

NATIONAL CONSTITUTIONAL ASSEMBLY (NCA)

Election Climate Report No. 1 **Week ending 20 February 2005.**
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.

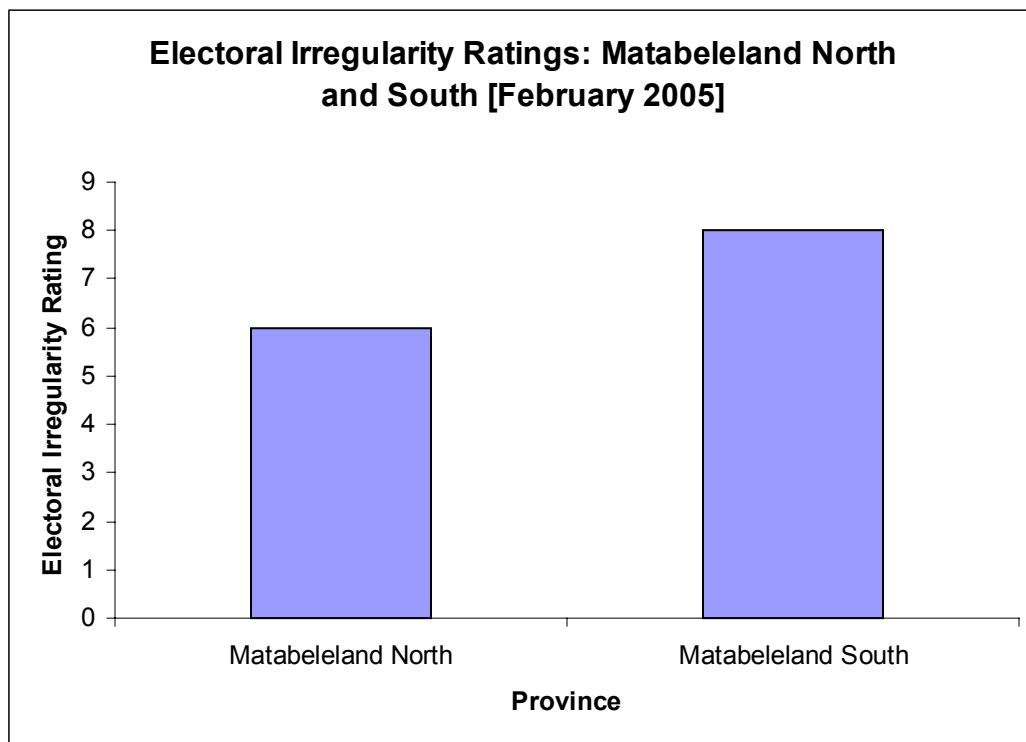
The community reports sample a number of electoral "atmospherics" (described below), which aim to provide a clear description of the state of affairs prevailing in any one constituency:

- *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 first report covers only two provinces, Matebeleland North and South. In the period under report, 14 to 20 February 2005, there was little physical violence but there were many incidences of threats and intimidation and infringement of personal freedoms. The figure below indicates the two provinces' **Electoral Irregularity [EI]** ratings.



As can be seen from the figure above, Matabeleland South appeared to be less free than Matabeleland North, but, in both Provinces, there was variation between the constituencies. For example, in Matabeleland North, Binga [3], Hwange East [1] and Hwange West [3] had low **EI** ratings according to the reports, but Bubi Umguza [8], Nkayi [9], Lupane [16], and Tsholotsho

[7] had relatively **EI** high ratings. In Matabeleland South, only Gwanda South [4] had a low **EI** rating, whilst the remainder – Gwanda North [8], Insiza [10], Matobo [7], and Umzingwane [9] - all had **EI** ratings of 7 and above.

