



**ZIMBABWE
PEACE
PROJECT**



**ZIMBABWE
LAWYERS
FOR
HUMAN RIGHTS**
Fostering a Culture
of Human Rights

ZEMCOMP

Independently monitoring the constitution making process

Weekly Report

Shadowing the Outreach process

2 – 8 August 2010

Introduction

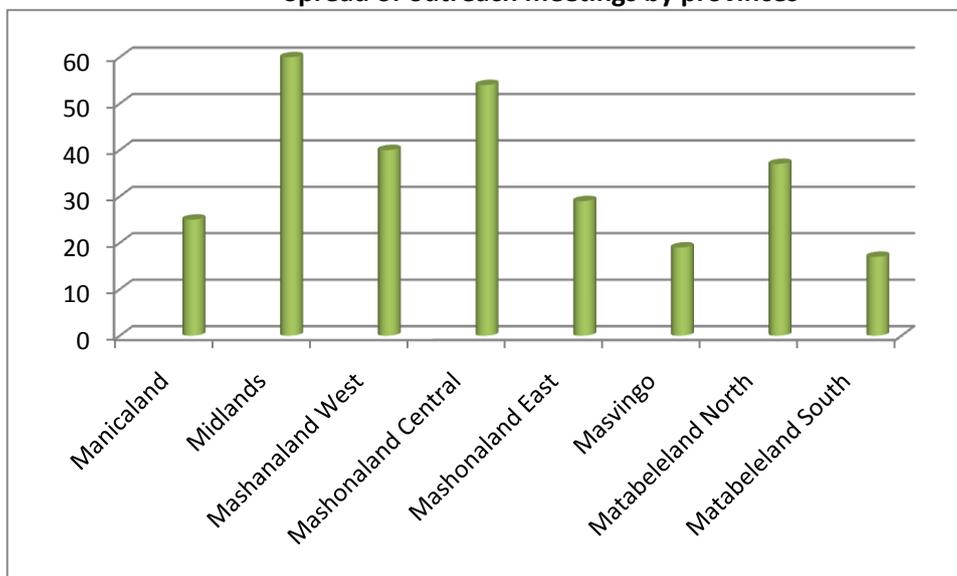
This weekly report provides signposts on outreach-related issues in the first week of August in a bid to provide an informed base from which to assess the extent to which ongoing outreach processes and consultations are most likely to yield constitutional outcomes that genuinely reflect citizen will. To this end, the report identifies both the *enabling incidents* that can be roped in to strengthen the ongoing outreach process as well as *threatening incidents* that may vitiate the gathering of views on the constitution.

Salient Observations

The week under review saw COPAC making further visible inroads in all the targeted eight provinces of Zimbabwe conducting a total of 281 outreach meetings, records indicating an increase by 25 % from the 225 that were recorded in the closing week of July. However, as is illustrated on the graph below, the noted increase was not across board as 40 % [115] of the recorded outreach meetings were accounted for by the two provinces of Midlands and Mashonaland Central provinces with lowest records of meetings [6%] in Matabeleland South province posting.

Figure 1

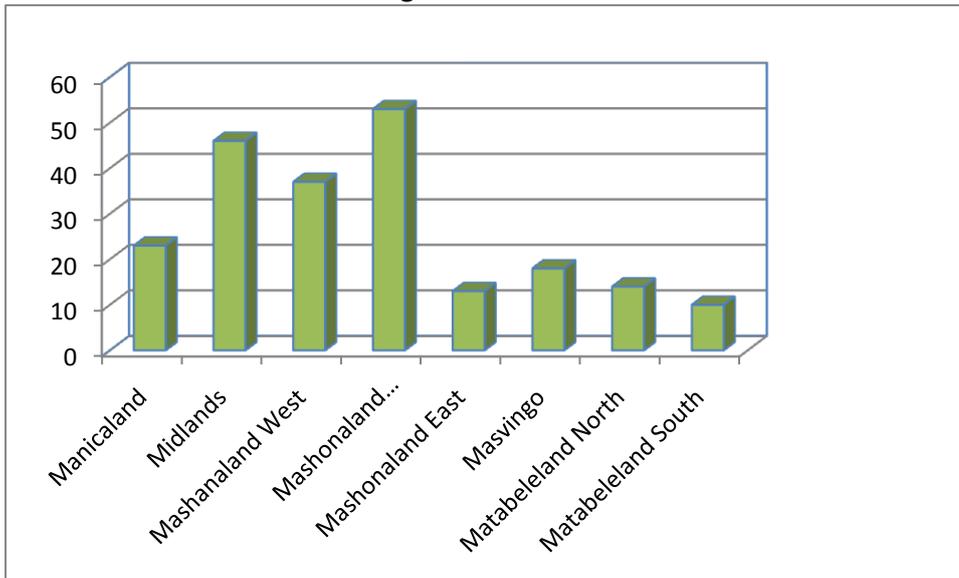
Spread of outreach meetings by provinces



High attendance cases

Analysis of the profile of meetings point to a skew towards high attendance cases. 76 % [214] of the gross recorded meetings were high attendance cases while 24 % [67] were low attendance cases. However provincial spread of high attendance cases was not even as 48 % [136] of these were accounted for by the three provinces of Midlands, Mashonaland Central and Mashonaland West. Also noticeable was that most of the cases that passed as high attendance records were low fringe zone cases. See the spread of high attendance cases in the targeted eight provinces:

