

NATIONAL CONSTITUTIONAL ASSEMBLY (NCA)

Election Climate Report No. 4

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 5 constituencies in Bulawayo between 21 and 25 February 2005. The overall **EI** rating for Bulawayo [11] was higher than those reported for Matabeleland North [6] and Matabeleland South [7]. The highest **EI** ratings in Bulawayo Province were reported in Mpopoma [15], but Bulawayo North [10], Makokoba [11], and Pumula Luveve [10] all had high **EI** ratings nonetheless. Pelandaba had a relatively low **EI** rating [7].

It was reported that there had been interference with the freedoms of association, freedom of movement, and expression, but only in Mpopoma had there been interference with freedom of assembly. Political violence was reported in 4 of the 5 constituencies, with only Pelandaba free of any form of political violence. All constituencies reported disagreements over aspects of the conduct of elections, whilst formal voter education was only reported to have taken place in Bulawayo North. The political use of food was reported in all constituencies apart from Pelandaba.

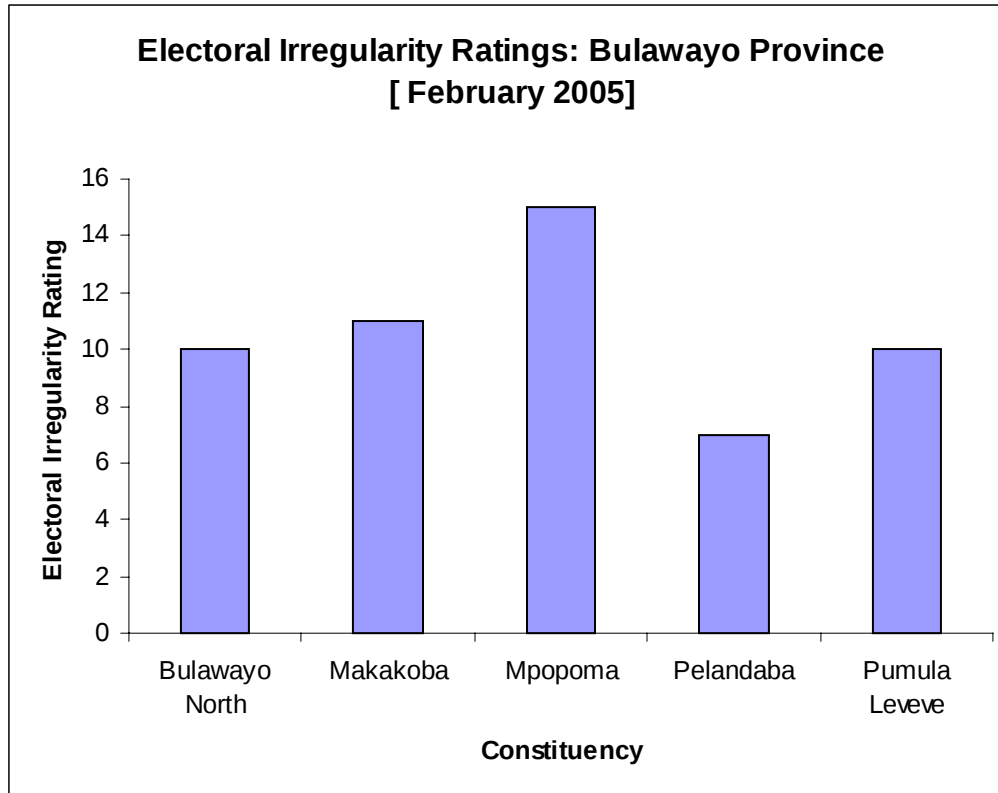
The current electoral climate in these 5 constituencies of Bulawayo Province does not seem conducive to the holding of free and fair elections currently.

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.

Bulawayo

There is some variation in the **EI** ratings of the 5 constituencies sampled in Bulawayo Province. The highest **EI** ratings was obtained from Mpopoma [15], but Makokoba [11], Bulawayo North [10], and Pumula Leveve [10] all have had high **EI** ratings too. Only Pelandaba [7] had a relatively low **EI** rating, but this too was not very low.

Interference with the freedoms of association, movement, and expression were reported in all the 5 constituencies, but interference with freedom of assembly was only reported in Mpopoma. It alleged that freedom of association was being interfered with, as members of the opposition are unable to wear their party insignia and put up their posters. There were no instances where Zanu PF was prevented from exercising their rights.