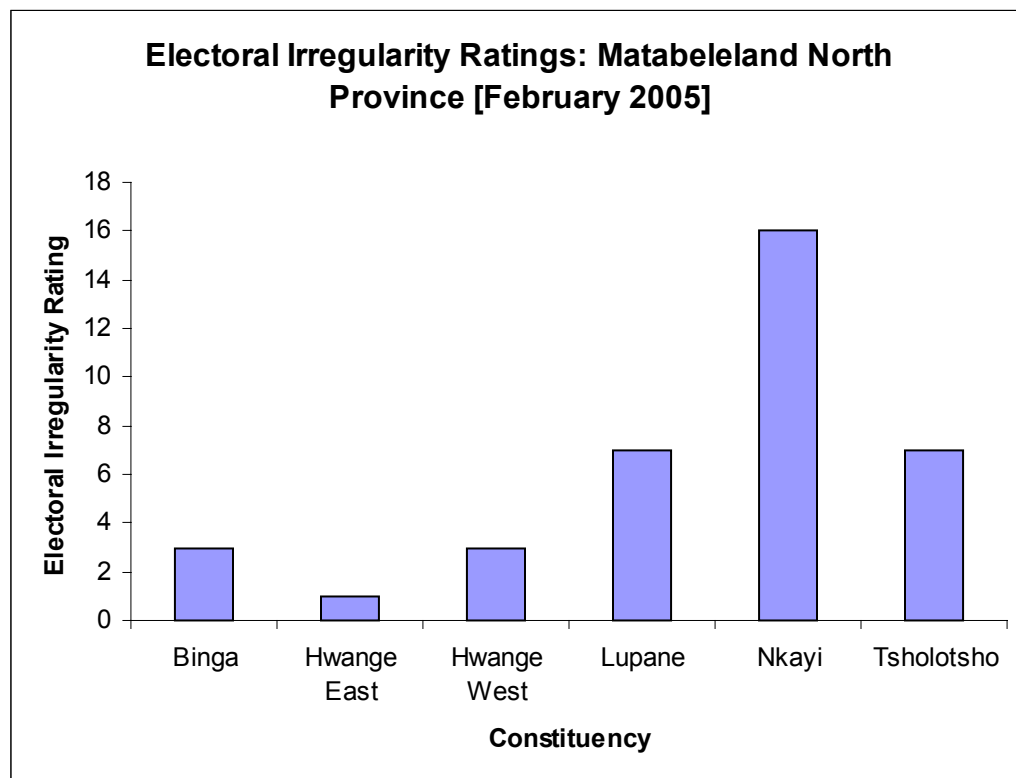
The types of irregularities observed varied between the constituencies, but overall the information received suggests that, in both of these two Provinces, the current climate is not conducive to full citizen participation in the elections. It is noteworthy that political violence was reported in all constituencies, but this was mostly in the form of hate speech, threats, and intimidation rather than physical violence.

As will be seen below, there are far too many reports indicating that there is interference with citizens' expression of their basic freedoms. Perhaps more serious in the current situation, are the observations that political misuse of food was seen in 5 of the constituencies covered in this report.

The NCA requests that all these allegations receive immediate attention from the electoral authorities and the political parties. The NCA also requests that all bodies concerned with peace building give these allegations their fullest attention.

Matabeleland North Province:

As is seen from the Figure below, there was variation between the constituencies in Matabeleland North, with Nkayi the worst of the 7 constituencies reported upon.



During the reporting period, members of the opposition have been unable to wear their party insignia, people have been forced to attend political meetings and chant Zanu slogans. In Nkayi, it was interesting to note that the MDC was unable to wear their party insignia and Zanu PF was unable to put up its posters. Out of the 7 constituencies, 5 reported interference with freedom of association, 3

reported interference with freedom of assembly, and 6 reported interference with freedom of movement.

There are reports of new residents, purportedly prospective voters, in the various constituencies being introduced in preparation for the March elections. This has apparently been motivated by promises of food. The youth militia have been reported as being behind the forced movement of people to and from constituencies.

There are reports of people who have been unable to read the newspapers of their choice and unable to express their views in public. Fear has been the major reason for the lack of freedom of expression: there have been threats of violence, incidents of beatings, and arrests for openly expressing political opinions.

