND supporters stole ballot papers and other election materials, however the totalling had been completed. The police arrested several perpetrators.
- A CCMG observer reported that suspected UPND members stormed Luimena Primary School polling station in Luimena Ward (Sikongo District) around 18:30 hours during the counting of ballot papers. They were denied access to the polling station since they did not present accreditation. The police provided security at the entrance and while this caused a brief disruption for several minutes, order was restored by the police and the polling officials.



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 the requisite documents such as NRC or voter ID and no one was allowed to vote who already had ink on their finger. CCMG further notes that 30% 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, all voters were allowed to vote. UPND agents were present at 98% of polling stations for counting, SP party agents were present in 87% of polling stations for counting, while PF party agents were present for counting at 33% of polling stations. Additionally, in 70% of polling stations, party agents representing other parties/candidates (not SP or UPND) present for the counting process. In all the polling stations that had party/candidate agents present, party/candidate's agents for all parties and candidates agreed with the results, except for the UPND agent in Njame Ward at Chilindi Primary School (*see critical incident details*). All party agents who agreed with the results signed the results forms and each was given a copy. In all polling stations, ballot papers were shown to all party agents and monitors present so they could see how each ballot paper was marked and in all polling stations, ballot papers were sorted into individual piles by the candidate. At 98% of polling stations, official results were posted at the polling station for the public to see. The results were not posted at Machavika Primary School following the reported incident.

CCMG Results Verification

Lushiba Ward - Kawambwa 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 Lushiba Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Estimates	Match?
Oswell Chongo	UPND	647	68.3%	68.3%	
Joseph Mwape	Independent	300	31.7%	31.7%	

In addition, the ECZ total number of rejected ballots is 1.7% while CCMG's is also 1.7%. The turnout for the by-election for both ECZ official results and CCMG results is 66.0%.

Chinama Ward - Kanchibiya District of Muchinga Province







CCMG deployed seven monitors to observe at the seven 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 Chinama Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Estimates	Match?
Richard Ngosa	UPND	858	45.9%	45.9%	
Purity Chola	UPPZ	370	19.8%	19.8%	
Rodwell Chiluba	Socialist Party	293	15.7%	15.7%	
Sunny Mukuka	Citizen First	271	14.5%	14.5%	
Bulandina Malama	Patriotic Front	46	2.5%	2.5%	
Elude Mwila	Leadership Movement	16	0.9%	0.9%	
Prosper Panda	Independent	14	0.7%	0.7%	

In addition, the ECZ total number of rejected ballots is 2.5% while CCMG's is also 2.5%. The turnout for the by-election for both ECZ official results and CCMG results is 50.6%.

Luchinde Ward - District of Nakonde District of Muchinga 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 Luchinde Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Estimates	Match?
Charles Sichimata	UPND	674	54.0%	54.0%	
Hamilton Simukonda	Independent	195	15.6%	15.6%	
Crecious Sinyangwe	UNIP	130	10.4%	10.4%	
Chales Simukwai	Socialist Party	122	9.8%	9.8%	
James Silungwe	Leadership Movement	86	6.9%	6.9%	
Niza Simukonde	UPPZ	41	3.3%	3.3%	

In addition, the ECZ total number of rejected ballots is 0.6% while CCMG's is also 0.6%. The turnout for the by-election for both ECZ official results and CCMG results is 51.6%.

Mulalo Ward - Nakonde District of Muchinga Province





CCMG deployed seven monitors to observe the seven 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 Mulalo Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Estimates	Match?
Abuid Sinkala	UPND	588	46.2%	46.2%	
Innocent Sikombe	Independent	398	31.2%	31.2%	
Martin Simfukwe	Socialist Party	237	18.6%	18.6%	
Josphine Nawanzi	Leadership Movement	32	2.5%	2.5%	
Francis Simbeye	UPPZ	19	1.5%	1.5%	

In addition, the ECZ total number of rejected ballots is 2.8% while CCMG's is also 2.8%. The turnout for the by-election for both ECZ official results and CCMG results is 39.3%.

Kaminzekenzeke Ward - Mufumbwe District of North 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 Kaminzekenzeke Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Estimates	Match?
Fred Kabiki	UPND	802	85.5%	85.5%	
Mary Chimba	Socialist Party	116	12.4%	12.4%	
Lainess Pelama	UPPZ	15	1.6%	1.6%	
Joseph Mpondera	Patriotic Front	5	0.5%	0.5%	

In addition, the ECZ total number of rejected ballots is 1.6% while CCMG's is also 1.6%. The turnout for the by-election for both ECZ official results and CCMG results is 50.1%.

