

2023 Pre-election Long Term Feminist Analysis



INSTITUTE *for*
YOUNG WOMEN'S
DEVELOPMENT

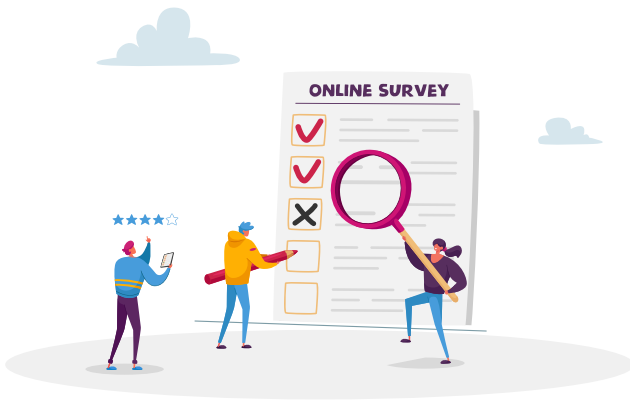


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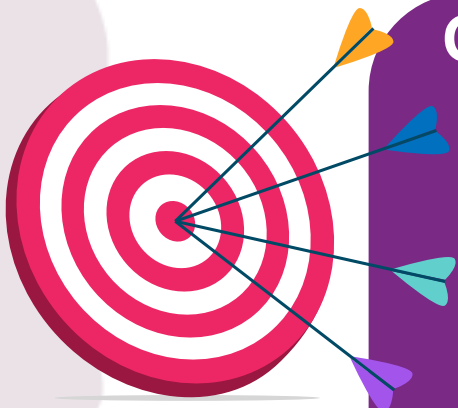
Introduction



Zimbabwe conducts harmonised elections every 5 years in line with the country's constitution and electoral legislation. The last harmonised elections were conducted on 31 July 2018. The next elections are scheduled for 23 August 2023. Harmonised elections provide Zimbabweans an opportunity to elect and be elected for the positions of the President, Members of Parliament in the National Assembly and Senate, and Councillors on the same day.

On 31 May 2023, President Mnangagwa, through [Statutory Instrument \(SI\) 85 of 2023](#) proclaimed 23 August 2023 as the date for the next harmonised elections and 21 June 2023 as the date on which nomination courts would sit to finalise candidates lists. The SI 85 of 2023 set 2 October 2023 as the day of the runoff election for the office of the President if none of the Presidential candidates acquires a simple majority of 50+1% of the total votes. Furthermore, it set 3 August 2023 as the date on which Provincial Assemblies of Chiefs in the country's 10 provinces will convene to elect Chiefs to the National Council of Chiefs with those elected having to convene on 10 August 2023 to elect the President and the Deputy President of the Council of Chiefs, who shall be ex officio Senators. Lastly, the SI set 24 August 2023 as the date for the election of sixteen Chiefs, two per province in the 8 rural provinces, who become part of the Senate.

As the election season unfolded, a number of observations and experiences were noted from the period beginning January to June 2023. These affect the 2023 election and its outcome in various ways. Some significant notable changes are the reduction of women participating as candidates in elective positions, from 17% to 0 percentage Presidential candidates, from 14% to 11% for women Parliamentary candidates and from 17% to 15% at the local government (ZEC 2023). An unfavourable environment characterised by patriarchy, Violence Against Women in Politics (VAWiP), shrinking civic space, extremely high nomination costs and petitions and court applications litigating elections related cases was noted. Institute for Young Women's Development (IYWD) working with the Alliance for Community based Organisations (ACBOs) and the African Women Leaders Forum (AWLF) documented some of these experiences and how they impact women's participation in the elections. The experiences are documented as the pre-election long term feminist analysis. The analysis outlines the policy and legal framework governing elections in Zimbabwe; provides a feminist analysis of the prevailing context in Zimbabwe from January to June 2023 and provides a comprehensive analysis of the pre-election environment, implications of the nomination fees and nomination court results on the actual election and provides recommendations.



Objectives

- To ascertain the prevailing context in the country from January to June 2023
- To highlight the implications of nomination fees on the election
- To highlight the outcome of the nomination court conducted in June 2023
- To provide recommendations for improvement of the electoral process in Zimbabwe for the 2023 harmonised elections and beyond, particularly to contribute towards women's participation and representation in line with the constitution of Zimbabwe

Methodology

The 2023 Pre-Election Long Term Feminist Analysis used a mixed methodology that combined both qualitative and quantitative data collection and analysis. This approach was selected as it strategically provides comprehensive insights into the pre-election environment. Qualitative data was collected through primary and secondary methods by inquiring and observing real life experiences and stories of young women, women, youth, community based organisations and reviewing literature from the media and private and public reports, policies and laws. The stories were collected from individual members of the communities, and also through organised conferences such as the IYWD's [#VoteRunLeadReloaded](#) activities.

Quantitative data was sourced from the Zimbabwe Election Commission (ZEC)'s statistical reports of the nomination court. Collaborating with partners, the Alliance for Community based Organisations (ACBOs) and the African Women Leaders Forum (AWLF), the Institute for Young Women's Development (IYWD) activated its network of Long Term Community Observers (LTCO). The LTCOs were drawn from within the membership of IYWD and representatives of community based organisations (CBOs) based and operating in the 8 rural provinces of Zimbabwe. Some of the LTCOs were drawn from aspiring candidates and current politicians who part of the IYWD's [#VoteRunLeadReloaded](#) programme. A total of 70 LTCOs were deployed and ultimately covered the 10 provinces of Zimbabwe.

As a measure to improve data reliability, weekly updates of different LTCOs in similar areas of residence were triangulated¹ to extract similarities and commonalities in the context analyses. In addition to primary data obtained from the LTCOs, verified secondary data through desktop research as assisted by AWLF was leveraged on, to also confirm and validate some of the documented firsthand



observations and experiences

¹ Triangulation refers to the use of multiple methods or data sources in qualitative research to develop a comprehensive understanding of phenomena (Patton, 1999)

Policy and Legal Framework

At the national level, the [Constitution of Zimbabwe \(No.20\) Act, 2013](#) is the supreme law that governs electoral and political processes. Section 3 of the country's constitution, which speaks to the Founding Values and Principles, embraces gender equality, an electoral system based on universal adult suffrage and equality of votes, free, fair and regular elections and adequate representation of the electorate and recognition of the rights of vulnerable groups to include young women, men, women and Persons with Disabilities (PWDs) among others. Section 17 requires the state to promote full gender balance and take measures to ensure equal representation of women and men in all elected and appointed structures and processes of government, elected and appointed, at every level. An expansive Bill of Rights includes progressive provisions such as Section 56 (Equality and Non-Discrimination), which provides for equal opportunities and Section 80 (Rights of Women), which outlaws traditions and cultural practices that infringe on girls', and women's rights.

Section 124 1 (b) of the constitution provides for proportional representation in the National Assembly, a transitory mechanism that was expected to expire in 2023 but was extended through the [Constitution of Zimbabwe Amendment \(No. 2\) Act, 2021](#) for two (2) more terms. Chapter 7 provides for electoral systems and processes and Chapter 12 of the constitution establishes Independent Commissions Supporting Democracy (ICSD) to include the Zimbabwe Electoral Commission, charged with the duty to ensure elections are conducted in a free, fair and credible manner. A National Gender Policy and Strategy is also in place.

The [Electoral Act \[Chapter 2:13\] \(Act No. 25 of 2004\)](#) provides the specific legislative framework which guides the conduct of elections in Zimbabwe.

Additionally, Zimbabwe is a signatory to a number of treaties, conventions, guidelines and instruments at regional and global levels which reinforce the need for equal participation and conduct of inclusive, free, fair and credible elections. These include but are not limited to;

Instrument	Year of Adoption	Year of entry into effect	Year Zimbabwe Signed	Year Rati-fied
The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)	1979	1981	1991	1997
The International Covenant on Civil and Political Rights	1966	1976	1991	1991
The AU Guidelines for Election Observation and Monitoring Missions	2002	2002	2002	N/A
The African Charter on Human and Peoples' Rights (ACHPR)	1981	1986	1986	1986
African Union (AU) Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women (2003) (also known as the Maputo Protocol)	2003	2005	2003	2008
SADC Protocol on Gender and Development	2008	2013	2008	2009
The SADC Principles and Guidelines on Elections	2015	2015	2015	N/A
Sustainable Development Goals (SDGs)	2015	2015	2015	2015
African Charter on Democracy, Elections and Governance (ACDEG)	2007	2012	2018	2022
The Universal Declaration of Human Rights	1948	N/A	N/A	N/A
The African Union (AU) Declaration on Principles Governing Democratic Elections in Africa	2002	N/A	N/A	N/A



From the outlined policy and legislative framework, Zimbabwe has attained progressive milestones in putting in place instruments to advance gender equality. The question now is, “to what extent are the policies and laws being implemented to address the structural and systematic inequalities and injustices faced by women, youth and other historically marginalised populations?” The common observation from the LTCOs and experiences of aspiring young women and women candidates is that the socio-economic, political and technological conditions in Zimbabwe remain highly discriminatory of the rights of young women, women, youth in general and PWDs. A review of the context analysis reveals how this is happening and experienced.