Figure 2
Distribution of high attendance cases



Sampled Cases

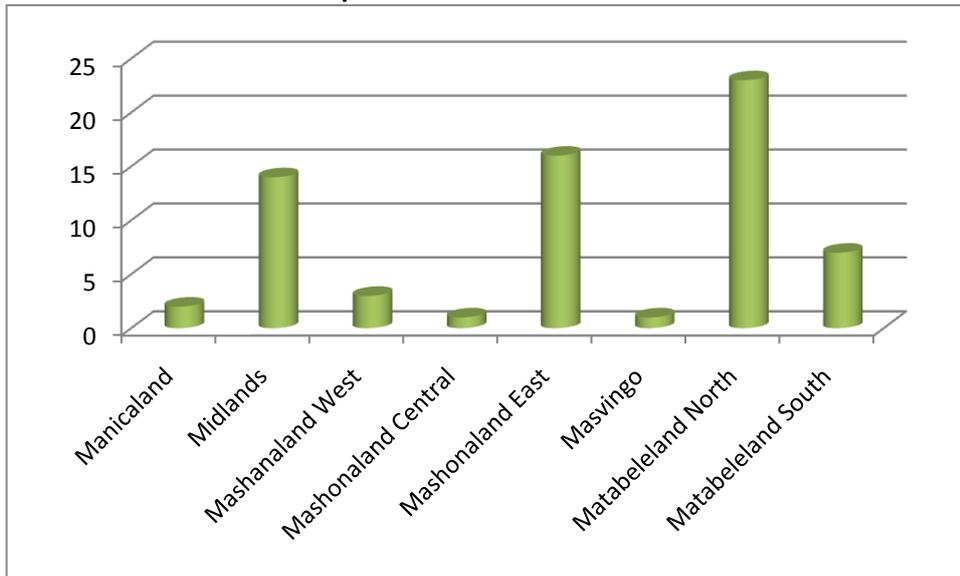
Cited high attendance cases include meetings that were held on 4 August at Kambudzi Business Centre in Ward 12 of Umzingwane where 400 people reportedly turned up and on 5 August at Bayethe in Ward 14 of Umzingwane constituency in Matabeleland South where 280 people were reportedly in attendance and another.

In Mashonaland Central province, high attendance cases include a meeting that was held on 4 August at Makaera Primary School in Ward 4 of Guruve South where 646 people were in attendance and another one at Chipangura Secondary School in Ward 5 of Guruve North where 600 people reportedly turned up.

Low attendance cases

While low attendance records were lower than *high attendance* cases, it should be noted that the 67 cases that were recorded in the first week of August were 40 % higher than the 48 cases recorded in the closing week of July. Also worth noting is that the recorded 67 cases still maintain thin visibilities in the provinces of Matabeleland North, Mashonaland East and Midlands, accounting for 79 % [53] of the gross low attendance record. Below is the spread of low attendance cases by provinces:

Figure 3
Spread of low attendance cases.



Sampled Cases

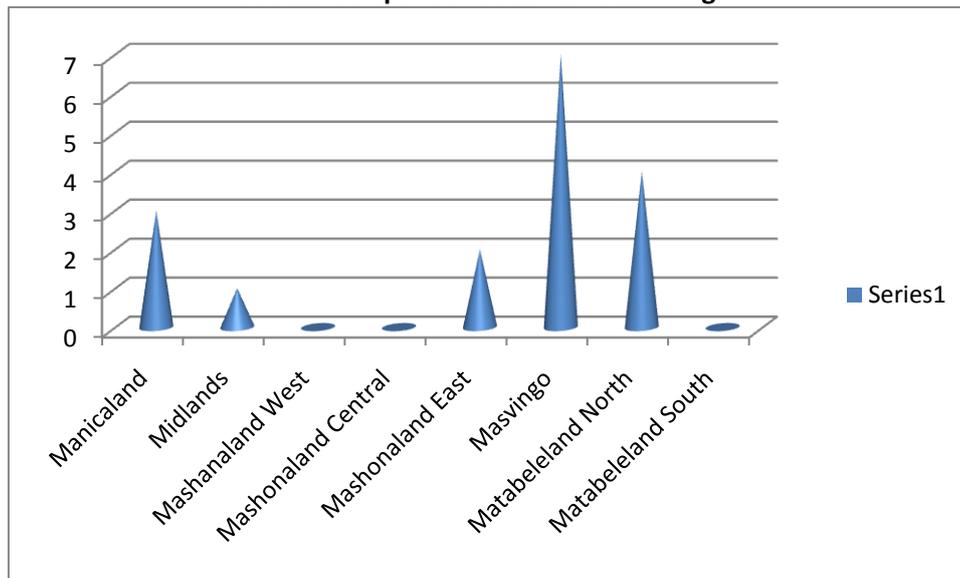
Reported low attendance cases include a meeting held on 2 August at Ruwa Workshop in Ward 4 of Ruwa constituency in Mashonaland East where 36 people were in attendance and also at Zimre Park Primary School in Ward 8 where 50 people attended. In Matabeleland South, on 5 August at Irisvale Secondary School in Ward 13 of Umzingwane the outreach consultations went ahead with only 58 people in attendance.

