

NATIONAL CONSTITUTIONAL ASSEMBLY (NCA)

Election Climate Report No.10	Week ending 5 March 2005.
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The Election Climate Reports are produced by the NCA in order to provide information on the prevailing climate for citizen participation in the forthcoming Parliamentary Election. The NCA has already communicated its condemnation of the constitutional framework under which the elections are being conducted. The Report is a consolidated statement of the reports sent in by a national network of community monitors.

The community reports sample a number of electoral "atmospherics" (described below), which aim to provide a clear description of the state of affairs prevailing in any one constituency:

- *Freedom of Association;*
- *Freedom of Assembly;*
- *Freedom of Movement;*
- *Freedom of Expression;*
- *Incidence of Political Violence;*
- *Disputes over electoral procedures and electoral irregularities;*
- *Occurrence of voter education;*
- *Use of food as a political weapon.*

The reports sample 18 critical indicators and hence provide a simple score for any one constituency, which we have termed the "Electoral Irregularity" [EI] score: the higher the EI score, the worse the electoral climate in a constituency.

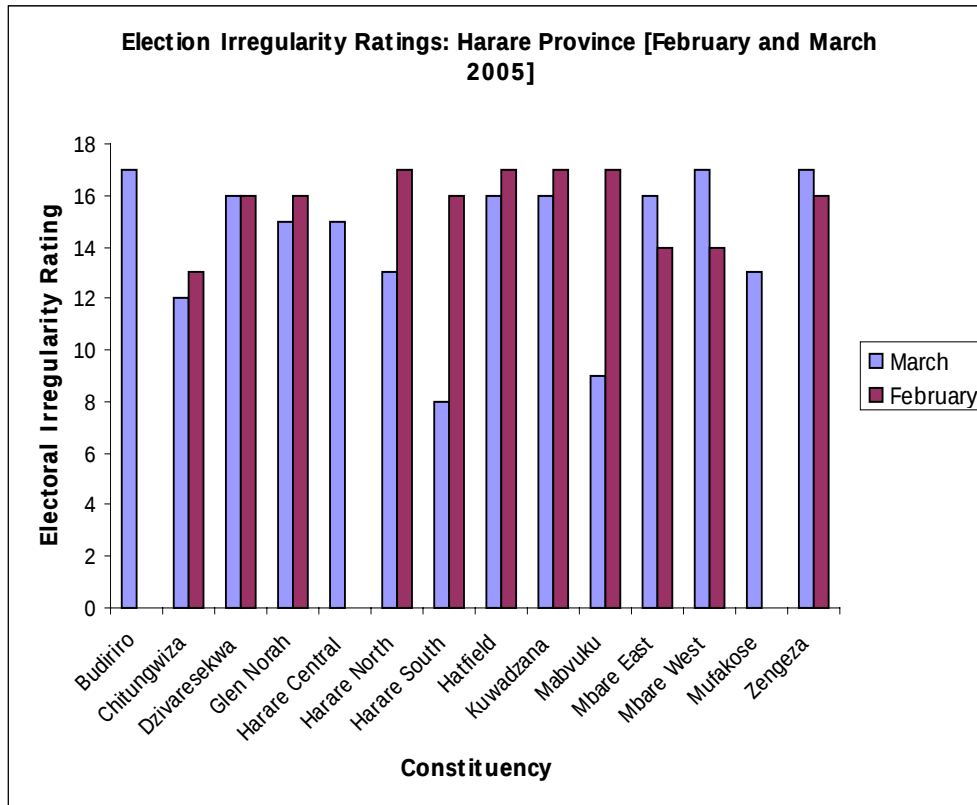
Overview

This is the second Harare report, and deals with the first week in March 2005. It covers several more constituencies than the previous reports, therefore giving a wider picture of the electoral climate. The report shows that there is some improvement in the climate, but citizen participation is being impaired. As the elections draw closer it is essential to ensure that all citizens who want to vote have the opportunity to do so without any interferences, but this is not the case in Harare Province, as all constituencies reported infringements with their basic freedoms, with the odd exception.

The **EI** ratings are high with 9 of the 14 constituencies having a rating of 15 or more: Budiriro [17], Dzivarasekwa [16], Glen Norah [15], Harare Central [15], Hatfield [16], Kuwadzana [16], Mbare East [16], Mbare West [17], and Zengeza [17]. The rest had **EI** ratings of between [9] and [13]: Chitungwiza [12], Harare North [13], Harare South [8], Mabvuku [9], and Mufakose [13]. The average **EI** rating for the first week of March was 14, down from 16 in February.

