

NATIONAL CONSTITUTIONAL ASSEMBLY (NCA)

Election Climate Report No.2

Week ending 25 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.

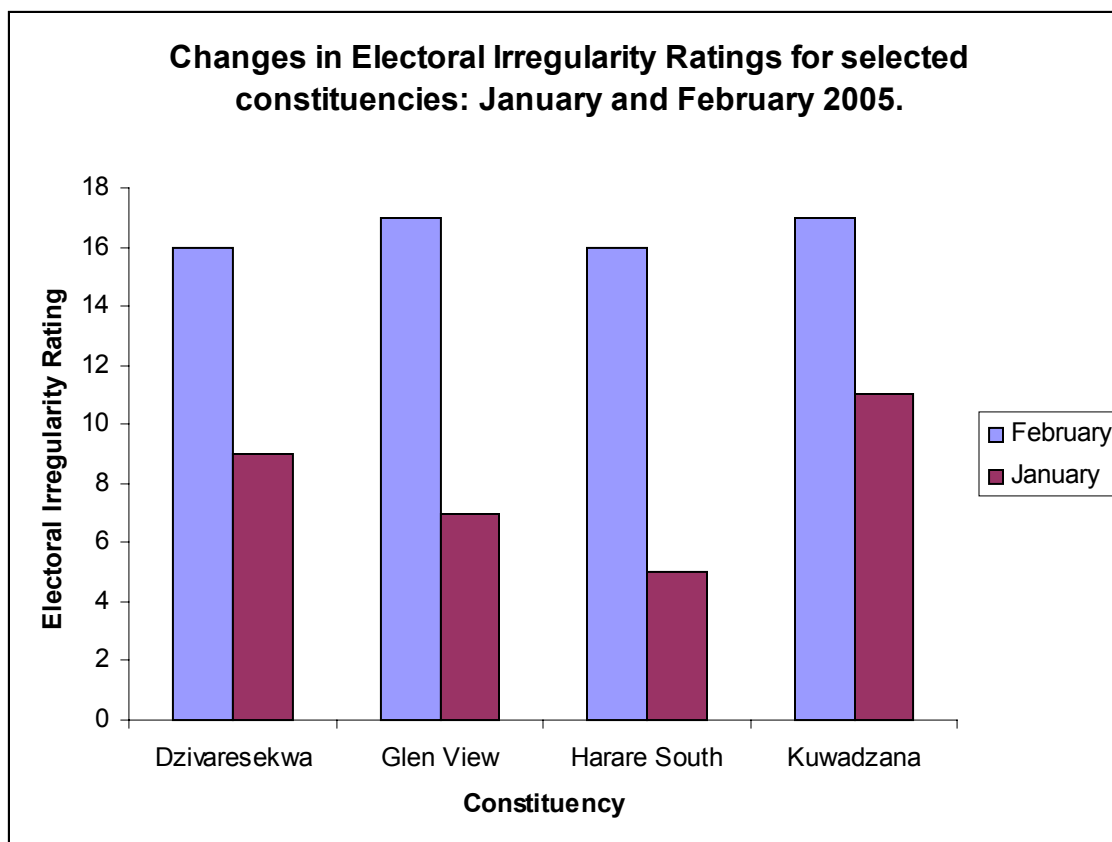
Overview:

This report covers Harare province, including Chitungwiza. Most of the constituencies covered here are in the high density areas where, in the past, elections violence and intimidation have been high. The **EI** ratings were markedly high, with the lowest in Mbare East with a rating of 11, and the average for the Province being 16. All the indications were that basic freedoms were infringed on in these constituencies, and this requires immediate attention by the relevant authorities and civic organisations. This report indicates that Harare does not currently have an environment suitable for free elections. This report also indicates that there has been marked shift for the worse since the political campaigning began in earnest.

As is seen from the detailed findings reported below, no constituency reported an Electoral Irregularity Rating of less than 12, and, furthermore, 5 constituencies – Glen View, Harare North, Hatfield, Kuwadzana, and Mabvuku, - shared the extremely high **EI** rating of 17. The ratings show a worsening in all areas sampled: from basic freedoms through to the political use of food, all indicators showing a worsening in the electoral climate in Harare.