Pre-election Context: January to June 2023

Although election proclamation came later at the end of June the period from January to June 2023 was a clearly charged election season. Voter education, mobilisation, voters’ roll inspection as well as campaign activities were going on at a large scale. The Zimbabwe Electoral Commission (ZEC) rolled out a Voters’ Roll Inspection (VRI) blitz nationwide between 27 and 31 May 2023 and further extended it to 1 June 2023. In a commendable way, the ZEC voter educators were on the ground and they leveraged social gatherings in rural areas to encourage people to go and inspect the voter’s roll, checking if their details were correctly captured. However, what remained glaring in some areas were reports of people’s names missing on their polling stations in the voters’ roll. Although in some instances the anomalies were corrected, it remains worrisome that the voters’ roll remains unavailable to inter-

ested parties. In most centers for example Gurove district of Mashonaland Central province, there was no availability from ZEC of disability friendly services, specifically sign language for the benefit of those with hearing impairments.. Despite some notable progress on the voter inspection blitz, overall Zimbabwe continued to experience further shrinking of civic and political space as noted below:



Usurping of fundamental freedoms of association, expression and assembly:

Fundamental freedoms of association, expression and assembly were largely affected in the observation period. Physical surveillance of communities heightened, in a bid to discourage, stop and/or disrupt gatherings by civil society and community based organisations. 13 community based organisations (CBOs) reported having been at least questioned on their work by state security agencies or ruling party elites. Some of these organisations focus on women, youth and PWDs and the threats compounded the structural marginalisation that these organisations face.

The arrests, continued persecution, frequent court appearances on flimsy charges among CBOs in Mashonaland Central (IYWD) and Matebeleland South (Community Youth Development Trust (CYDT)) is testimony of arbitrary arrests targeting activists to silence them. Although the IYWD duo, [Sandra Zenda and Kudakwashe Munemo’s case was discharged](#)

on [13 June 2023](#) the case against Onai Nyahunzvi is still continuing with the state having so far failed to provide the evidence requested by Bindura Magistrates court. The arrests of six (6) Zimbabwe National Students Union (ZINASU) members in May 2023 some of whom remain incarcerated (at the time of producing this analysis) and having been, charged with malicious damage to property, confirms a worrying trend on the usurping of fundamental freedoms of expressions, association and assembly by the Zimbabwean state. The persecution and victimisation of artists such as Winky D, for alleged protest songs against corruption and challenging the difficult socio-economic and political conditions in Zimbabwe is another case in point. Communities were also disenfranchised as some [Members of Parliament \(MPs\)](#) and councilors reported that they were not able to conduct feedback meetings in their constituencies.



Weaponization of the Law

4 January 2023 saw the promulgation of the [Health Service Amendment Act, 2022](#) which restricts the right to strike by health care workers. On Wednesday, 1 February 2023, Justice, Legal and Parliamentary Affairs Minister Ziyambi, acting on behalf of the Minister of Public Service, Labour and Social Welfare led a 2nd and 3rd reading speech on the [Private Voluntary Organisations \(PVO\) Bill](#) which saw the Bill [sailing through both the lower house and the Senate](#). The Bill now awaits assent by the President. The [Private Voluntary Organisations \(PVO\) Bill](#) was initially gazetted on 5 November 2021 under the pretext of ensuring compliance with the [Financial Action Task Force \(FATF\) Standards](#), streamlining administrative procedures and allowing for the efficient regulation and administration of PVOs, and preventing PVOs from undertaking 'political lobbying'. Although the PVO Amendment Bill is yet to be passed into law, numerous community based and civil society organisations reported experiencing operational challenges consistent with some of the provisions of the Bill. The bill

is *ultra vires*² the country's constitution as its provisions violate fundamental freedoms of association, assembly and the right to administrative justice. Additionally, the provisions of the Bill are ambiguous, concentrate power in the state and give room for extensive state interference in the operations of civil society and community based organisations by the PVO Board and the responsible Minister, a development that further shrinks civic and political space.. Such restrictive operational space pose a threat to organising by young women, women and other historically marginalised groups as the constriction of space work to reinforce the very ideas of inequality and discrimination that organisations and social movements are working to address.

The [Maintenance of Peace and Order \(MOPO\) Act](#) has been another piece of legislation weaponised to stifle civic and political spaces. The [conviction of Fadzai Mahere](#) on 5 April 2023, less than a fortnight to Zimbabwe's independence; Job Sikhala's illegal detention and has spent over a year under pretrial incarceration, on 3 May 2023, leader of Transform Zimbabwe, [Jacob Ngarivhume's conviction on 27 April 2023](#) all point to weaponisation of the law to stifle dissent and political opposition. The same law was on 14 January 2023, used by the [Zimbabwe Republic Police \(ZRP\)](#) to [arrest 25 members of the Citizens Coalition for Change \(CCC\)](#) including young women, women, men and the elderly who were having a meeting at a private residence in Budiro, situated in Harare and allegedly assaulted Kudzai Kadzere, a human rights lawyer who was representing them. Those arrested were charged for convening and participating in a gathering with intent to cause and/or incite public violence, a charge that arises from Section 37 of the Criminal Law (Codification and Reform) Act and has been weaponised to persecute pro-democracy activists. The majority of journalists who intended to cover the court proceedings when the arrested persons appeared on 16 January [were barred from the courtroom by members of the ZRP](#) who passed threatening comments and only allowed those from the Zimbabwe Broadcasting Corporation (ZBC) to attend. Having spent 2 weeks in prison, the 25 were granted bail and their trial is still continuing at the Rotten Row Magistrates Court in Harare., Two (2) 2 of the persecuted whom are young

2 [Ultra vires](#) translates to 'beyond the powers'. It is used to describe an act which requires legal authority or power but is then completed outside of or without the requisite authority.

women members part of our flagship program , the #VoteRunLead, which encourages young women and women of different political backgrounds to register to vote, run for public office and provide feminist leadership. The persecuted also reported having been exposed to inhumane conditions they were exposed to during the pre-bail application incarceration including denial of food, limited access to their families and visitors, lack of sanitation unclean facilities and lice-infested blankets and clothing. Such arrests and treatment of young women and women go against the letter and spirit of the constitution's rights for equality and non-discrimination as well as the other regional and international instruments Zimbabwe is a part to which are listed above.



Trends of politically motivated violence

Politically motivated violence is one of the tools that go against the letter and spirit of the Zimbabwean constitution, human rights and international law. Worrying trends of politically motivated violence in communities

were reported in the period under review. In Murehwa, there were alleged reports of physical assaults of supposed opposition Citizens Coalition for Change (CCC) members for attending the party's meeting. The reports, which were finally confirmed by [a video](#) trending on social media on 7 January 2023, was disturbing. The alleged perpetrators were suspected Zimbabwe African National Union-Patriotic Front (ZANU-PF) youth members and the assaults as confirmed by CCC took place in) in Bhunu village under Murehwa district located in the politically volatile province of Mashonaland East went viral on social media. Having noted the video, the Zimbabwe Republic Police (ZRP) effected the arrest of 7 suspects and the case is still before the courts.

Most rural, farming, resettled and mining communities are living in fear due to overt and covert violence that they have been experiencing, coupled with the presence of individuals believed to have deployed to carry out surveillance and further compounded by threatening utterances being made against those from or perceived to be

opposition activists. During the Independence Day Commemoration held in Mount Darwin district of Mashonaland Central Province, President Mnangagwa labeled [Non-Governmental Organisations a rogue, declaring war on NGOs after accusing them of causing divisions within communities.](#)

The presence of people identifying themselves as [Forever Associates of Zimbabwe \(FAZ\)](#) and some alleged to be from the Office of the President and Cabinet at the voter inspection centers raised fears among community members in rural areas. Many reported being forced to submit their personal information and received threats from the members of FAZ. Young women and women in various rural provinces expressed fear of victimisation to influence the upcoming voting patterns in rural areas. This compounded with changes of voting wards due to the delimitation process and missing names on the voters' roll for some instilled doubt on the transparency and secrecy of the vote on 23 August.



Political Patronage

Rural communities remain the biggest victim of political patronage as politicians seek to bank their vote in the misfortunes of the poor. Distribution of farming inputs in the farming season that started the previous year continued into the period under review. Although

reports of corrupt activities by local traditional leaders, councillors (mostly those in the ruling party) and ruling party local leadership on government aid was reported, people continue to be enticed through aid. The farming inputs were distributed according to party lines. Traditional leaders, most of whom are believed to be loyal to ZANU-PF and/or are abused for electoral mobilisation [were given new vehicles](#) by the government promising to upgrade their living conditions while encouraging them to be vigilant in protecting their land as the country approaches elections. The police and soldiers received a [salary raise of over 400%](#) whilst teachers were offered a paltry 50% increase, a development that left a lot of speculation on the basis upon which the increments were being made.

Hate speech and sexual harassment



Women bear the brunt of hate speech and sexual harassment perpetrated both in physical and online spaces. This happens within and across political parties and targets individuals and a section of politicians, particularly women, activists and those from opposition. Young women and women from across the political divide experienced body shaming and all sorts of vitriol targeted at their gender and sex. Sandra Ndebele, a ZANU PF candidate for local authority elections in Bulawayo, Linda Masarira, the President of Labour Economists and African Democrats (LEAD) and Elisabeth Valerio, President of the United Zimbabwe Alliance (UZA) are some of the women who have openly talked about gendered attacks targeted at them online. The experiences of most #VoteRunLeadReloaded aspiring candidates and mentors who are currently in positions of power in politics revealed how young women and women continue to suffer sexual harassment and hate speech across the political divide. The women lamented that sexual harassment that is embedded in a patriarchal culture impedes women's abilities to unite and collectively push for the gender equality agenda even when elected or appointed to positions of power as they sometimes play according to the whims of men in their parties.

Lack of credible primary elections and candidates selection processes



The major political parties ZANU-PF and CCC's primary elections and candidates selection processes received condemnation from a number of aspiring youth, women and even male candidates for lacking credibility and failing their own internal democratic tests. ZANU-PF primary elections saw incidences of politically motivated violence, subtle intimidation and vote buying, and allegations of electoral fraud, forcing the party to instruct re-runs in some of the contested

areas. Young women, women and youth in general were worst affected by the primary elections malpractices. For most council seats, ZANU PF was faced with an estimated bigger number of youth, both young women and men candidates in rural areas than previous elections. Yet the party deliberately instituted mechanisms to disqualify most of them while young women were promised the council reserved seats before the law was aligned to the constitution. New requirements for example for one to have passed 5 Ordinary 'level subjects were put in place in order to be a councillor. This, in addition to being openly told that they are still young and needed to pave way for the older generation despite having had majority support, prejudiced many young women and men in the party.