In Matabeleland North, reported cases include meetings that were held on 7 August at Sichongo Primary School in Ward 25 of Lupane constituency where 45 people were in attendance and another one on 6 August at Thokozo Primary School in Ward 24 of Lupane West where 35 people were in attendance. In Midlands province, some of the cited cases include meetings that were held on 7 August at Pamushana Primary School in Ward 12 of Mberengwa North where 64 people were in attendance.

Meetings Called off

Cases of outreach meetings that are being called off either because of low turnouts or because COPAC teams failed to pitch up which have been on a decline throughout July, changed direction, increasing by 113 % to 17 from the 8 cases that were recorded in the closing week of July. However this record appears to have been inflated by records from one province, Masvingo. It was however encouraging to note that there were no reported cases of cancellations in the provinces of Mashonaland West, Mashonaland Central and Matabeleland South.

Figure 4
Provincial Spread of cancelled meetings



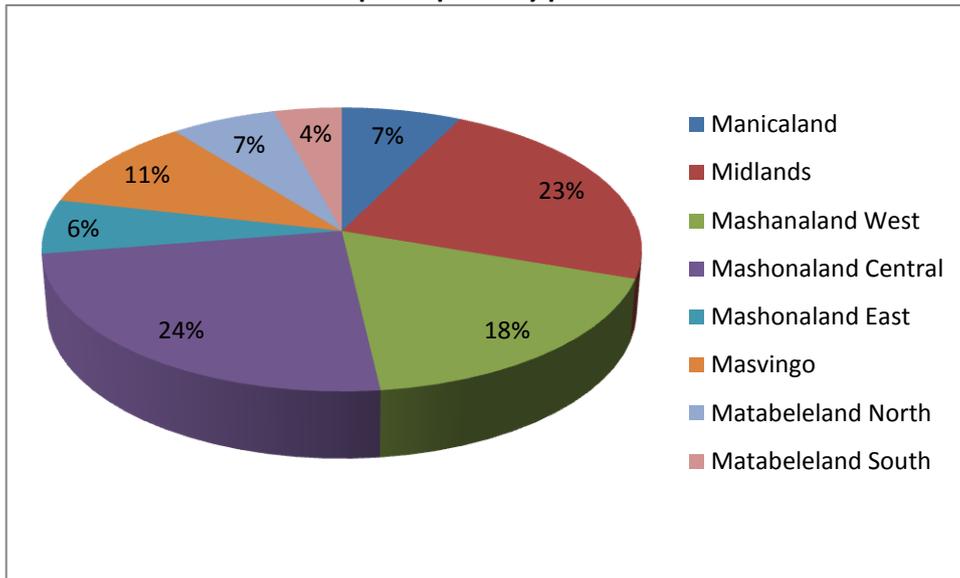
Sampled Cases

Cited cases include a meeting that was scheduled to be held on 3 August at Mandedza in Ward 2 of Seke constituency in Mashonaland East was reportedly called off after people failed to turn up allegedly because they had gone for food collection at Dema Growth Point. Another meeting which was scheduled on 4 August at Dizha Business Centre in Ward 6 of Seke constituency in the same province was reportedly called off after the COPAC team had failed to turn up. In the Midlands province, a meeting that was scheduled to be held on 6 August at Chamawanga in Ward 9 of Mberengwa North constituency was reportedly cancelled when residents gathered on the top of the mountain and COPAC failed to reach the venue.

Participants

Participant figures suggest significant improvements in the mobilization of citizens for outreach consultations. A total of 49 717 people were recorded as having attended meetings in the week under review, pointing to an aggregate 7 % upswing from the 46 465 figure that were recorded in the closing week of July. However as gleaned from the provincial spread below, the bulk of these participants were accounted for by the three provinces of Mashonaland Central, Midlands and Mashonaland West. Also visible in the graph is that the two provinces of Matabeleland are still struggling to mobilize people for outreach consultations, having emerged with the lowest records of participants. For further detail on the spread of participants in the eight provinces of Zimbabwe, see the graph below:

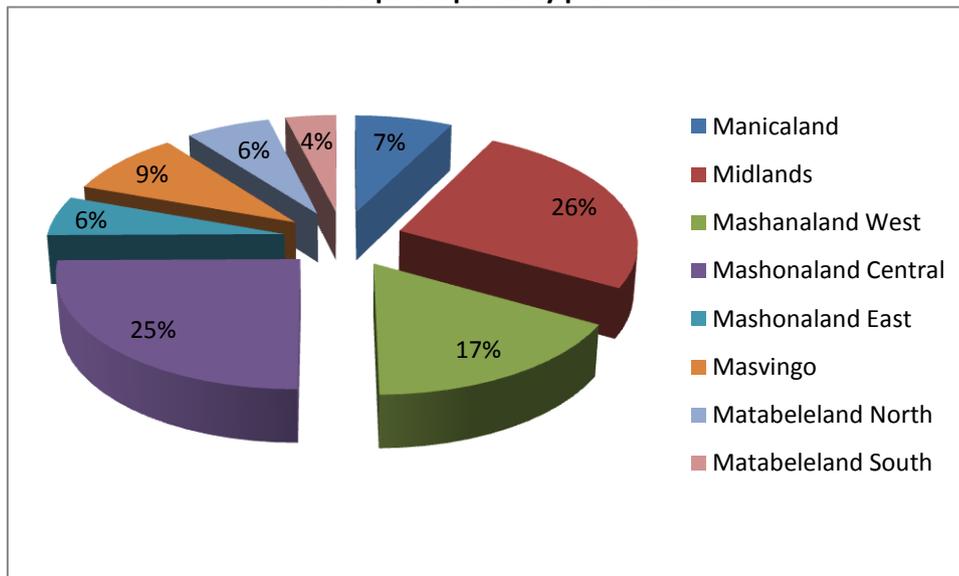
Figure 5
Distribution of participants by provinces.