Njame Ward - Chirundu District of Southern 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 Njame Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Estimates	Match?
Wilfred Mweene	Independent	478	46.7%	46.7%	
Webster Chiyota	UPND	379	37.0%	37.0%	
Josam Moonga	Socialist Party	166	16.2%	16.2%	

In addition, the ECZ total number of rejected ballots is 0.7% while CCMG's is also 0.7%. The turnout for the by-election for both ECZ official results and CCMG results is 71.4%.

Mubula Ward - Choma District of Southern Province

CCMG deployed eight monitors to observe the eight 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 Mubula Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Estimates	Match?
Maybin Mudenda	UPND	833	65.3%	65.3%	
Chrispine Mweembela	Leadership Movement	227	17.8%	17.8%	

Misozi Mumba	Socialist Party	205	16.1%	16.1%	☑
Himanga Mweembela	PF	10	0.8%	0.8%	☑

In addition, the ECZ total number of rejected ballots is 1.5% while CCMG's is also 1.5%. The turnout for the by-election for both ECZ official results and CCMG results is 20.3%.

Liumena Ward - Sikongo District of Western Province

CCMG deployed eight monitors to observe the eight 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 Liumena Ward By-Election					
Candidate Name	Political Party	ECZ Results	% ECZ Results	% CCMG Estimates	Match?
Siyoto Kashinji	UPND	1,209	88.8%	88.8%	☑
Nyumbu Kababu	Socialist Party	113	8.3%	8.3%	☑
Mutondo Chabaya	Citizens First	25	1.8%	1.8%	☑
Musangu Musangu	Leadership Movement	14	1.0%	1.0%	☑

In addition, the ECZ total number of rejected ballots is 1.2% while CCMG's is also 1.2%. The turnout for the by-election for both ECZ official results and CCMG results is 63.4%.

Mwenyi Ward - Sikongo District of Western Province

CCMG deployed seven monitors to observe the seven 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 Mwenyi Ward By-Election					
Candidate Name	Political Party	ECZ Results	%ECZ Results	% CCMG Estimates	Match?
Mwauluka. H. Namangolwa	UPND	927	82.3%	82.3%	☑
Simakando Masiliso	Socialist Party	200	17.7%	17.7%	☑

In addition, the ECZ total number of rejected ballots is 0.6% while CCMG's is also 0.6%. The turnout for the by-election for both ECZ official results and CCMG results is 68.6%.

IV. Recommendations and Conclusion

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

- **Enforcement of the Electoral Code of Conduct:** CCMG and other stakeholders documented multiple violations of the Electoral Code of Conduct, several of which were serious electoral offences, during these by-elections. CCMG calls on the ECZ to swiftly and transparently investigate all violations of the Electoral Code of Conduct and engage with stakeholders, including the media, on its efforts to do so. This will enhance accountability in the electoral process and serve as a deterrent for future by-elections. CCMG makes additional recommendations on enforcement of the Code below:
 - **Monitor Compliance with the Code of Conduct:** While the Electoral Code of Conduct in Paragraph 3 (2) gives discretionary powers to the Commission for its member to attend political rallies to monitor compliance with the Code. Following multiple violations documented by CCMG during this and previous by-elections, we urge the ECZ to deploy its members to monitor compliance with the code of conduct and use its findings to swiftly and transparently investigate and enforce the Code of Conduct.
- **Accreditation:** All CCMG's monitors were accredited to monitor the nine ward by-elections. However, there was a lack of clear communication regarding accreditation locations, particularly in Kaminzekenzeke Ward. On 10 July, CCMG monitors visited the ward for accreditation as earlier announced by the ECZ. However, no ECZ officials were present for accreditation at Kaminzekenzeke Ward which was the designated centre. CCMG therefore urges the ECZ to consistently and comprehensively communicate with stakeholders any changes related to locations for accreditation and other electoral activities.
- **Monitor/Observer Access:** CCMG noted with concern that its PRVT monitor at Mukalizi Primary School polling station in Mulalo Ward in Nakonde District, Muchinga Province was initially not permitted to observe despite availing the ECZ official an accreditation card. The ECZ official requested unknown documentation contrary to Section 77 (3) and Paragraph 10 (3) of the Electoral Code of Conduct which requires the ECZ to provide a certificate of accreditation to a monitor/observer in this case understood to be an accreditation card. CCMG reiterates its call for a uniform understanding of what is deemed as accreditation by all election officers in order to safeguard the rights of accredited observers.
- **Use of State Resources for Campaigns:** The Electoral Code of Conduct in Paragraph 3 (1) (b) requires the ECZ to ensure that political parties do not use state resources to campaign for the benefit of any political party or candidate. CCMG therefore calls on the ECZ to fulfil its mandate by sanctioning and preventing any use of state resources.
- **Accessibility of Polling Stations and Election Materials:** With 70% of polling stations having steps/stairs, CCMG calls on the ECZ to enhance accessibility to the electoral process to promote inclusivity by erecting ramps and providing election materials in a usable format. This is in line with Section 51 of the Persons with Disabilities Act, 2012 and the Sela Brotherton vs ECZ case judgement which among other things directs the ECZ to enhance access to the electoral process for PWDs