The CCC candidate selection process, while peaceful, was condemned for being costly and characterised by secrecy. Young women and women aspiring candidates reported that the party's delays in finalising the selection processes resulted in a lot of party supporters experiencing high costs to travel to the venues for the different rounds of voting. This disadvantaged mostly young women and women aspiring candidates who had to pay for their supporters' transportation to attend the multiple voting and screening processes. The finalisation of candidates was also not clear. The party alleged that it was being strategically ambiguous by not naming its candidates because of the abnormal context in which the major competitor ZANU-PF was accused of interference. The 'ambiguous' approach might have contributed to the confusion and delays experienced in the party during the nomination process. Although the party claims interference by FAZ and ZEC, it may be arguable that the lack of transparency and secrecy on final candidates list might have also contributed to double and treble candidates being fielded in 20 constituencies for the National Assembly elections. The party alleged that ZEC and an organisation called Forever Associates of Zimbabwe (FAZ), believed to have run ZANU-PF's primary elections and set up to frustrate the electoral process in favour of the ruling party were behind double and treble candidature.

Data indicate that some young women and women are opting to stand as independent candidates due to the toxic environment in some political



parties. A sizable number of prospective nominees also failed to make it due to the exorbitant nomination fees and failure to secure eligible nominators, a development possibly worsened by not having access to the voter's roll in order to confirm if nominators are registered voters.

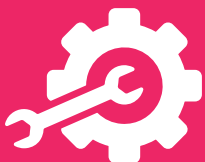
Unconstitutional gazetting of the Delimitation Report



Through [Statutory Instrument 14 of 2023](#), on 20 February 2023, the President gazetted the Zimbabwe Electoral Commission's Delimitation Report, which sets

out the wards and constituencies to be used in the scheduled harmonised election. There were a lot of concerns from citizens and civil society organisations regarding the process and methodology used by the ZEC in developing the report, which in view of many policy and legal experts, did not follow the correct procedures provided by the constitution. [Court applications](#) challenging the delimitation report were thrown out on [technical grounds](#).

Lack of preparedness of ZEC on the Voter Registration Blitz



Between 12 and 26 March 2023, the ZEC took a commendable step and carried out nationwide voter education and Biometric Voter Registration (BVR) blitz,

affording citizens an opportunity to register to vote. However, the process was very slow and evidenced insufficient preparation on the part

of ZEC as most machines experienced technical glitches. [In a statement](#), ZEC cited erratic power outages coupled with the cloudy weather conditions which affect their solar-powered machines as being key contributors. In some areas, ordinary members of the communities were sent away on the basis that machines were not working yet truckloads carrying known supporters of the ruling party were transported to the same registration centres where they were successfully registered.

Unlawful conduct



The state has in the period under review deliberately misled people by conducting unlawful conduct in a desperate bid to have the elections. These unlawful conducts have been done in three different ways of, not providing the voters' roll according to law, introducing laws to be used in the election in conflict with other laws, specifically

Statutory Instrument (SI)114 and 115 of 2023.

On the voters' roll, despite the proclamation having been made, a court application made last year in October by CCC party member and MP Rusty Markham seeking to oblige the ZEC to release the voter's roll was [dismissed by the High Court on security concerns](#). Availing the voters' roll timely to all interested parties is a prerequisite for a credible, free and fair election. By the time the nomination courts set, on 21 June 2023, ZEC had not released the voters' roll and thus compromised the nomination of prospective candidates. Demands by political parties and other stakeholders to have a copy of the voter's roll were futile.

Despite the proclamation having been made and just a day before the sitting of the nomination courts, the Law Reviser and ZEC gazetted SI 114 of 2023 and SI 115 of 2023 respectively whose import is to revise the constitution and give effect to a new provision in the constitution. Constitutional Amendment Act No.2 provided a 10 seats reserved quota for youth in parliament. Although having been touted as a youth quota, the Act which was widely rejected, provided for this quota as a women's quota. Having noted the

confusion with the extended 60 seats reserved quota for women after proclamation, the Law Reviser and ZEC illegally made these legal changes. They are however being challenged in court.

Although quota systems are generally used as interim measures to redress historical gender imbalances, there seems to be a general manipulation of quota systems in Zimbabwe. Despite women's rights organisations and feminist movements demanding expansive quotas that provide 50% representation of women as being seen in some Nordic countries. The government of Zimbabwe deliberately adopts poorly designed quotas, to maintain women's second-classness and setting them up for failure. The Constitution of Zimbabwe Amendment Act No.2 is a case in point. Amendment of the constitution to extend 60 seats for two more terms was overwhelmingly rejected during public hearings, in favour of enactment of a Gender equality legislation for equal participation and representation while allowing time to create the necessary conditions for women to thrive in politics. The extension of poorly designed gender and youth quotas, where women, youth and persons with disabilities' representation is merely tokenism erodes gains made previously. This has largely contributed to a trend where political parties are relegating women and youth to the quota allocations instead of improving socio-economic and political conditions for their increased participation in constituency-based seats. Such actions by political parties demonstrate their lack of commitment to the constitution and principle of gender equality and non-discrimination which Zimbabwe has signed up to through various regional and international instruments listed at the beginning of this analysis.

The relentless efforts to sneak in the 30% reserved quota for women into the Constitution through Constitution Amendment Act No.2 is another example of how women are treated as an afterthought and not prioritised in law making in Zimbabwe. While IYWD and its collaborating partners continue to advocate for progressive-rights based gender laws as suggested by its Model Gender Equality Bill (MGEB), and are unfazed about the 30% reserved quota for women in council, the trend of presenting women as an after-thought is concerning. Despite the illegalities surrounding the sneaking in of the 30%

reserved quota for women in council into the constitution, and the controversial SI 115/2023 to operationalise the quota for the 2023 election, seeking to advance the gender equality principle through unlawful conduct is problematic.



Unconstitutional Nomination Fees and the Raising of Cost Participation and Representation.

The month of June saw an unprecedented challenge of a total of 3 urgent court applications, being heard before

the courts within one week's time. One of the application was filed by Advocate Choice Damiso, instructed by the Women and Law in Southern Africa (WLSA) representing 3 applicants, that is, Linda Masarira, a prospective presidential candidate for for LEAD Tendai Lynnet Mudehwe, a prospective independent Member of Parliament (MP) candidate for Dangamvura constituency and the Institute for Young Women's Development (IYWD), an organisation which promotes the active participation of young women and women in leadership acting in the interest of the public. The applications challenged the exorbitant nomination fees set by ZEC via SI 145, and sought their reversal to 2018 fees. ZEC pegged the nomination fees at US\$20000.00 or its equivalent in local currency at the prevailing rate for President, US\$1000.00 or its equivalent in local currency at the prevailing rate for a constituent Member of Parliament and US\$200.00 for Provincial Councils, Senate, Local Government and National Assembly party lists while for a local government candidate, no nomination fees was required. The equivalence in Zimbabwean dollar was only acceptable as cash. At the time of nomination this translated to ZWL\$150 million for Presidential candidates, ZWL\$7,5 million for MPs and ZWL\$1,5 million for Party Lists. Through its #VoteRunLead work, IYWD had previously carried out an extensive analysis that showed how exorbitant the ZEC fees are compared to other African countries and how discriminatory they are to youth, women and persons with disabilities (PWDs). The organisation also went on to petition Parliament on the fees. Sadly, none of these realised a favourable outcome before the nomination courts sat. They were dismissed de-

spite [one](#) of the applications having ruled that Parliament reassesses the constitutionality of the exorbitant fees.

Despite pegging the nomination fees in equivalence in local currency, the fees were also problematic in that ZEC was not accepting electronic payments made in real time gross settlement (RTGS). This further disenfranchised candidates who sought to pay their nomination fees electronically.

Bearing testimony to the widely acknowledged issue of how in our Patriarchal African society women are financially disadvantaged than their male counterparts, the two (2) female Presidential candidates who had gone all their way out the candidacy of , [Elisabeth Valerio](#) of UNZA and Linda Masarira of LEAD were disqualified. Resultantly there is no female presidential candidate in the 2023 elections. Many other female MPs from smaller political parties, and independent candidates fell by the sideways.

Overall Implications of Exorbitant Nomination Fees

The exorbitant nomination fees raised a number of problems broadly for women, youth and the generality of the ordinary Zimbabwean citizens who could benefit from women's representation. The fees generally increased the cost of political participation and representation in an already plummeting economy where the majority of citizens are living below the Poverty Datum Line https://www.zimstat.co.zw/wp-content/uploads/2023/03/PDL_03_2023.pdf. More nuanced effects of the nomination fees are as follows:

First, the nomination fees conflict with the letter and spirit of the constitution of Zimbabwe and supportive regional and international instruments mentioned under policy and legislative framework for women's political participation. Specifically section 56 of the constitution of Zimbabwe provides for the right to equality and non-discrim-

ination. It further states in sections 17 and 20 that the government needs to put in place measures to promote participation of youth and women in all spheres of life including socio-economic and political spheres. Zimbabwe also ratified the ACDEG in July 2022. Article 29 sections (2) and (3) of ACDEG state that:

(2) State Parties shall create necessary conditions for full and active participation of women in the decision making processes and structures at all levels as a fundamental element in the promotion and exercise of a democratic culture

(3) State Parties shall take all possible measures to encourage the full and active participation of women in the electoral process and ensure gender parity in representation at all levels, including legislative

The nomination fees set by the ZEC therefore clearly contradicts the government's obligation to facilitate mechanisms and conditions that promote constitutionalism and democratic participation. It is sad to note that despite numerous court applications litigating against the exorbitant fees, the courts treated the matter in ways that fail the very constitution that the judiciary should uphold.