In respect to freedom of assembly, Mat North had several incidents, but Binga, Bubi Umguza, Hwange and Tsholotsho had no such reports. This refers to the numbers of political meetings people have been forced to attend, as well as being unable to attend the political meetings of their choice. The non-ZanuPF meetings were reported as being disrupted by the police under POSA, which ensured that only ZanuPF meetings were held.

As mentioned above, there was little physical violence, but intimidation and threats were reported in all the constituencies, with Nkayi being the worst affected. The physical violence reported was alleged to be torture perpetrated by Zanu PF and the youth militia. There were also reports of gender-based violence where the women were forced to go to party bases. Interestingly, in one of the reports, the victims were ZanuPF female members forced to go to ZanuPF bases.

Electoral disagreements were noted in Bubi, Lupane and Nkayi, but the other constituencies were quiet. In terms of voter education there was hardly any group doing this. There were however several incidents of politically aligned distribution of food, especially in Lupane and Nkayi.

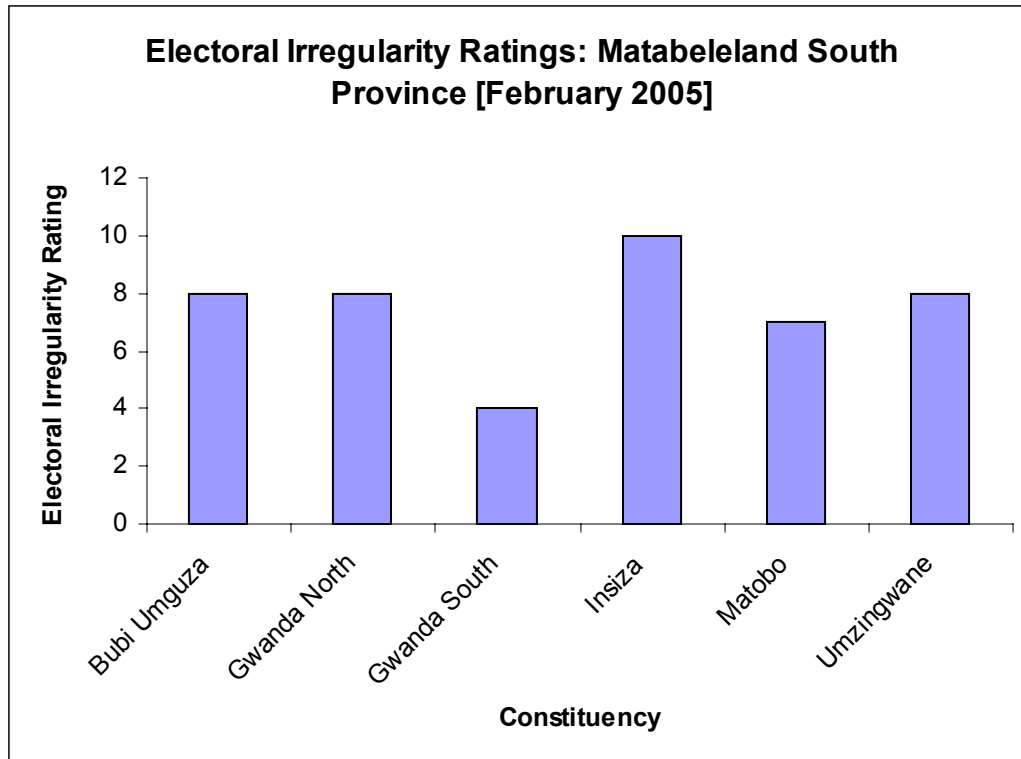
Matabeleland South Province:

The **EI** ratings in this province were higher on average than in Matabeleland North, but they also showed a greater range: **EI** ratings here ranged from between 3 and 10 as opposed to between 2 and 17 in Matabeleland North.

Interference with freedom of association was reported in all 5 constituencies, whilst interference with freedom of movement was seen in 4 of the 5 constituencies, as was interference with freedom of movement.