Adult Participants

The observed surge in participants was also visible at the level of adult participants which show a 12 % increase from the 35 638 recorded in the closing week of July to 39 768 recorded in the first week of August. However as illustrated in the graph below, 68 % of the August record was accounted for by the three provinces of Midlands, Mashonaland Central and Mashanaland West with least records in the two provinces of Matabeleland. Below is the spread of adult participants by provinces:

Figure 6
Adult participants by provinces

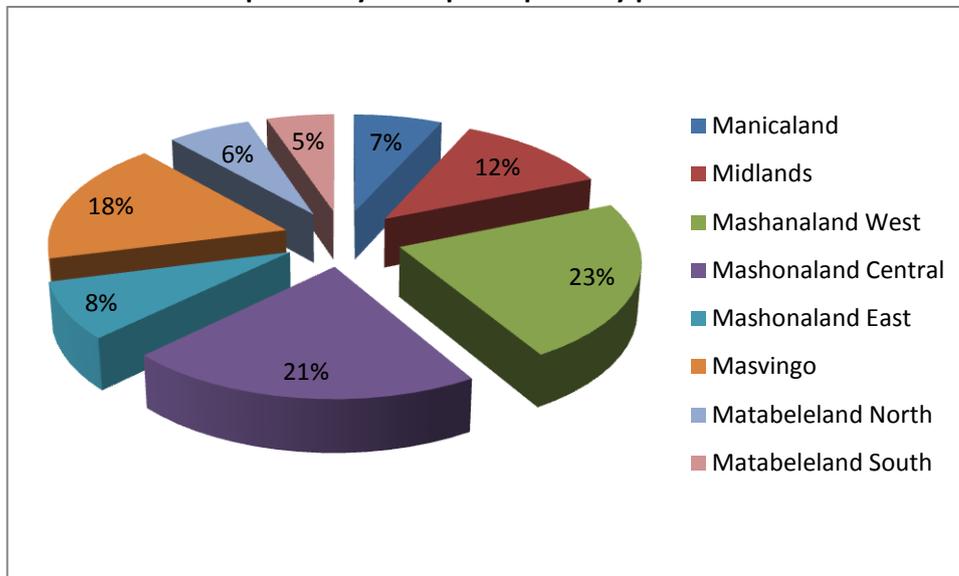


Youths Participants

Youths participant records remain on the low side suggesting that more effort should be put by COPAC to spread its outreach awareness campaigns and mop in this critical segment of the population. The record of youths participants [9 949] dropped by 8 % [878] from 10 827 recorded in the closing week of July. However, youths participant’s records in the four provinces of Mashanaland West, Mashonaland Central, Midlands and Masvingo were relatively on the high side accounting for

the bulk 74 % [7309] of the total record. Consistent with past trends, youths attendance records in the two provinces of Matabeleland region remained severely stressed with lowest figures of 635 in Matabeleland North and 514 in Matabeleland South. See the graph below for further detail on the spread of youths participants by provinces:

Figure 7
Spread of youths participants by provinces



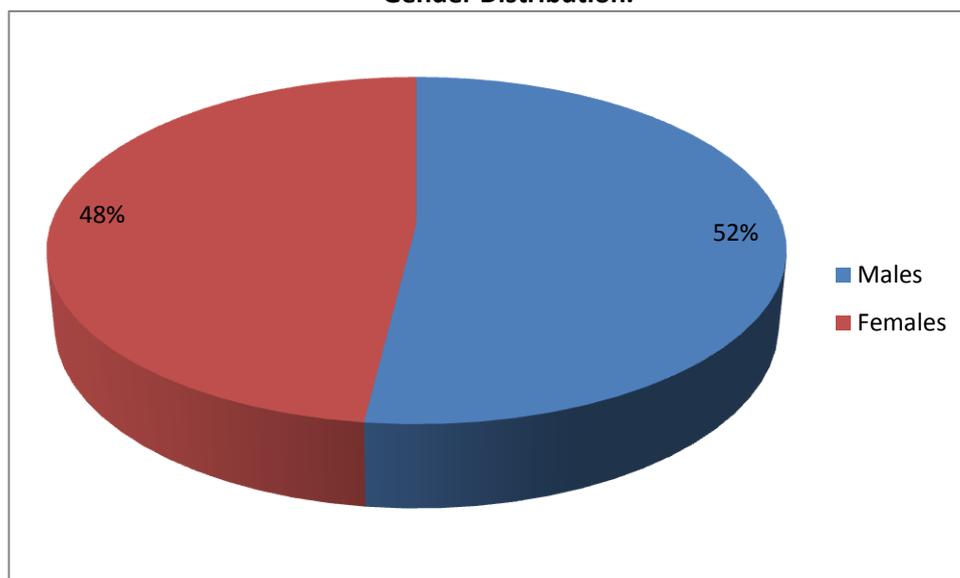
Sampled Cases

In Midlands province, observed cases of low youth attendance include meetings that were held on 4 August at Zijena Village in Ward 3 of Mberengwa East where 7 out of the 358 people in attendance were youths. Cases reported in Mashonaland Central province include meetings that were held on 6 August at Hozo Business Centre in Ward 9 of Guruve South where 23 of the 474 people in attendance were youth and also at another meeting that was held on 2 August at Tsungabvi Community Hall in Ward 33 of Mazowe South where 65 out of the 175 people who turned up were youths. In Matabeleland South, cited cases include meetings that were held on 5 August at Bayete in Ward 14 of Umzingwane where 45 of the 280 people in attendance were youths and also at a meeting that was held on 6 August at Mpofini School in Ward 17 where 35 of the 98 people who turned up were youths. In Matabeleland North province, reported cases include meetings that were held on 4 August at Kana Primary School in Ward 5 of Lupane West where 32 out of the 185 people in attendance were youths and also at a meeting that was held on 5 August at Manganganga Primary School in Ward 13 of Lupane West where 17 of the 100 people in attendance were youths. Among the few reported cases of high youths attendances were meetings that were held on 3 August at Aleight Mission in Ward 39 of Gutu East in Masvingo province where 500 of the 850 in attendance were youths.

Gender spread of participants

Gender distribution of participants remains slightly skewed towards male participants. Records of the week under review also point to an increase across the gender divide. The current male participant record of 25 899 suggest an increase by 11 % from 23 413 recorded in the closing week of July. As shown on the graph below, high figures of male participants were recorded in Mashonaland Central, Mashonaland West, Masvingo and Midlands and while the two provinces of Matabeleland maintained their tradition of trailing behind.

**Figure 8
Gender Distribution.**



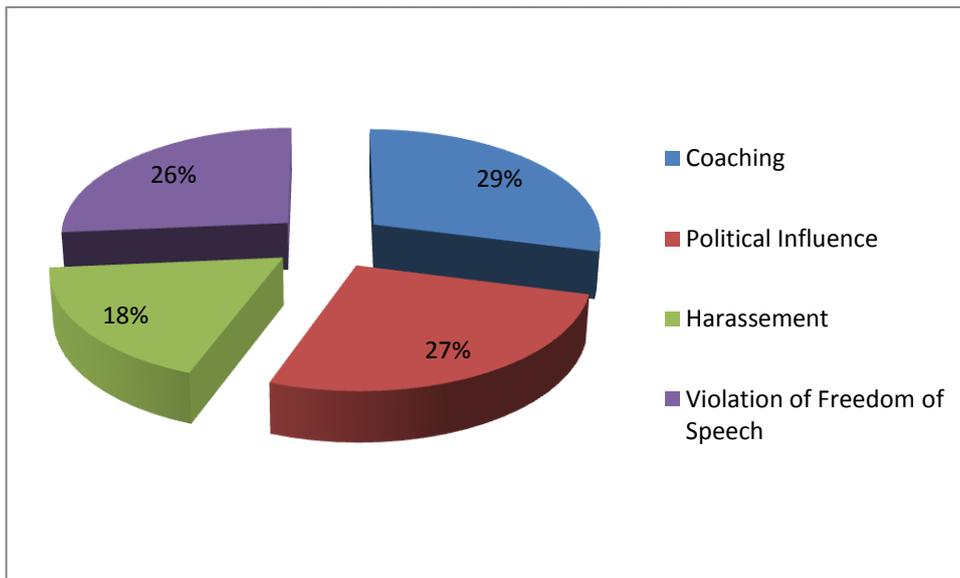
The observed increase was also visible in the female category where figures increased by 4 % from 23 052 recorded in the closing week of July to 23 899 by the first week of August. However, 74 % of this figure was drawn from the provinces of Mashonaland Central, Masvingo, Midlands and Mashonaland West and as in the past weeks, with lowest records from the two provinces of Matabeleland.

Outreach-Related Violations

Although ZZZICOMP provincial reports suggest that the outreach program is clear from incidents of violence, violations in the form of harassment, coaching, political interference and breach of freedom of speech still maintain disturbing statistical visibilities. Records of outreach-related violations increased by 55 % from the 319 recorded in the closing week of July to 496 by the first week of August.

This increase was also manifest when outreach-violations were analysed category by category. Cases of harassment increased by 23 % from 70 to 86, coaching incidents by 55 % from 116 to 180, cases of political interference by 45 % from 89 to 129 and violations of freedom of speech by 221 % from 42 to 135, between the closing week of July and the first week of August.