Second, the exorbitant fees set the country back on the gains made to address historical inequalities and discrimination. The new nomination fees reinforce intersecting gendered and classed inequalities and are a tool for discrimination in themselves. In a political system where there are weak institutions and mechanisms for transparent and accountable governance, the fees serve to create a pool of elite politicians who are not obliged to be accountable to the electorate but put their allegiance to their 'electoral investment'.

Third, the nomination fees have enormously eroded gains made towards gender parity over the years. Young women and women in Zimbabwe have already been braving a highly patriarchal and repressive political system, a struggle that has over the years seen a gradual increase in the number of women running for office. Using a case study of the IYWD's #VoteRunLeadRe-



loaded programme, it has witnessed huge successes in young women and women actively seeking political office. In 2013, 3 young women contested for primary elections in their parties and lost. In 2018, 40 expressed interest to run, and 3 successfully won elections as MPs and a councillor, in 2022's by-election, 80 expressed interest and 7 successfully won the elections as MPs, a Senator and councillors. The 2023 cohort was quite promising, 80 expressed interest to run for office at different levels. However, at the close of nomination only 32 women were successfully nominated. Nationally, the number of women contesting as MPs in the 2023 elections has gone down from 14% in 2018 to 11% in 2023 (ZEC 2023). For Councillors, the number has changed from 17% in 2018 to 31% in 2023, inclusive of the 30% local government quota. Although there were other factors contributing to the regression, the biggest challenge for women candidates from the programme was the cost of participation in the election, starting with the nomination fees and then an insurmountable task of the cost of campaigning.

Statistical Feminist Analysis of of Nomination Courts Results

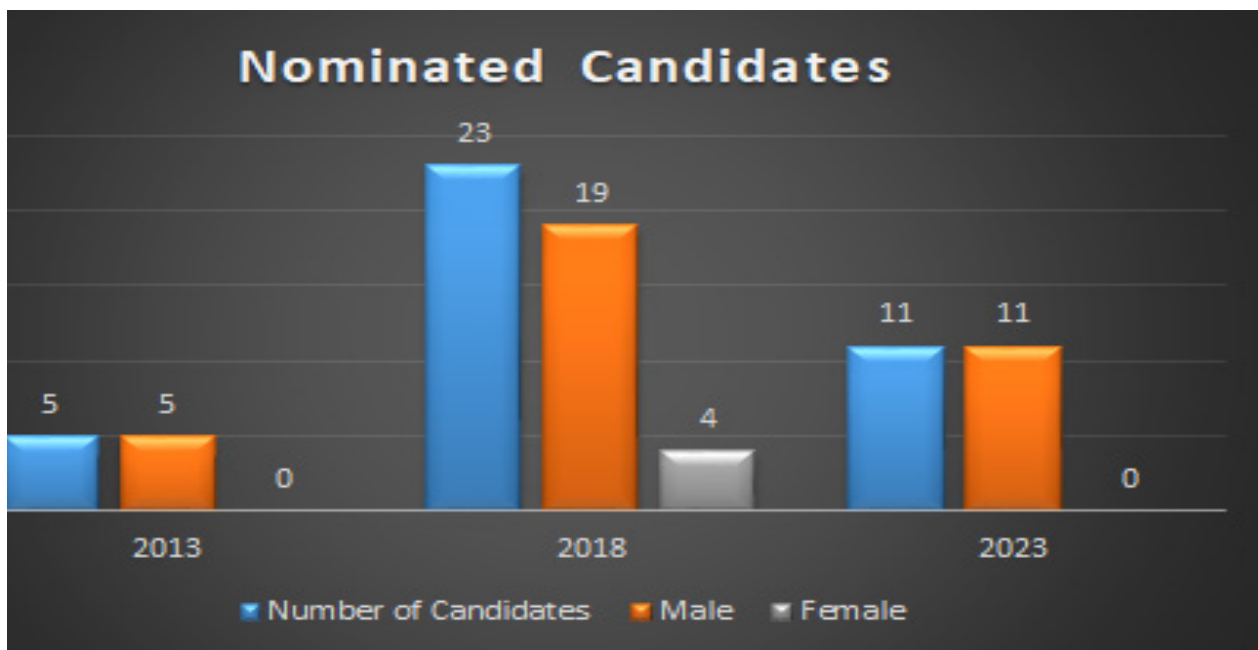
On 30 June 2023, General Notice 1128 of 2023 was gazetted providing details of the election and candidates duly nominated for election to the office of the President, party-list for the Senate, National Assembly (Constituency, Women and Youth Quota) and Provincial/Metropolitan Councils as well as names and addresses of election officers appointed. On the same date, ZEC published an election notice listing the details of candidates duly nominated for election as councillors, those who were duly elected councillors with effect from 23 August 2023 as no other nomination papers were accepted for the said wards at the close of the nomination courts and party-list candidates for the 30% women's quota (which quota is being challenged at law as inapplicable in the 2023 election owing to its enactment after proclamation through SI 115/2023).

A comprehensive analysis of the results of Nomination Courts is provided herein.

Office of the President

CANDIDATE	PARTY	Sex
Busha Joseph Makamba	FREEZIM Congress	Male
Chamisa Nelson	Citizens Coalition for Change (CCC)	Male
Chikohora Trust Tapiwa	Zimbabwe Coalition for Peace and Development (ZCPD)	Male
Kasiyamhuru Blessing	Zimbabwe Partnership for Prosperity (ZPP)	Male
Kasukuwere Saviour	Independent	Male
Madhuku Lovemore	National Constitutional Assembly (NCA)	Male
Mnangagwa Emmerson Dambudzo	Zimbabwe African National Union Patriotic Front (ZANU-PF)	Male
Mubaiwa Wilbert Archbald	National People's Congress (NPC)	Male
Muzorewa Gwinyai Henry	United African National Council (UANC)	Male
Mwonzora Douglas Togarasei	Movement for Democratic Change (MDC)	Male
Wilson Harry Peter	Democratic Opposition Party (DOP)	Male

Out of a total of 21 aspiring presidential candidates who submitted their nomination papers only 11 were successfully nominated for the Office of the President ([ZEC 2023](#)). The 11 candidates, all males represent 10 political parties and 1 is an independent. No women presidential candidates were successfully nominated. This represents an overall decrease of 17% from the 2018 presidential election which had 4 women out of the 23 nominated candidates.



Gender disaggregated data for presidential candidates from 2013 to 2023

National Assembly Constituency Candidates

For the 210 Constituency candidates for the National Assembly, a total of 636 candidates were successfully nominated. The 2 main political parties CCC and ZANU-PF fielded candidates in all the 210 constituencies. ZANU-PF fielded 210 candidates. CCC fielded 232 candidates, with a variance of 22 from the expected 210 (a matter of double and triple candidates which is being challenged by CCC on allegations of interference from outside the party). Other smaller parties and independent candidates also filed nominations for some constituencies.

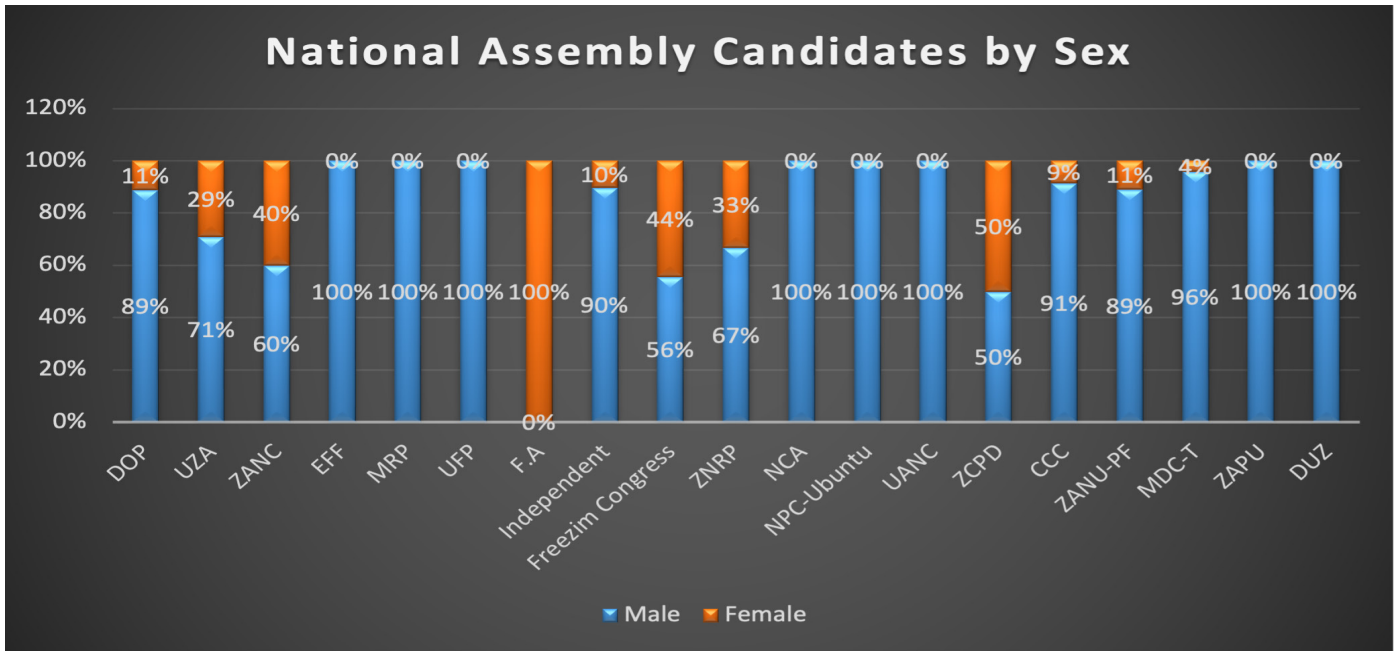
A total of 636 candidates were successfully nominated for the National Assembly. 89% of these candidates are men and only 11% are women. This is a reduction of the percentage of women candidates from the 2018 election which stood at 14.4% in 2018.