Evidence for this worsening came from a small comparison of the changes over time that was possible due to the collection of some data from the ZanuPF primaries that were held in January. The data for the ZanuPF primary elections came from a small pilot project, examining the utility of the Electoral Irregularity rating scheme, and was included here for purposes of comparing changes over time. These changes are shown in Figure 1 (over), and, as can be seen, there has been a decided shift for the worse since campaigning has seriously begun. In all of the Harare constituencies sampled, there has been a worsening of at least 5 rating points

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

As can be seen from the Figure below, all constituencies show very high **EI** ratings, with interference with the basic freedoms, political violence, electoral disagreements, and the political use of food being reported. In addition, virtually no formal voter education has taken place recently.

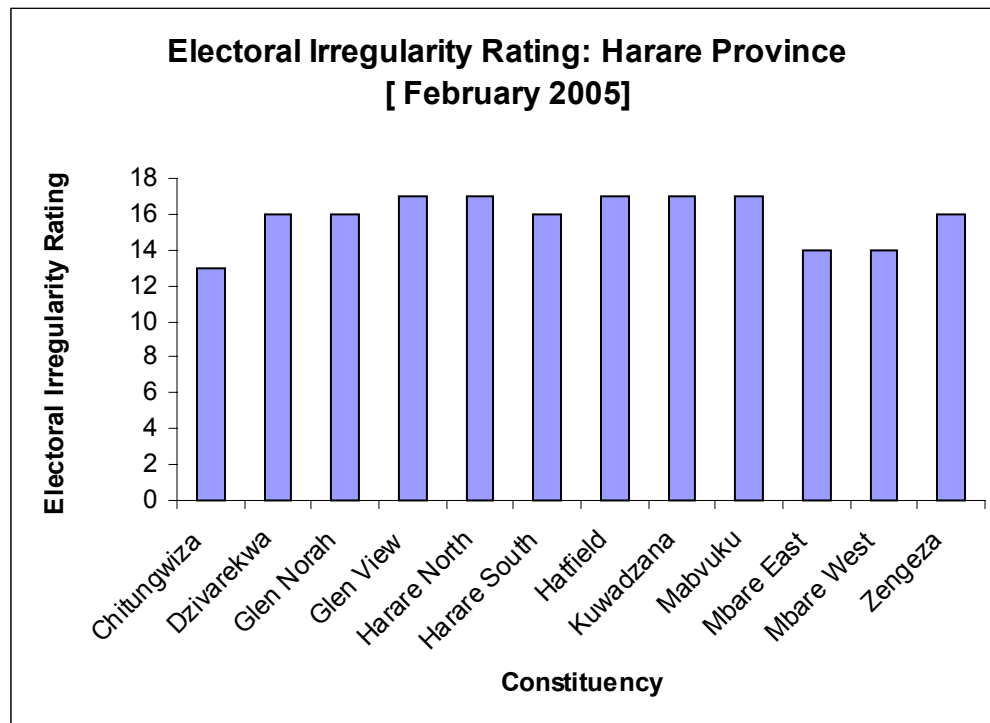
As regards interference with freedom of association, ZanuPF supporters were reported as being unable to wear their party insignia. This was reported in Dzivarasweka, Kuwadzana, Glen Norah, Mbare West, Glen View, Harare South, Hatfield and Zengeza. Interestingly, in these same constituencies, the MDC are reported to be unable to put up their posters as part of their campaign process.

With regard to interference with freedom of assembly, both main parties - Zanu PF and MDC - were able to hold meetings, but Zanu were able to hold more, averaging five meetings to MDC's three. This could be attributed to the fact that POSA affects the MDC more significantly than it does Zanu. However, all the monitors reported that the meetings where attendance was forced were ZanuPF, except in Chitungwiza, where MDC forced the residents to attend a meeting. .