Figure 9
Distribution of outreach- violations

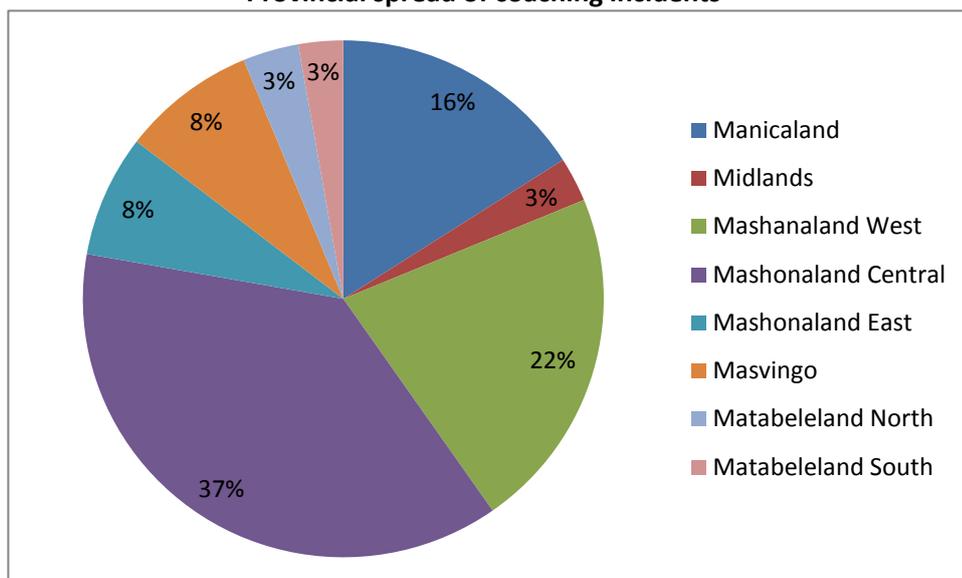


Analysis of provincial records of outreach-violations indicate that they are still thinly spread in the eight provinces, however with the politically restive provinces of Mashonaland Central, Mashonaland West and Manicaland accounting for 75 % [392] of the outreach violations recorded in the period under review. In line with past trends, the Matabeleland region remained in the least violations zones, accounting for only 4 % [23] cases of the gross outreach-related violations.

Coaching

Coaching was the most commonly committed outreach-related violation. Of the 496 outreach-related violations, 144 were cases of coaching. As reflected on the graphs below, coaching incidents maintained pronounced visibilities in Mashonaland Central, Mashonaland West, Manicaland, Mashonaland East and Masvingo.

Figure 10
Provincial spread of coaching incidents



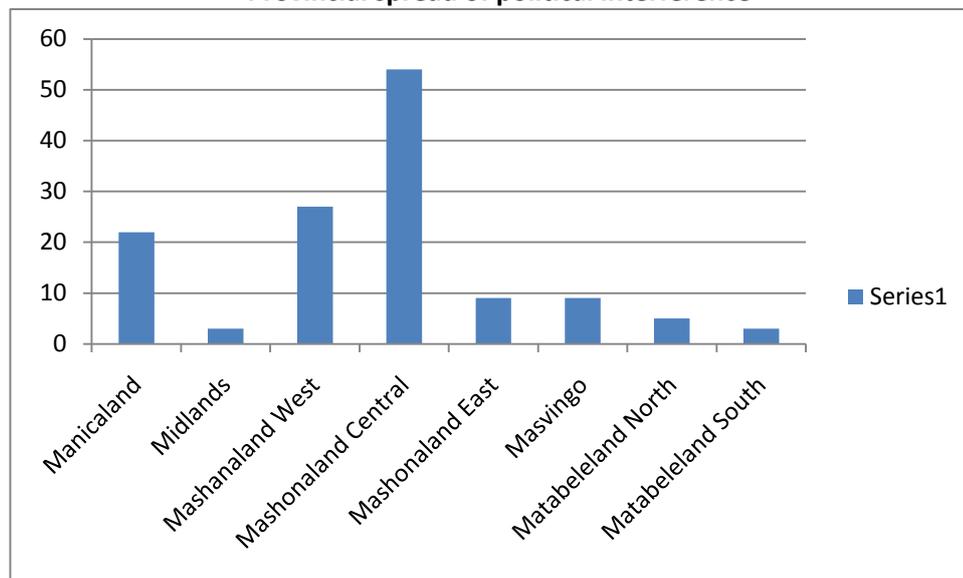
Sampled Cases

Among the cases of coaching reported in Mashonaland East were experiences at meetings which were held on 6 August at Nyachidze Primary School in Ward 12 of Seke constituency where members of the public were clearly divided into two political parties and were expressing political party positions rather than personal views. At another meeting that was held on 3 August at Dzandura Primary School in Ward 4 of Seke constituency in the same constituency, ZZZICOMP observers claimed to have seen people being trained by their political parties before the COPAC meeting. At the said meeting, selection of speakers was reportedly visibly selective, chances to contribute reportedly only given to known political party members. Cases reported in Matabeleland South included meetings that were held on 4 August at Impala School in Ward 11 of Umzingwane where members of both ZANU PF and MDC T party members were observed drilling party members on how they should respond to Talking Point questions. In Mashonaland Central province, incidents that were highly suspect of coaching were reported at meetings that were held on 2 August at Watakayi Farm in Ward 34 of Mazowe West and also on 6 August at Mupinyuri Primary School in Ward 11 of Guruve South where ZANU PF party leaders were observed coaching their supporters before the arrival of COPAC teams.