The table below shows the specific data disaggregated by party/independent and gender

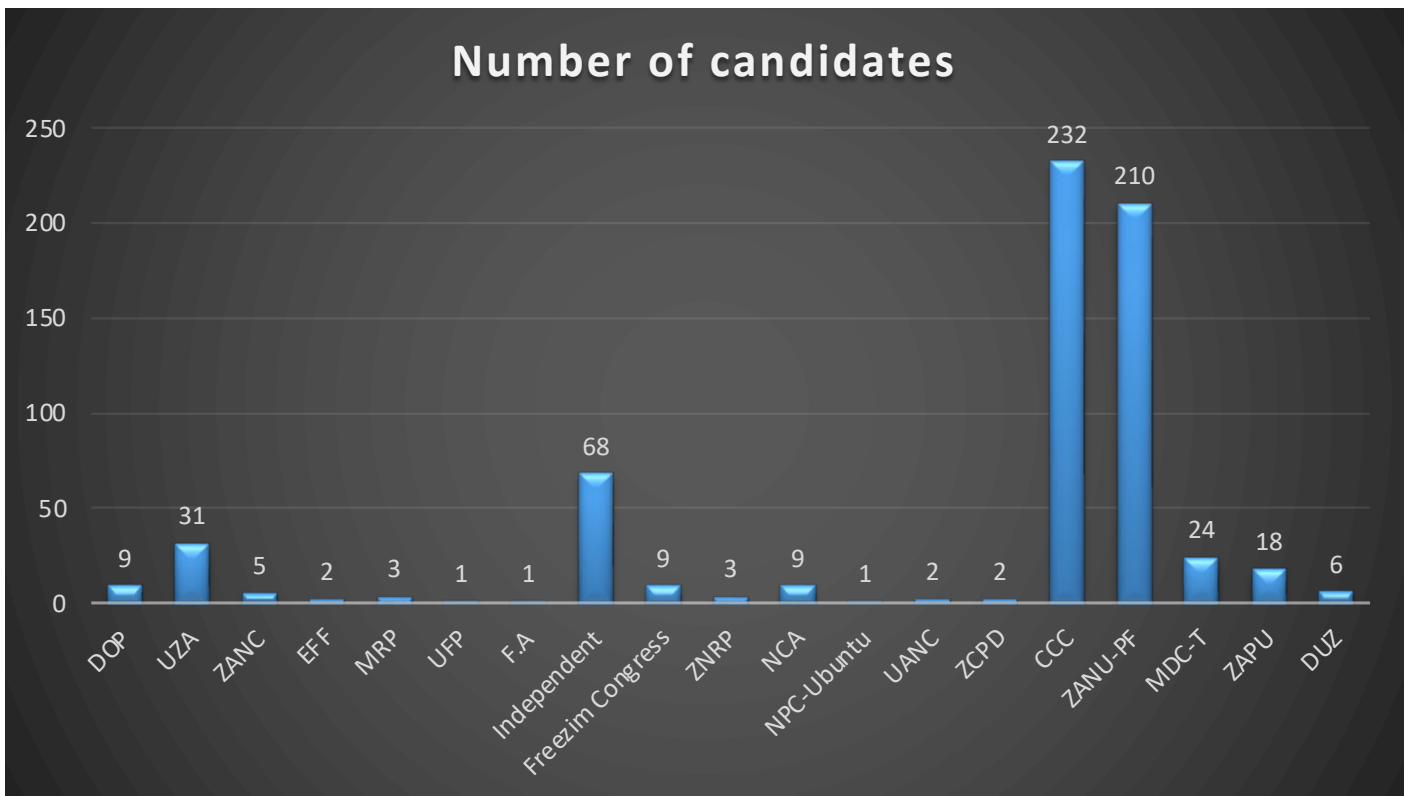
Party	Number of candidates	Percentage of the total candidates	Male	Female	Percentage Male	Percentage Female
Democratic Opposition Party (DOP)	9	1.42%	8	1	88.89%	11.11%
United Zimbabwe Alliance (UZA)	31	4.87%	22	9	70.97%	29.03%
Zimbabwe African National Congress (ZANC)	5	0.79%	3	2	60.00%	40.00%
Economic Freedom Fighters	2	0.31%	2	0	100.00%	0.00%
Mthwakazi Republic Party (MRP)	3	0.47%	3	0	100.00%	0.00%
United Freedom Party (UFP)	1	0.16%	1	0	100.00%	0.00%
F.A	1	0.16%	0	1	0.00%	100.00%
INDEPENDENT	68	10.69%	61	7	89.71%	10.29%
FREE ZIM CONGRESS	9	1.42%	5	4	55.56%	44.44%
ZNRP	3	0.47%	2	1	66.67%	33.33%
National Constitutional Assembly (NCA)	9	1.42%	9	0	100.00%	0.00%
National People's Congress-UBUNTU	1	0.16%	1	0	100.00%	0.00%
United African National Council (UANC)	2	0.31%	2	0	100.00%	0.00%
Zimbabwe Coalition for Peace and Development (ZCPD)	2	0.31%	1	1	50.00%	50.00%
Citizens Coalition for Change (CCC)	232	36.48%	212	20	91.38%	8.62%
Zimbabwe African National Union Patriotic Front (ZANU-PF)	210	33.02%	187	23	89.05%	10.95%
Movement for Democratic Change (MDC-T)	24	3.77%	23	1	95.83%	4.17%
Zimbabwe African People's Union (ZAPU)	18	2.83%	18	0	100.00%	0.00%
Democratic Union of Zimbabwe (DUZ)	6	0.94%	6	0	100.00%	0.00%
Total	636	100%	566	70	88.99%	11.01%

Worthy to note is the significant number of independent candidates, constituting 68 of the 636 nominated candidates followed by UZA (31), MDC (24), ZAPU (18) and the other listed parties with less than 10 nominated candidates each.

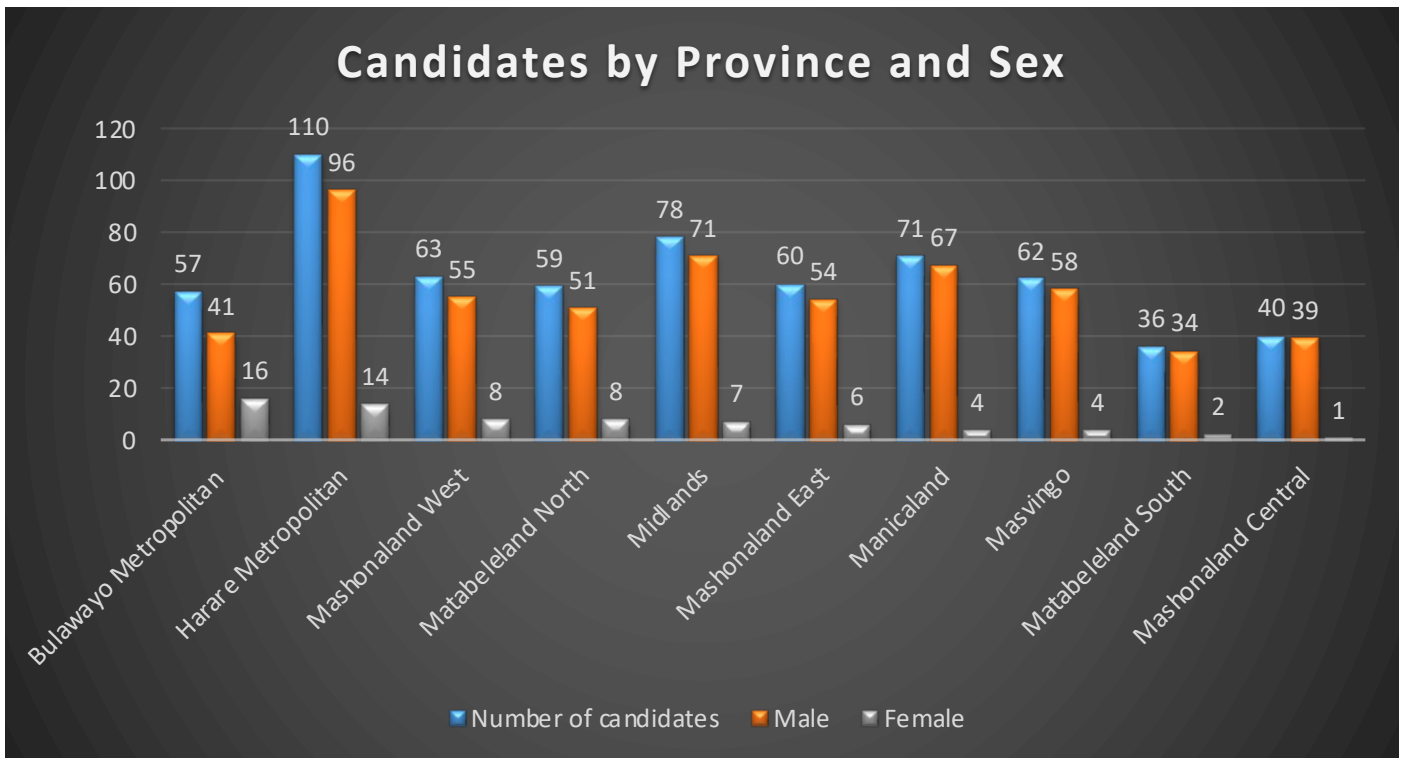
The graph below show the 2023 National Assembly constituency candidates by sex