Political Parties

- **Candidate Nomination and Participation of Women, Youth and PWDs:** CCMG urges political parties to create more opportunities and incentives for youth, women and PWDs to be adopted for elections.

- **Use of State Resources for Campaigns:** CCMG calls on the ruling party (UPND) to desist from using state resources to campaign in favour of their preferred candidate. This is in violation of Paragraph 3 (1) (b) of the Electoral Code of Conduct.
- **Cease Politically Motivated Violence and Hold Perpetrators Accountable:** We urge political parties to conduct their campaigns peacefully and adhere to the Electoral Code of Conduct, and to sanction their members found in violation of the Code. We further call on UPND and opposition political parties to desist from inciting violence during voting, this undermines the credibility of the electoral processes.

Zambia Police

- **Provision of Security:** CCMG calls on the police to impartially protect citizens regardless of political party affiliation, to investigate and bring to book the perpetrators of violence.
- **Safety at Polling Stations:** CCMG commends the Police in Chirundu for acting against UPND supporters who attacked a police officer and an ECZ staff. CCMG calls on the Police and ECZ to ensure safety of voters and election materials throughout the voting process.
- **Transparency in Charges and Arrests of Perpetrators:** CCMG notes that the swift action of the police in arresting several offenders, and in limiting the escalation of violence in several other incidents. However, CCMG cannot confirm that all perpetrators in the incidents reported incidents were arrested and CCMG calls on the police to investigate these incidents and, if warranted, arrest the perpetrators. CCMG calls on the police to engage with stakeholders, including media, to publicise these arrests and the charges to serve as a deterrent for future by-elections.

Conclusion

While the pre-election period remained calm and peaceful, CCMG is deeply concerned with the election day attacks on voters, police, and ECZ officials, and the electoral process by UPND supporters resulting in assault and stealing of electoral materials, as well as other attempts to disrupt electoral processes on election day, including violence and intimidation of voters. CCMG urges the ECZ and the justice system to impose punitive sanctions on the perpetrators as provided by law as doing so will serve as a deterrent for would-be offenders. Furthermore, CCMG urges the ECZ and Zambia Police to ensure safety of voters, election officials and electoral materials so as to preserve the integrity of elections. CCMG is largely pleased with electoral officials' adherence to election procedures throughout the voting and counting process and commends the work of its monitors and the dedication of voters in participating in the July 12 by-elections.

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Detailed Findings Addendum

A. Detailed Findings from Election Day

Setup and Opening of Polling Stations

- Ninety-eight percent (98%) of polling stations were open by 06:30; 15% of polling stations opened by 06:00 and 83% polling stations opened between 6:01 and 06:30 with 2% of the polling stations opening between 6:31 to 7:00.
- At 39% of the polling stations, an agent for PF was present during the opening and setup; at 100% of polling stations an agent for UPND was present during opening and setup; at 89% of polling stations an agent for SP was present during opening and setup; and, at 69% 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.
- At 100% of the polling stations, 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 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 9% of polling stations a few (1-5) 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 59% of polling stations a few (1-5) men assisted able-bodied woman (not physically disabled) to vote.
- 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 94% 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 33% of polling stations a representative for PF was present during counting, agreed with results and was given a copy of the results form.
- At 87% of polling stations a representative for SP was present during counting agreed with results and was given a copy of the results form.
- At 98% of polling stations a representative for UPND was present during counting, agreed with results and was given a copy of the results form with the exception of Machavika Primary School (Njame Ward).
- At 70% of polling stations a representative for other parties/ independent candidates was present during counting, agreed with results and was given a copy of the results form.