Political interference

Political interference was the second most frequently committed outreach violation accounting for 132 of the gross record of outreach violations, most of which, as reflected in the graph below, were recorded in the traditional politically restive provinces of Mashonaland Central, Mashonaland West and Manicaland.

Figure 11
Provincial spread of political interference



Sampled Cases

Among the reported cases in Manicaland where at a meeting that was held on 2 August at Dzingire Primary School in Ward 21 of Chimanimani East where ZANU PF was reported to have tried to influence debate outcomes at the meeting by deploying participants from other wards.

In Mashonaland Central, reported cases include a meeting that was held on 5 August at Kugotsi Secondary School in Ward 7 of Guruve South where ZANU PF reportedly expressed their views through slogans forcing COPAC team members advising them to stop using political slogans.

In Mashonaland West, reported cases include meetings that were held on 4 August at Nyarumwe Primary School in Ward 12 of Magunje constituency where ZANU PF leaders were reportedly forcing people to agree with their positions and issuing threats to those who refused to toe the line and on 8 August at Chishamba Primary School in Ward 10 of the same constituency where people were reportedly threatened by ZANU PF youths.

At a meeting that was held on 3 August at Chipangare Primary School in Ward 37 of Gutu Central, ZZZICOMP observers claimed that only those who were selected by their political party leaders were allowed to speak.

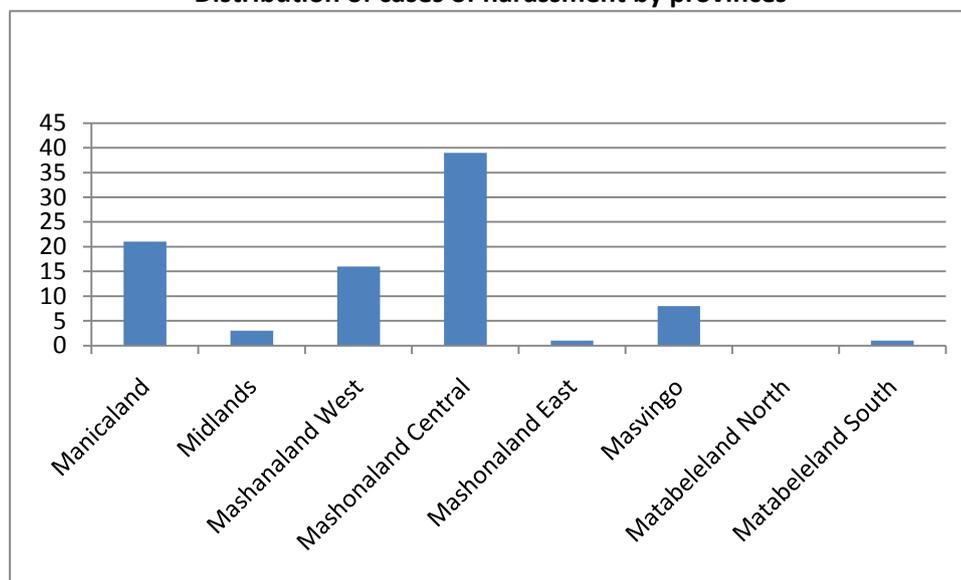
In Mashonaland East province, cited cases included meetings that were held on 6 August at Kerry Primary School in Ward 12 of Seke constituency where ZANU PF reportedly forced people to attend.

Among the cited cases in Matabeleland South were meetings that were held on 5 August at Bayethe in Ward 14 of Umzingwane where contributions were selected by political parties by ensuring that only selected people were contributing.

Harassment

Incident of harassment remained pronounced with a total of 89 cases having reported in the week under review with disturbing visibilities in the provinces of Mashonaland Central, Manicaland and Mashonaland West. However, if records of this week are anything to go by, harassment appears to be on the decline in the provinces of Midlands and Masvingo with provinces such as Matabeleland North, Matabeleland South and Mashonaland East recording either a single case or no reported case at all. ZZZICOMP applauds these improvements with guided optimism and hopes that the noted declining trends will be sustained throughout the lifespan of the outreach program.

Figure 12
Distribution of cases of harassment by provinces



Sampled cases

In Mashonaland Central, cases include experiences at meetings that were held on 2 August at Horseshoe Primary School in Ward 1 of Guruve North where people were reportedly not free to express themselves because of the presence of suspected members of the CIO.