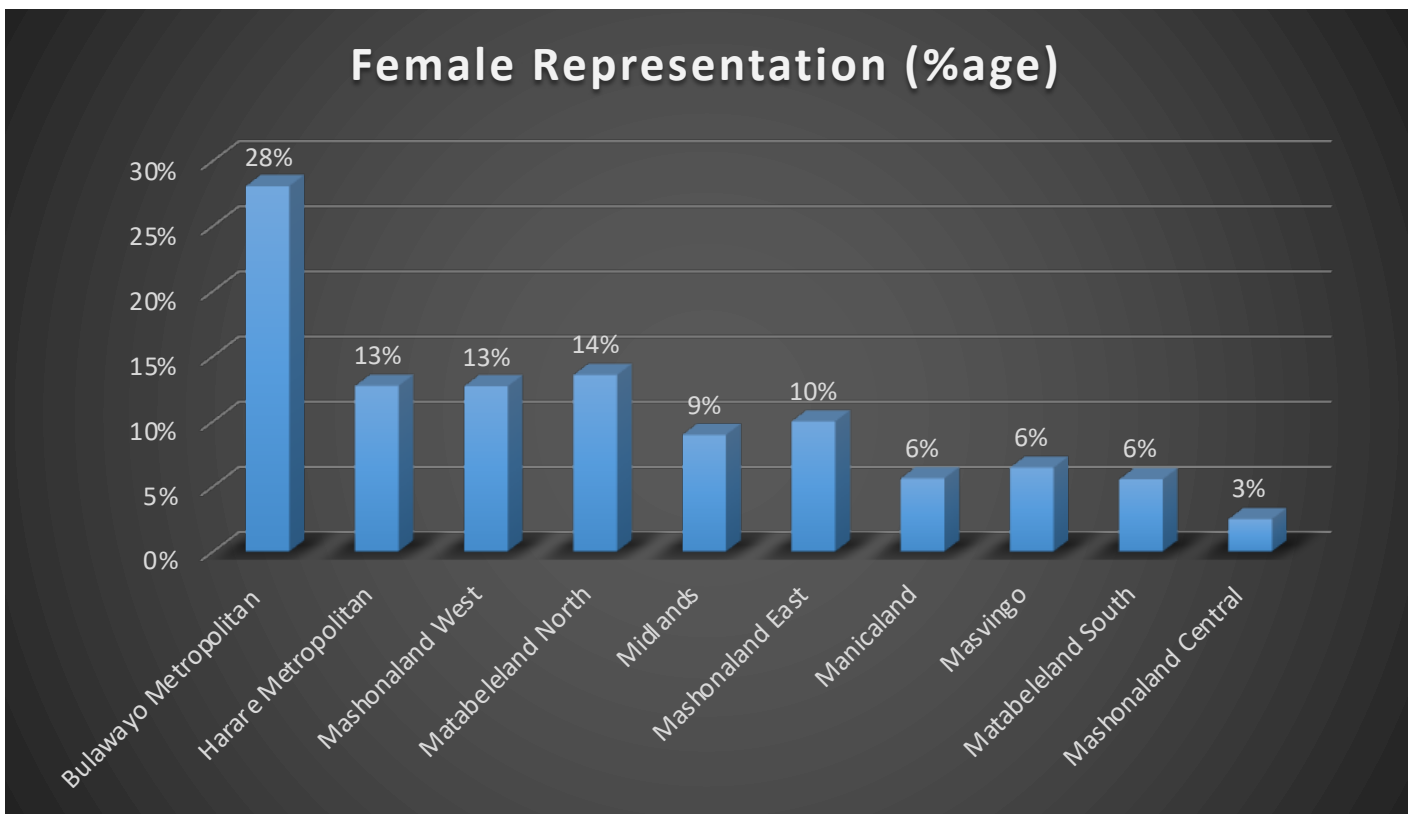
The graph below show the number of National Assembly constituency candidates fielded by parties and as independent



The graph below shows National Assembly constituency candidates per province disaggregated by sex.



The graph below shows National Assembly constituency percentage female representation per province



While all provinces are below the 50% gender parity threshold, Bulawayo has the highest proportion of female candidates at 28%, followed by Matabeleland North (14%), Harare and Mashonaland West (13%), Mashonaland East (10%), Midlands (9%), Manicaland, Masvingo and Matabeleland South at 6% and lastly Mashonaland Central province at 3%.



Senate Party List Candidates

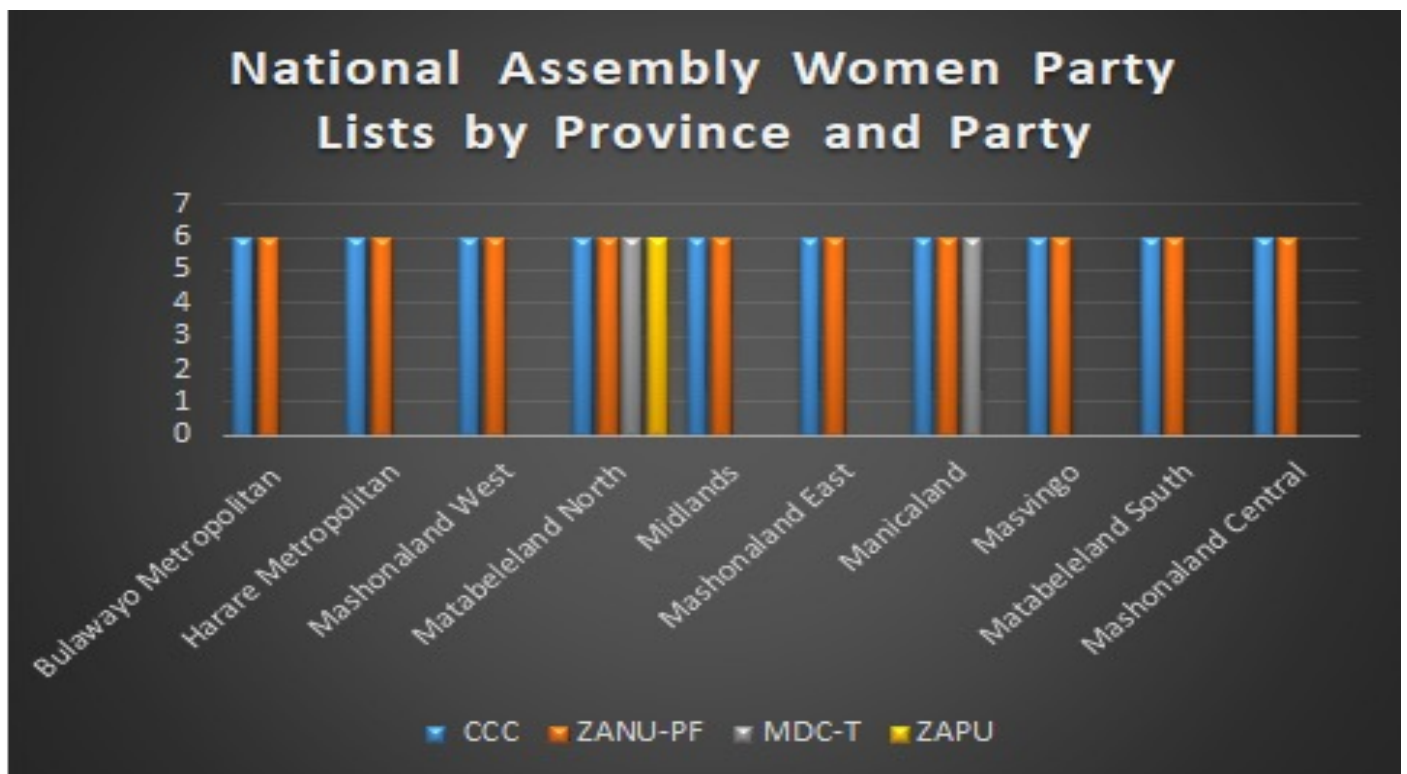
A total of 5 political parties successfully filed their Senate Party List Candidates. CCC and ZANU-PF fielded the required 6 candidates per province in all the country's 10 provinces, followed by the MDC which filed in only 2 provinces, Matabeleland North and Manicaland, presumably their perceived stronghold, a pattern also followed by ZAPU and DUZ which filed only in 1 province each, Matabeleland North and Manicaland respectively.

A total of 144 candidates were part of the party lists and these comprise 50% males and 50% females which is in line with gender equality provisions of the country's constitution.

National Assembly Women Party List Candidates

4 political parties successfully filed their National Assembly Women Party List Candidates. CCC and ZANU-PF fielded the required 6 candidates per province in all the country's 10 provinces, followed by the MDC which filed in only 2 provinces, Matabeleland North and Manicaland, and ZAPU filed in 1 province of Matabeleland North..