Accessibility of Voting for People with Disabilities

- Only 70% of polling stations had Braille jackets for blind voters.

- At 85% of polling stations, voters had to go up the stairs to reach the polling station, rendering it inaccessible for people with mobility-related disabilities.
- At 100% of polling stations people with disabilities, pregnant women and nursing mothers were allowed to go to the front of the queue.

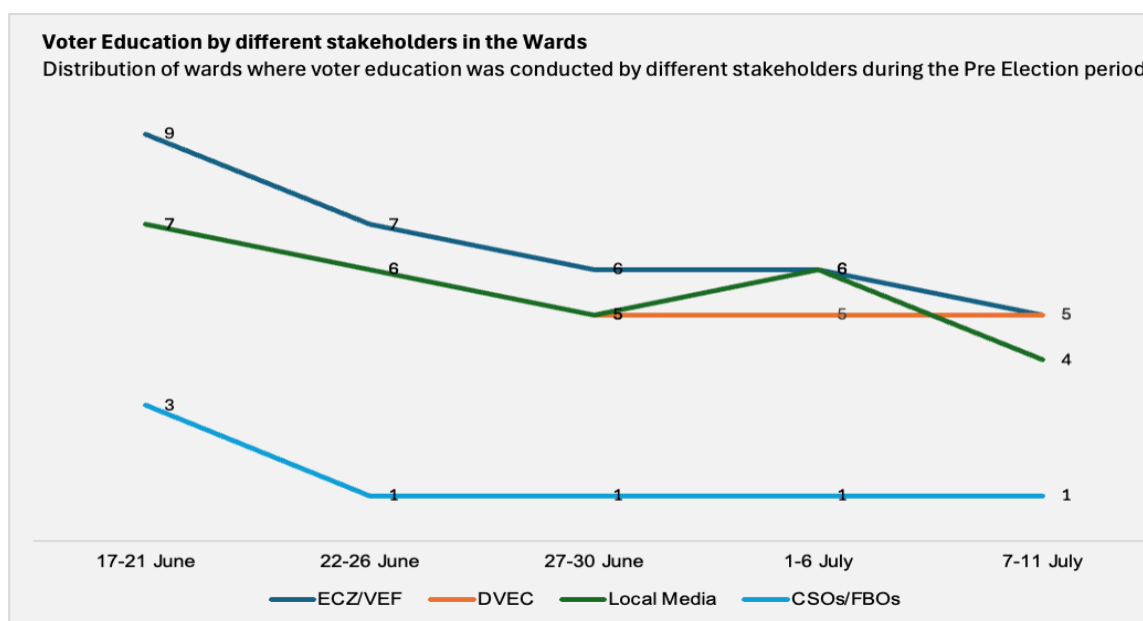
Participation of Women

- An average of six ECZ officials were in the polling stations, three of whom were women and 22% of presiding officers were female.
- 54% of the polling stations had a female security officer.
- 33% of party representatives for SP were women, 37% of party representatives for UPND were women, 19% of party representatives for PF were women, and other parties /independent candidates’ representatives were 30% women.

B. Detailed Key Findings from the Pre-Election Period

Voter Education/Information

CCMG observers reported having attended or heard of voter education being conducted at least once in the wards. Observers reported having attended or heard of voter education conducted by ECZ through the voter education facilitators in all wards, voter education conducted by DVEC in seven (7) wards and CSOs/FBOs in 3 wards. The figure below shows the distribution of voter education by different stakeholders in the wards over the reporting periods.



Voter education, particularly targeting women, youth, and persons with disabilities, was relatively high. CCMG monitors reported having attended or heard of voter education activities targeting youth in six wards, targeting women in seven wards and targeting persons with disabilities in six wards.

CCMG calls on the ECZ, the District Voter Education Committees (DVEC), civil society organisations (CSOs), and the media to enhance coverage in the by-election areas in future elections to provide accessible information to all voters, with a particular focus on marginalised groups.

Election Preparations

All CCMG’s Long-Term Observers reported having witnessed or heard of election preparations by the ECZ including training of ECZ officials.