All the reports alleged that freedom of movement was being infringed upon by the police, youth militia, Zanu supporters, and war veterans, as they ask for ZanuPF cards when people are moving around in the constituencies. There are reports where the CIO were asking people to report to them before doing anything considered political; this was the case in Ward 7 of Pumula Luveve. It was alleged that, in Pelandaba, people are afraid to move freely as the memories of the pre-election climate of 2000 and 2002 are still fresh in their minds. In Mpopoma, ZanuPF youth are said to be harassing people moving around in groups, and, furthermore, that the police go as far as arresting those moving in such groups. Reports of 9pm-6am curfews have been received, and this is a cause of concern.

There are reports of the CIO and the police interfering with people's rights to move out of the constituency, but these were uncommon. The militia and war veterans are also said to be involved, as they ask for Zanu PF cards and threaten to beat up those travelling out. Out of the eighteen reports received for Bulawayo Province, seven of them reported new residents moving into the constituencies, and there were alleged to be mainly militia and potential voters.

Interference with freedom of expression was alleged to be a serious issue in Bulawayo: people were reported to be afraid to speak their minds for fear of being assaulted and or tortured if they do so. Members of the opposition are reported to be the most affected by this, as they are reported to be not only unable to express themselves but also to read the newspapers of their

choice. As many of the independent newspapers have been banned, there is little choice anyhow as to what to read. It was reported that, in Pumula Luveve, the residents have boycotted the state-owned newspapers. It was reported that, in Bulawayo North, civic organisations are prevented from expressing and sharing their views with others. In Makokoba, the police are alleged to deny, under POSA, civic organisations the clearance to hold meeting.

ZanuPF supporters are alleged to be the ones responsible for forcing people to chant slogans in Bulawayo. It was alleged that, refusing to do so usually results in a beating, and, in Pelandaba, ZanuPF supporters were heard saying, "chant slogans or face violence". It was reported that, in Pumula Luveve, slogans are chanted at residents' meetings.

The issue of political violence was reported in most of the constituencies. The types of violations reported were assault, torture, sexual assault, displacement, death threats, murder, and unlawful detention and arrest. Mostly the victims are reported to be members of the opposition and civic organisations, with the perpetrators being ZanuPF supporters, CIO, militia, and police. In Pumula Luveve, the war veterans were named as another group of perpetrators. In Mpopoma, it was alleged that the victims were ZanuPF, and the perpetrators were alleged to be fellow ZanuPF supporters, the CIO, and the militia. The MDC were alleged to be the perpetrators in Makokoba, with the victims being other MDC supporters.

There were some reports of gender based violence, where women and girls were raped, indecently assaulted, and being forced to go to party bases. It was alleged that the attacks are usually carried out by the militia and CIO when these women are attending opposition rallies, and the basis of the attacks is punishment for being MDC supporters. In Pumula Luveve, MDC youth were said to have harassed a NCA gender activist. The women are also harassed and threatened, and there were reports that WOZA members are arrested and harassed constantly even though their aims are peaceful.

Hate speeches and intimidation were noted, mainly from ZanuPF against the MDC and others, but there were instances where the MDC was also reported to have been doing the same. There is the reported presence of militia in these constituencies, and it is alleged that they use government infrastructure - schools, council halls, and prisons - as their bases. This was reported in Makokoba, for example.

There was both intra and inter-party violence reported. All the reports of intra-party violence were alleged of ZanuPF, whilst the inter-party violence was said to be mainly between ZanuPF and the MDC, and vice versa.

It was reported that the parties are disagreeing about election procedures in Bulawayo, with the MDC and ZanuPF the main parties involved, but there are others that were reported to be dissatisfied with the election procedures. There is little formal voter education taking place in the constituencies sampled, with only Bulawayo North reporting such activity. It was reported that, in Pelandaba, the MDC has to conduct its voter education in secret.

The political use of food was reported from 4 out of the 5 constituencies sampled here in Bulawayo Province. It was alleged that ZanuPF is giving food to its supporters only, provided they produce a party card, or they are well known supporters. Pelandaba and one ward in Pumula did not however have any incidents of politically motivated food distribution.

Recommendations

The present environment in these constituencies in Bulawayo Province is not currently conducive to free and fair elections. As the reports indicate, it is necessary to take immediate steps to ascertain what can be rectified. The responsible authorities are expected to ensure that all

Bulawayo 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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Bulawayo 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
Bulawayo North	yes	no	yes	yes	yes	yes	yes	yes	10
Makokoba	yes	no	yes	yes	yes	yes	no	yes	11
Mpopoma	yes	yes	yes	yes	yes	yes	no	yes	15
Pelandaba	yes	no	yes	yes	no	yes	no	no	7
Pumula Leveve	yes	no	yes	yes	yes	yes	no	yes	10