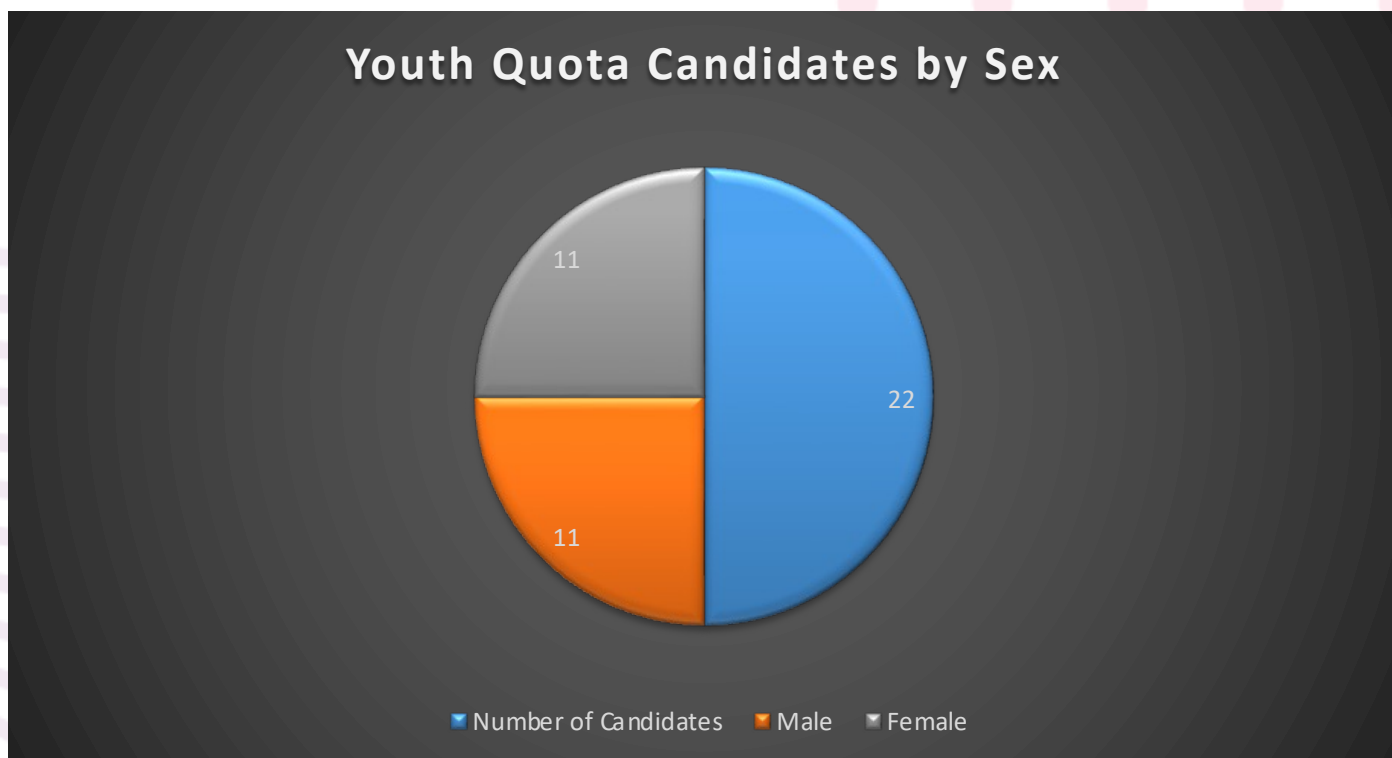
The graph below shows National Assembly Women Party List Candidates by province and party



National Assembly Youth Party List Candidates

Only 3 political parties, CCC, MDC-T and ZANU-PF successfully filed their National Assembly Youth Party List Candidates. CCC and ZANU-PF fielded the required 2 candidates per province in all the country's 10 provinces. MDC filed 2 candidates in 1 province of Matabeleland North.

The graph below shows National Assembly Youth Party List Candidates disaggregated by sex

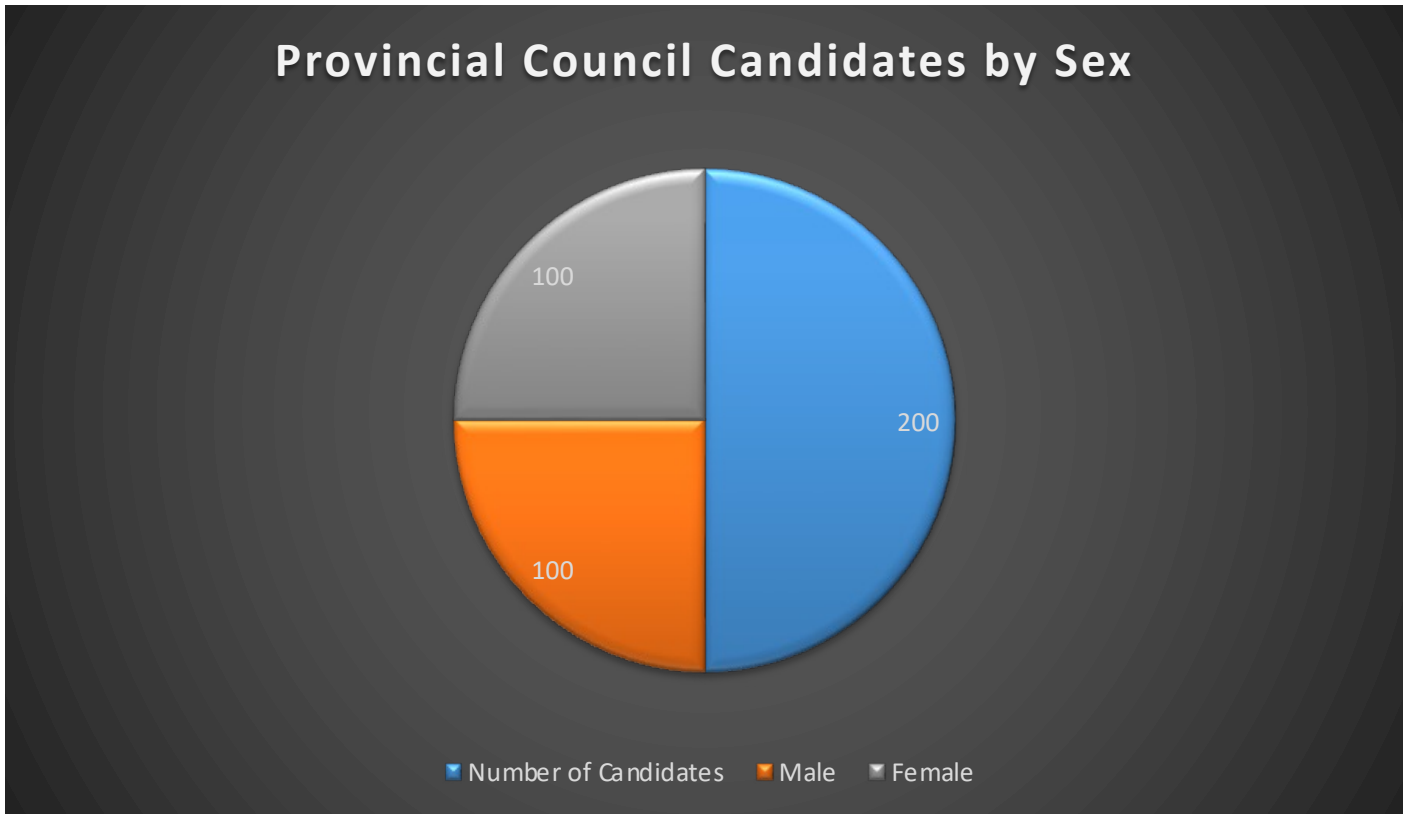


A total of 22 candidates were part of the party lists and these comprise 50% females which is in line with gender equality provisions of the country's constitution.

Provincial Council Party List Candidates

3 political parties. CCC, MDC-T and ZANU-PF successfully filed their Provincial Council Party List Candidates. ZANU-PF fielded the required 10 candidates per province in all the country's 10 provinces, CCC filed in 9 provinces, leaving out Bulawayo Metropolitan and MDC-T filed in only 1 province of Matabeleland North. For CCC Bulawayo Metropolitan candidates it is alleged that they were unlawfully denied their legal rights to file their nomination papers for Bulawayo Metropolitan and the case is before the [court](#).

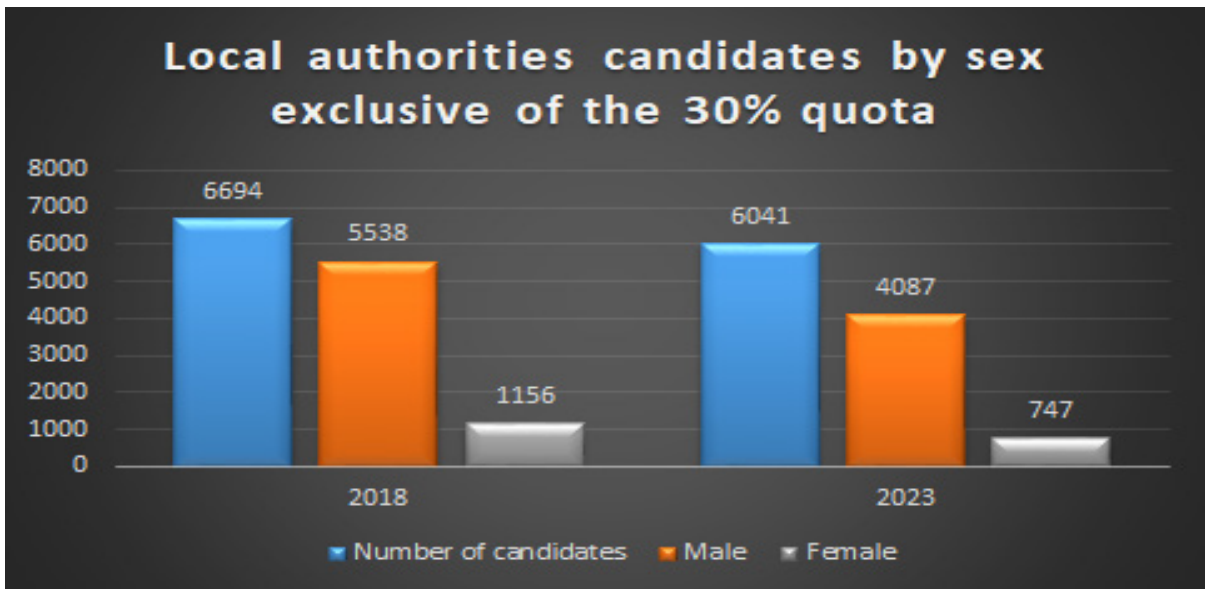
The graph below shows Provincial Council Candidates disaggregated by sex