With regard to the infringement of freedoms, only Harare South showed improvement, and it was the changes in this constituency that accounted for the lowering in the average EI rating for the Province. Political violence, electoral disagreements, and political use of food were all widespread again. There was no evidence, according to the reports received, that any formal voter education was taking place, apart from Mabvuku.

With so little change evident in Harare Province, it is evident that serious action needs to be taken in order to create the climate for ordinary citizens to own and participate in the electoral process. The NCA calls upon all concerned parties – government, the political parties, and the civics concerned with peace building – to take immediate steps to investigate these allegations, and to take firm steps to correct all irregularities confirmed.



Harare Province

Interferences with freedom of association were reported, with many reports that party supporters are unable to wear their insignia or put up posters of their choice. In most reports across the country, this usually affects only members of the opposition, but in Zengeza, Harare South, Kuwadzana, Mufakose, Hatfield, Mabvuku, Chitungwiza, Mbare West, Glen Norah, and Dzivarasekwa, it was reported that the ruling party is unable to exercise their freedom of association. There is a difference between this report and the previous one in this regard, and strongly suggests that severe political polarisation is taking place in Harare.

Interference with freedom of assembly was also reported. There were many allegations that ZanuPF is continuing to force people to attend their political rallies, but, in Harare Central, it was reported that the MDC is forcing people to attend meetings. **In Budiriro, Makufa forced people to attend Zanu meetings in Glen View.** There were reports that many of meetings were being held. In comparison to other Provinces, the MDC is holding many more meetings: in several constituencies they held the same number of meetings as ZanuPF. The 2 parties were reported to have held 5 meetings each in Hatfield, Mufakose, Chitungwiza, and Mbare East.

All constituencies, except Harare South, reported that their freedom of movement is being interfered with by the police, the militia, ZanuPF supporters, and the CIO. In Dzivarasekwa, the people are not allowed to walk after 9pm, as the police say this is "loitering". In Mabvuku [Ward 20], a few names were offered as the people who are interfering with freedom of movement - Anold, Funwel and Zeka.

It was alleged that the police and the militia are the main culprits when it comes to interfering with people travelling out of the constituencies. In Harare Central, it was reported that the army, ZanuPF supporters, and the CIO are also interfering with the people's movements. It was stated that, in Zengeza, opposition members are being displaced to lessen the MDC's votes. There are

cases of new residents moving into the constituencies: these are reported to be mostly voters or militia, and the latter are reported to be involved in assaults. Movements of new people into the constituency was reported in Mufakose, Mabvuku, Mbare East, Harare North, Chitungwiza, Mbare East, and Mbare West. In Budiriro, it was reported that new residents were coming in from different communal areas on the pretext of being tenants.

Interference with freedom of expression was widely reported, with allegations that people are afraid to express themselves freely, as well as the police application of POSA being a factor that deters people from voicing their opinions. The youth militia were reported to be responsible for the lack of this freedom, as they have installed fear in all with whom they interact. It was reported that people are beaten if they are seen reading other than state-owned newspapers.

ZanuPF was the only party reported to be forcing people to chant their slogans. In Budiriro, war veterans were said to be the main people doing this, whilst, in Mbare East, it was reported to be the youth militia.

Physical political violence has decreased, but has not been wholly eliminated. There were some reports of assault, abduction, sexual assault, displacement, torture, and unlawful arrest in Zengeza, Mbare East and in Hatfield. Members of the MDC and civic organisations were the victims. In Mabvuku, the perpetrators were both ZanuPF, the police, the youth, the army, and the CIO, with the alleged violations being assaults and death threats. The MDC were the usually victims, according to the reports, and there were hardly any cases where the MDC were the perpetrators. There was some gender-based violence where women were forced to be in attendance at party bases: this was reportedly done by war veterans and the militia. This was reported in Budiriro, and Zengeza, whilst, in Dzivarasekwa, this was allegedly done by the army. In Mbare West, Chipangano were said to be responsible for taking people to these bases. There were reports of rape in Mbare West, Mabvuku, Kuwadzana, and Mufakose, whilst, in Harare South, Hatfield, and Harare Central, the violations were reported to be indecent assault.