In general, Zanu supporters, the police, the youth militia and to a lesser extent the CIO, are the groups that are reported to be interfering with residents' freedom of movement within the constituencies. There are still some no-go areas for the MDC. In Glen Norah the army was also seen to be interfering with the residents' movements. The police are said to be arresting people

found walking around at night, especially in Kuwadzana. This is reportedly done mainly against the opposition and others.

The militia were named as the group that is interfering with people's movement in and out the constituencies. It is reported that, in Mbare East, it is unsafe to travel at night if one is unknown to Zanu PF, whilst in Zengeza, residents are often interrogated about their movements. Some areas in Hatfield have a curfew of 9pm, and, in Glen View, it is stated that the militia notes down the names and movements of known MDC supporters, and that they appear to be registering new voters up to this stage. There have been instances where new residents have been brought into the constituency, particularly from the communal areas, and this is reported in Harare North, Zengeza, Mbare East and West, Glen View, and Glen Norah. In Chitungwiza, these new residents are reported to be coming in under the guise of being resettled.



The reports indicate that people are afraid to express themselves, and it is reported that there is a lot of fear, particularly due to POSA, AIPPA, and intimidation, and this prevents people from expressing their true views. Several reports said that saying anything contradictory to Zanu invites trouble. They are forced to read only the Herald as other newspapers have been banned, and there are consequences for reading papers like the Independent. In Dzivarasekwa it is stated that people buy only the Herald as the militia threaten people at newspaper vendors.

The reports indicated the interference with citizens' basic freedoms. People are forced to chant slogans against their own free will. In Chitungwiza, the MDC forces citizens' passing by to chant slogans when passing by Zanu PF rallies, and, in Mabvuku, people are forced by the MDC to chant whenever they pass Zanu PF supporters. It seems the MDC are using the same tactics as Zanu PF as part of its campaign strategy.

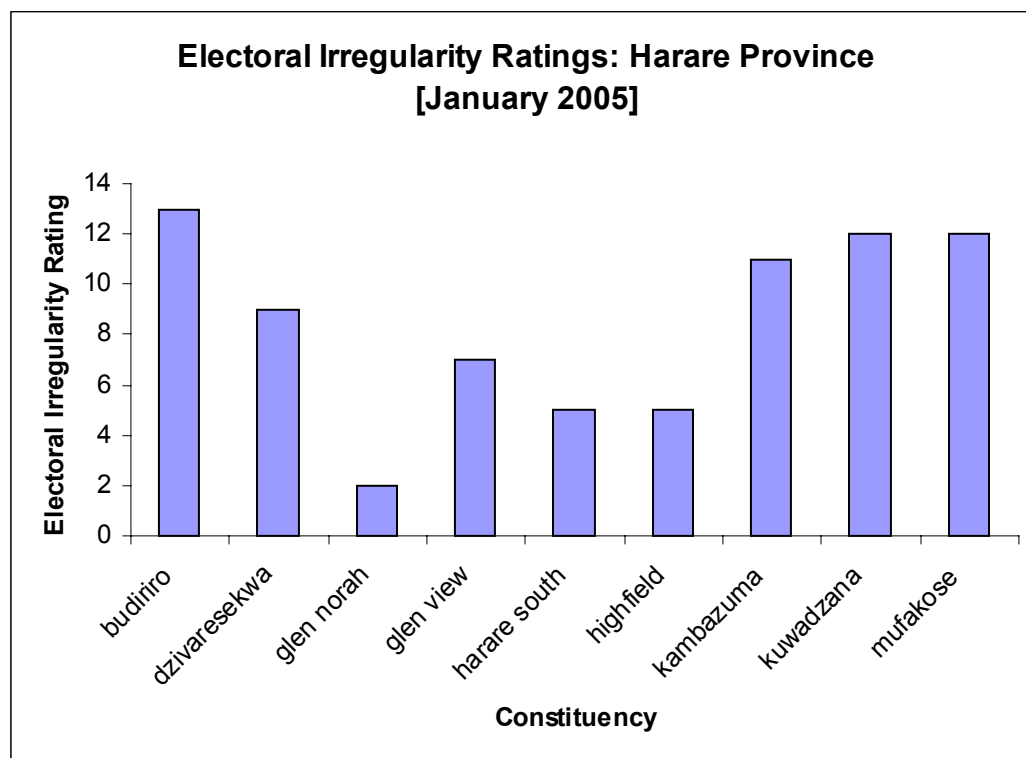
In most constituencies political violence is reported, mostly in the form of hate speech and intimidation, particularly with the presence of the militia. There is presence of inter and intra party violence, mainly between Zanu PF and MDC and amongst Zanu supporters Physical violence