Local Authority Councillors

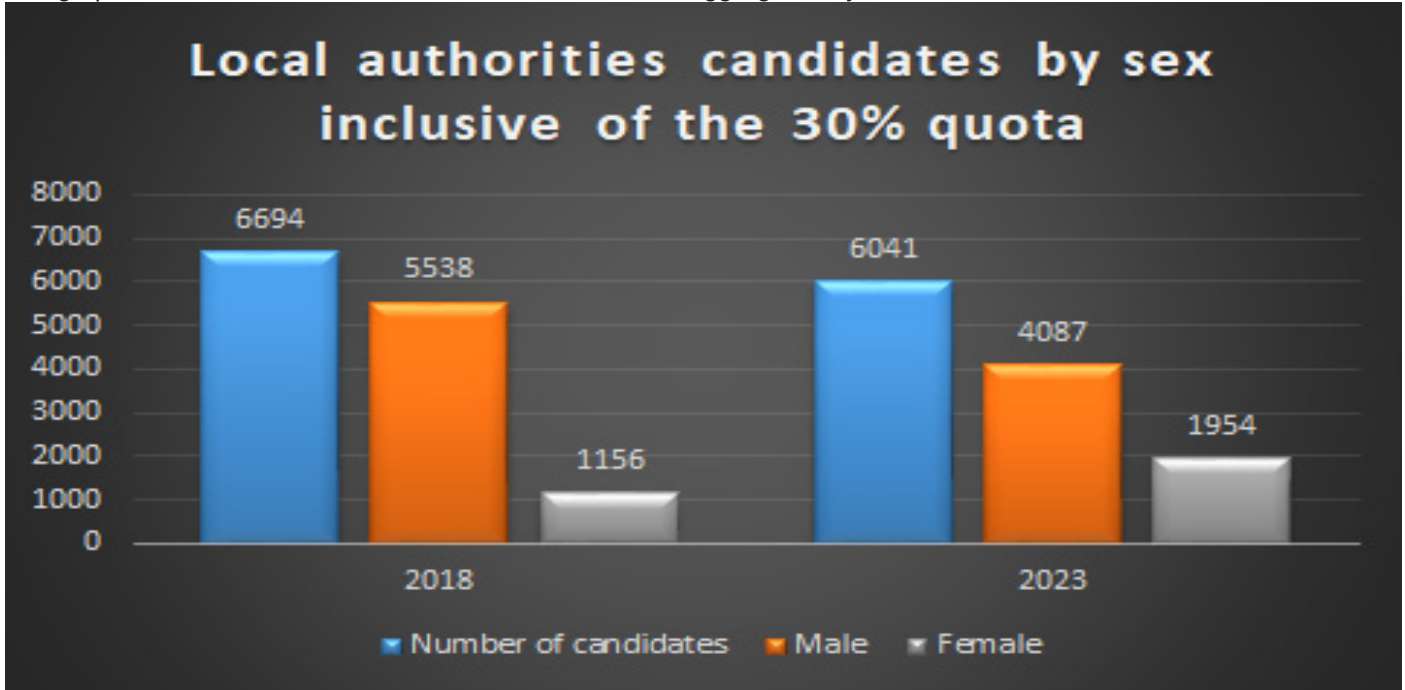
For the local authority elections, ZANU PF fielded in all the 1970 wards and is uncontested in 91 of the wards. A total of 4087 male candidates are contesting and 747 females are contesting for elective wards, representing 15% of the total, a decrease of 2% from 2018.

The graph below shows Provincial Council Candidates disaggregated by sex



Inclusive of the 30% quota, 1954 women are contesting, representing 32% of the nominated candidates. Due to the non-requirement of nomination fees, most young women and women who passed through their parties’ primary elections and candidates selection processes, found themselves contesting for local government.

The graph below shows Provincial Council Candidates disaggregated by sex



While there is comparatively a significant number of young women and women who have successfully filed their nomination forms in comparison to Parliament, more could have made it for local council could primary elections and candidate selection processes were transparent and credible for major political parties. A lot of complaints were reported by our LTCOs from prospective candidates who were unprocedurally disqualified by their parties in favour of male older candidates.

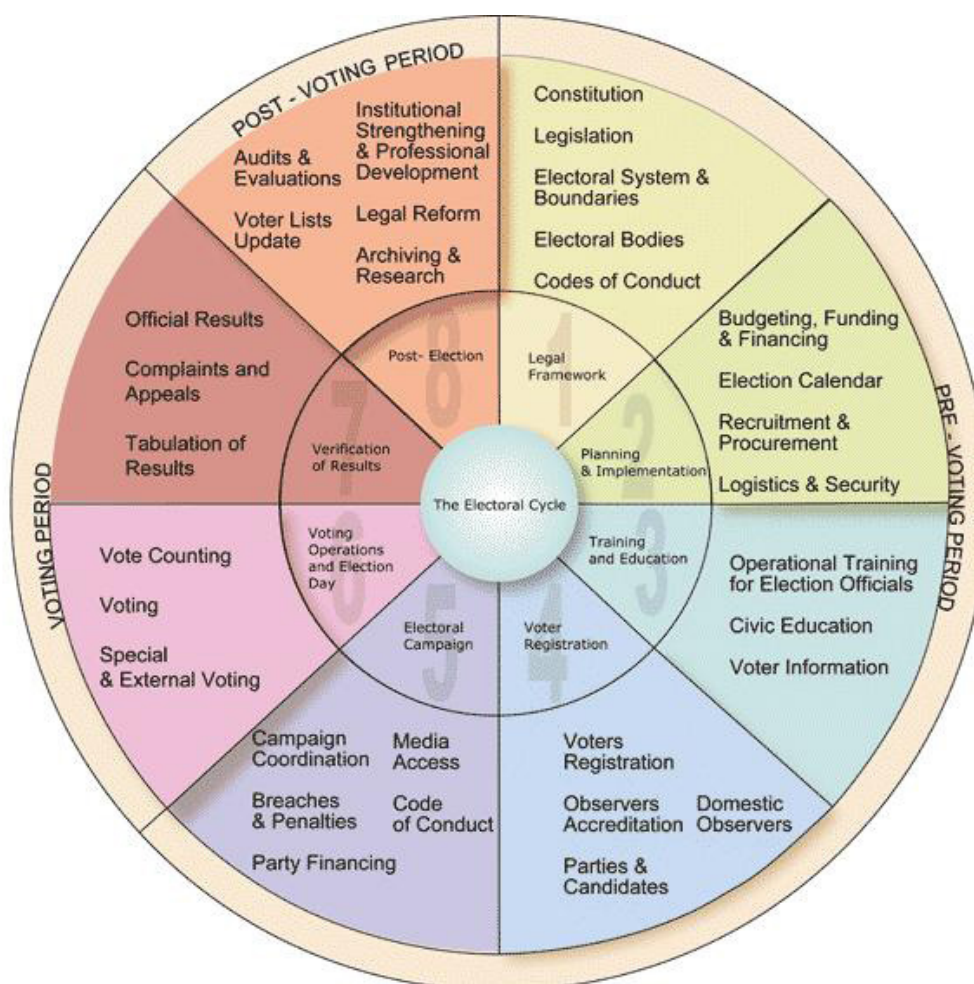


Recommendations based on the Findings and Context Analysis

1. Recognising that women's participation and representation are affected by the intersecting factors observed and experienced as noted in this analysis, an intersectional and multi-stakeholder approach is key in mitigating and addressing the issues noted, to improve in Zimbabwe's 2023 harmonised elections and beyond. The recommendations below highlight areas of improvement:
2. The Government of Zimbabwe (GoZ) should uphold the constitution of Zimbabwe and promote fundamental freedoms of association, expression and assembly among youth, women and generality of Zimbabwean citizens.
3. The Government of Zimbabwe (GoZ) should ensure that constitutional provisions on gender equality and non-discrimination should be respected, upheld and implemented in the letter and spirit of the constitution. Specifically, the government should align gender and electoral laws to the country's constitution to include the enactment of a Gender Equality and Inclusion Act which shall provide for equal representation in local government, parliament and the presidium in line with Sections 17, 20, 56 and 80 of the constitution.
4. The Zimbabwe Electoral Commission (ZEC) should take punitive actions against political parties that fail to meet the requirements of the Constitutional provisions on gender equality, youth inclusivity and non-discrimination.
5. The Zimbabwe Electoral Commission (ZEC) should be accorded arresting powers, and take punitive measures on perpetrators of hate speech and sexual harassment, be they individuals or institutions such as political parties.
6. The Government of Zimbabwe (GoZ) including the police and judiciary and ZEC should take necessary measures to mitigate against and address systemic violence in politics including violence against women in politics (VAWiP)
7. The Government of Zimbabwe (GoZ) should uphold the rule of law and ensure that laws set do not infringe on the rights and fundamental freedoms of workers, young women, women, and the generality of citizens as provided in the constitution.
8. Government of Zimbabwe (GoZ) and ZEC in consultation with citizens, and stakeholders, effect a downward revision of the gazetted nomination and access to the voters' roll and electoral maps fees and ensure that any set amounts are affordable, promote the participation and representation of youth, women, persons with disabilities and other without prejudicing them on financial grounds. Specifically, ZEC should revise the gazetted figures to 2018 fees while consultations are being done in line with what is acceptable constitutionally as well as what's comparatively prevailing in the region
9. The Government of Zimbabwe (GoZ) should under all circumstances when effecting remuneration reviews for uniformed and non-uniformed civil servants consider all workers' priorities, act in good faith of costs-of living adjustments to avoid electoral malpractices
10. The Government of Zimbabwe must, with a sense of urgency, domesticate the African Charter on

Democracy Elections and Governance (ACDEG) and create socio-economic and political conditions to promote gender equality, credible elections and accountable democratic governance

11. Feminist movements, women, youth and disability organisations should boldly continue to raise awareness of citizens’ constitutional rights and advocate for enactment of legislation that genuinely advances the full participation and equal representation of women, youth and persons with disabilities (PWDs) in line with the constitution.
12. National, regional and international observers should take note of the prevailing conditions in the run-up to the election in order to give appropriate recommendations to the Government of Zimbabwe and the Zimbabwe Electoral Commission (ZEC) to improve the civic and electoral environment in which young women, women and youth participate, in line with national laws and regional and international instruments that Zimbabwe has signed up to.
13. Development partners should keep the gender equality, inclusivity and diversity agenda in line with the Sustainable Development Goals (SDGs) as a priority and help feminist movements, women, youth and disability organisations hold governments accountable.





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