There were instances where the opposition was unable to wear their insignia and unable to put up their posters. This was reflected in all except one constituency. In Matobo, Insiza, and Umzingwane, there were reports of people being forced to attend ZanuPF meetings. MDC was able to hold several meetings in Matabeleland South but ZanuPF were able to hold more meetings than the MDC.

There were reports of infringements of freedom of movement: ZanuPF officials are said to randomly stop and ask anyone they see walking around what their business is. In Gwanda South, it was reported that the police and ZanuPF have established a 9pm curfew. There were no reports of any new people moving into the constituencies, nor reports of anyone having problems leaving the area.



There is fear reported, amongst mostly the MDC, with regard to expressing their views in public, but, in Umzingwane, it was reported that ZanuPF members are afraid to express themselves in public as well. In Gwanda, it was stated that civic organisations are afraid to voice their opinions, due to fear brought about by the NGO Bill. These organisations together with the MDC are unable to read newspapers of their choice.

Political violence was reported in all constituencies, mostly in the form of intimidation and threats. Intra-party violence was reported amongst ZanuPF supporters, and it was also noted that there were Zanu PF party bases in almost all the villages especially in Gwanda North. In Insiza, hate speech and intimidation was reported with ZanuPF being the culprits, with the targets being the MDC and other groups.

There were reports of election irregularities in three of the 5 constituencies in Mat South. The main election disagreements were between ZanuPF and MDC with regard to the administration of the elections. Some voter education was said to be taking place, but not in most of the constituencies, and was being done primarily by ZanuPF and the ESC. Political use of food was reported in 3 of the 5 constituencies, with Zanu PF being named as the only body distributing food. It was reported that access to food was dependent on the possession of a ZanuPF party card.

Recommendations:

The types of irregularities observed varied between the constituencies, but overall the information received does not suggest that, in either of these two Provinces, the current climate is conducive to full citizen participation in the elections. As will be seen below, there are far too many reports indicating that there is interference with citizens' expression of their basic freedoms. Perhaps more serious in the current situation, are the observations that political misuse of food was seen in 5 of the constituencies covered in this report.

These allegations must cause considerable concern for the possibility of holding free and fair elections, and the NCA calls on the electoral authorities and the political parties participating in the elections to take immediate steps to investigate these allegations. The reports indicate that, in particular, the constituencies of Nkayi, Insiza, Lupane, Umzingwane, and Bubi Umguza are “hotspots”, and deserving of more urgent attention. All authorities should take determined steps to correct all irregularities, and create a climate for ordinary citizens’ fullest participation in these elections.

The NCA also calls upon all its civic partners, and especially those concerned with the building of peace in local communities, to take immediate steps to investigate these allegations, and, where confirmed, to bring the problems to the attention of local community structures and peace committees.

The NCA wishes to bring these allegations to the attention of all regional and international observer groups, and urges such groups to give these allegations their fullest attention.

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, womens 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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Matabeleland North Province

Constituency	Interference with Freedom of Association	Interference with 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
Binga	yes	no	no	yes	yes	no	no	no	3
Hwange East	no	no	no	no	yes	no	no	no	1
Hwange West	no	no	no	yes	yes	no	no	no	3
Lupane	yes	yes	no	yes	yes	yes	no	yes	7
Nkayi	yes	yes	yes	yes	yes	yes	no	yes	16
Tsholotsho	yes	no	yes	yes	yes	no	no	no	7

Matabeleland South Province

Constituency	Interference with Freedom of Association	Interference with 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
Bubi Umguza	yes	no	no	yes	yes	yes	no	yes	8
Gwanda North	yes	no	yes	yes	yes	no	no	yes	8
Gwanda South	yes	no	no	no	yes	no	no	no	4
Insiza	yes	yes	no	yes	yes	no	no	yes	10
Matobo	yes	no	no	yes	no	no	no	no	7
Umzingwane	yes	yes	no	yes	yes	yes	yes	yes	8