does exist, and was reported as being perpetrated by the army and the militia, as well as the Zanu PF supporters .There were no reports of violence perpetrated by the MDC in any of the Harare constituencies. In Harare South, there were reports of assault, attempted murder, death threats, displacement, property related violence, sexual assaults, unlawful arrests and detention against the MDC by the police, army, militia and supporters. In Glen Norah, MDC supporters were reported to have been evicted from their residences by their landlords, as the latter fear they will be victimised for housing them.

There are alarming reports of rape and indecent assaults against female supporters. These assaults are mainly done by the militia, and one report from Kuwadzana stated that the purpose for this is to ensure that no one is free in the constituency. Women have also been reported to have been forced to go to party bases, and this was reported in Mbare East, Chitungwiza and Harare South.

Disagreements over electoral matters were widely reported. In Glen Norah, reports indicated that all parties are dissatisfied with the election process. There is virtually no formal voter education reported, with some forms of voter education being conducted in some of the constituencies by political parties, and mainly the MDC youth. In Zengeza and Mbare West, the ESC is reported to have done some voter education.

Politically aligned distribution of food is widely reported, mainly done by ZanuPF. It was repeatedly reported that well known MDC members are denied access to food. Party cards are demanded before food is given out. In Harare North, at Hatcliffe 1 Primary School, the Zanu PF candidate was heard saying, "if you vote Zanu you will get food". In Glen View, it was reported that Zanu is saying it is the only party that can give food.



Recommendations

Elections are barely six weeks away and the environment in Harare is not at all conducive for free and fair elections. It is necessary to take immediate steps to ascertain what can be rectified. The responsible authorities are expected to ensure that all Harare residents vote in a peaceful atmosphere. The NCA calls upon the responsible authorities and all political parties to take immediate steps to ensure that a climate conducive to elections is created.

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.

Women's organisations should take steps to investigate the claims of abuse to women as a matter of urgency, as there are allegations of the ill treatment of women which are not receiving appropriate 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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Harare Province [January 2005]

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
Budiriro	no	yes	yes	yes	yes	yes	yes	yes	13
Dzivaresekwa	no	yes	yes	yes	yes	yes	no	yes	9
Glen Norah	no	no	no	yes	no	no	yes	no	2
Glen View	yes	no	yes	yes	yes	yes	no	yes	11
Highfield	no	yes	yes	yes	yes	yes	no	no	9
Kambuzuma	no	yes	yes	yes	yes	yes	no	yes	11
Kuwadzana	yes	yes	yes	yes	yes	yes	no	yes	12
Mufakose	yes	no	yes	yes	yes	yes	no	yes	13

Harare Province [February 2005]

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
Chitungwiza	yes	yes	yes	yes	yes	no	no	no	13
Dzivaresekwa	yes	yes	yes	yes	yes	yes	no	yes	16
Glen Norah	yes	yes	yes	yes	yes	yes	no	yes	16
Glen View	yes	yes	yes	yes	yes	yes	no	yes	17
Harare North	yes	yes	yes	yes	yes	yes	no	yes	17
Harare South	yes	yes	yes	yes	yes	yes	no	yes	16
Hatfield	yes	yes	yes	yes	yes	yes	no	yes	17
Kuwadzana	yes	yes	yes	yes	yes	yes	no	yes	17
Mabvuku	yes	yes	yes	yes	yes	yes	no	yes	17
Mbare East	yes	yes	yes	yes	yes	yes	no	no	14
Mbare West	yes	yes	yes	yes	yes	yes	no	yes	14
Zengeza	yes	yes	yes	yes	yes	yes	no	yes	16