There were many reports on hate speech and intimidation, mainly where ZanuPF supporters were heard using hateful and derogatory language against the MDC and others. Only in Harare Central was the MDC said to be using such language, and this was targeted at the ruling party.

Intra and inter-party violence was reported to be taking place, ZanuPF was the only party reported to be instigating violence against others, but the MDC was reported as having in-house fights. These latter reports came from Mabvuku, Harare Central, Mufakose, Hatfield, Chitungwiza, and Budiriro. Zanu PF was also reported to be involved in intra-party violence in these same areas as well as several others - Dzivarasekwa, Harare North, and Mbare West.

Zanu PF militia bases were said to be scattered over all Harare. In Mabvuku, there were reports of based at Bob area in Tafara. In Glen Norah, bases were reported Chitubu Shopping Centre in Budiriro [5B], whilst Gladys Hokoyo and David Makaufa were reported as having bases where they instill fear in the residents. In Mbare East, the militia were said to be based at Matapi hostels, Majubheki, Renkini, and the Bata offices in Mbare Musika. There are also bases reported in Harare Central, Zengeza, Hatfield, Mufakose, and Madiro shopping centre in Dzivarasekwa 2.

Most of the election disagreements reported were between Zanu and the MDC, but, in Mabvuku, these disagreements were reported as being between the MDC and other parties

There is still very little formal voter education, with only Mufakose being reported as a constituency where formal voter education is taking place. The political parties were reported to

be educating the public at their political meetings, whilst other civic groups were reported to be doing this education despite the ban imposed on them.

Recommendations

As there are less than three weeks to go before the elections, there are still procedural disagreements and little vote education being conducted, under these and other conditions mentioned in this report, it is almost impossible to state that citizens will fully participate in the elections.

It is necessary to investigate the claims made in this report, particularly the reports of violence where the police are stating that there is zero tolerance. Most of the perpetrators of violence are Zanu PF supporters, working together with the youth militia, the police and the army to some extent.

Women's groups are urged to look into the reports of rape and incident assault as it appears these cases are going unnoticed.

There is a pressing need to build a climate of peace and tolerance, and the NCA calls upon all organizations concerned with peace building to investigate these allegations, and to take immediate steps to rectify all problems identified.

The National Constitutional Assembly (NCA) is a network of civic organizations and activists as a grouping of individual Zimbabwean citizens and civic organisations including, labour movements, student and youth groups, women's groups, churches, business groups and human rights organisations. It also includes political parties formed in 1997. These individuals and groups formed the NCA to campaign for constitutional reform after realising that the political, social and economic problems affecting Zimbabwe are mainly a result of the defective Lancaster House Constitution and can only be resolved through a new and democratic constitution.

A democratic Constitution is the basis of good governance and leads to social and economic development. Thus a democratic constitution leads to:

- *Free and fair elections*
- *Observance of and respect for fundamental human rights*
- *Respect of human rights*
- *Respect for rule of law and an accountable and responsive government.*

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Harare Province [March 2005]

Constituency	Interference with Freedom of Association	Interference of Freedom of Assembly	Interference with Freedom of Movement	Interference with Freedom of Expression	Political Violence	Electoral Disagreements	Voter Education	Political use of food	Electoral Irregularity Rating
Budiriro	yes	yes	yes	yes	yes	yes	no	yes	17
Chitungwiza	yes	yes	yes	yes	yes	no	no	yes	12
Dzivaresekwa	yes	yes	yes	yes	yes	yes	no	yes	16
Glen Norah	yes	yes	yes	yes	yes	yes	no	yes	15
Harare Central	yes	yes	yes	yes	yes	yes	no	yes	15
Harare North	yes	yes	yes	yes	yes	no	no	yes	13
Harare South	no	no	no	no	no	yes	no	no	8
Hatfield	yes	yes	yes	yes	yes	yes	no	yes	16
Kuwadzana	yes	yes	yes	yes	yes	yes	no	yes	16
Mabvuku	yes	yes	yes	yes	yes	yes	no	yes	9
Mbare East	yes	yes	yes	yes	yes	yes	no	yes	16
Mbare West	yes	yes	yes	yes	yes	yes	no	yes	17
Mufakose	yes	yes	yes	yes	yes	yes	yes	yes	13
Zengeza	yes	yes	yes	yes	yes	yes	no	yes	17