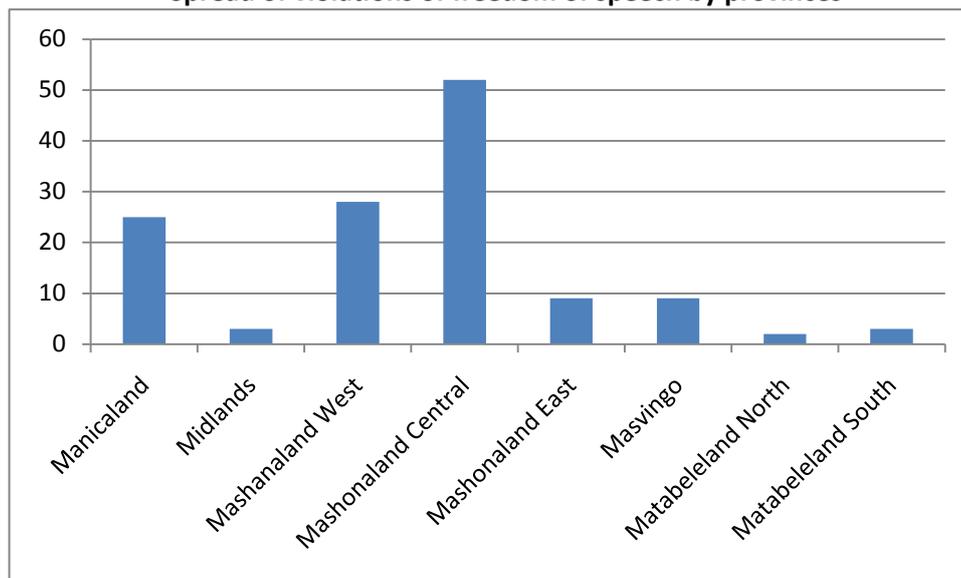
In Masvingo province, the reported 8 cases include experiences at meetings that were held on 3 August at Bhasera Business Centre in Ward 39 of Gutu East where people were reportedly intimidated by ZANU PF supporters and at also another meeting that was held on 2 August at Makombo Ground in Ward 34 of Gutu Central where a suspected MDC party youth was reportedly threatened by suspected ZANU PF member allegedly because he had criticised his views on Talking Points.

In Mashonaland West province, reported cases include meetings held on 4 August at Dzimbahiwe Business Centre in Ward 13 of Magunje where the consultation was reportedly abused by political party members such that people in attendance were not free to express their views. On 7 August at Nyangwizhu Primary School in Ward 16 of Hurungwe West, people in attendance were reportedly verbally threatened by ZANU PF leaders and forced to be silent throughout the outreach deliberations

Freedom of Speech

Incidents in which freedom of speech was clandestinely violated through verbal threats remain dotted across the provinces with a total of 131 cases reported, with disturbing violations tolls in Mashonaland Central, Mashonaland West and Manicaland. Freedom of speech breaches however, appear on the decline with extremely low cases in the provinces of Midlands and the Matabeleland region. Midlands records of this week appear suspect as they reflect a radical departure from observed past trends.

Figure 13
Spread of violations of freedom of speech by provinces



Some Emerging Issues on Talking Points

Mashonaland East

- provincial governors should be elected by people
- people in the Diaspora should be allowed to vote
- There should be an elected President who has powers to appoint ministers
- Land should be given to those who want to use it
- Traditional leaders must not be involved in politics.

Matabeleland South

- Respect should be accorded to the national anthem.
- One president and one vice president. President should have limited powers.
- War veterans should be apolitical
- Provincial governors must be elected by the people

- There should be ten [10] provinces.
 - Devolved State
- Matabeleland South
- Want both President and Prime Minister
 - One President and one vice President
 - Devolved State
- Mashonaland Central
- Peaceful country where there is respect for human rights
 - Unitary State and retention of 10 provinces
 - Youths should be between 18 to 35 years
 - Disabled people must be given a parliamentary seat.
- Midlands
- Youths between 15 to 30 years
 - Unitary State
 - A set up where there is a President and Prime Minister sharing power.
- Masvingo
- Unitary State with 10 provinces
 - Parliamentary seat for disabled people
 - Respect for human rights
 - President and Prime Minister
 - Youths between 15-30 years
- Mashonaland West
- Executive President with two Vice president, president elected for a minimum of two terms only each of five years.
 - Executive President as Head of State, Government and Commander in Chief of the Defence Force
 - Unitary State with ten [10] provinces to remain
 - Provincial Governors should be elected by the people
 - Church should not be involved in politics
- Manicaland
- Remember First and Second Chimurenga, Murambatswina, Gukurahundi and 2008 Genocide
 - President and Prime Minister
 - Devolved State
 - Freedom of assembly, choice and worship
 - Right of education, life, health and shelter

Conclusions and Recommendations

- While cases of violence have statistically declined, citizen freedom of participation remains clandestinely threatened through verbal threats, coaching, political interference and harassment.
- Coaching is now a common practice among members of the two main political parties, the MDC T and ZANU PF, developments that are likely to see individual expression sacrificed at the altar of political party views. With these partisan approaches to outreach consultations, the risk of sidelining the views of other stakeholders looms high.
- ZANU PF members especially in Mashonaland West, Mashonaland Central, Manicaland and Mashonaland East continue to usurp opening prayers session to express party positions on Talking Points. This is, despite the fact that prayer sessions should be given by COPAC teams.
- There is also a growing perception that in urban settings, COPAC teams have a tendency of rushing through Talking Points, in some cases taking no time to explain issues. ZZZICOMP deplores such practices as they constitute subtle denials to citizen rights to information on Talking Points.
- The seven [7]minutes that are allocated for each thematic area is proving to be too limited to allow meaningful debates, scenarios that result in COPAC teams rushing through Talking Points in order to cover all thematic areas within the limited time allocated.