

NATIONAL CONSTITUTIONAL ASSEMBLY (NCA)

Election Climate Report No.5

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.

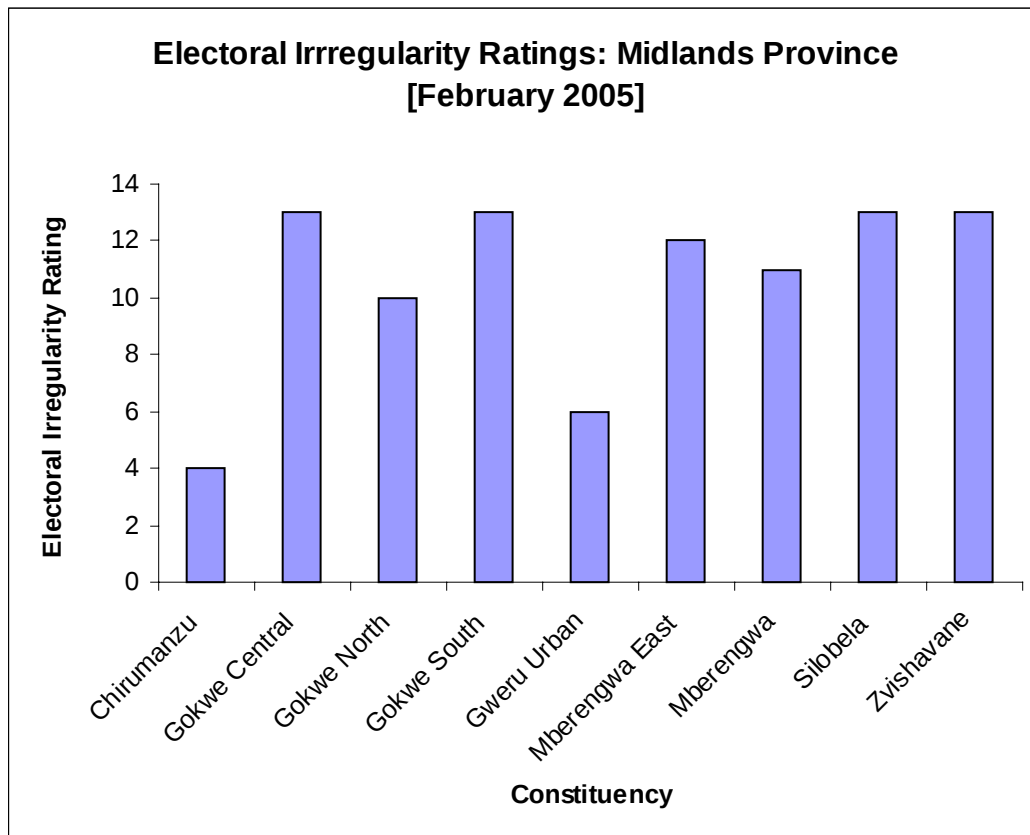
Overview:

This report covers 9 constituencies in Midlands Province for the last week in February. Most constituencies had high **EI** scores, with Mberengwa East [13], Gokwe Central [13], Silobela [13], and Zvishavane [13] having the highest **EI** ratings. Chirumanzu [4] had the lowest. The average **EI** rating for the Province was 11, which is decidedly on the high side.

All constituencies reported political violence and interference with freedom of expression, whilst most constituencies reported interference with the freedoms of association [6], assembly [7], and movement [5]. Electoral disagreements were reported in 7 of the constituencies, as was the political use of food. Formal voter education was only reported in 2 constituencies – Gokwe Central and Mberengwa East. The political use of food was reported in 7 of the 9 constituencies.

This is the fifth report from the NCA and it is disturbing that none of the Provinces to date have shown an election climate approximating that expected by the SADC Principles and Guidelines. The Midlands Province was severely marred by political violence in the 2000 Parliamentary Election, and, although overt physical violence is reduced in the current pre-election period, all the other indicators indicate severe problems. Considering that elections are now less than 5 weeks away, there is a great need to ensure that the climate is made conducive to ensuring a free and fair 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.



Midlands

Of the twenty reports received from the different constituencies in Midlands, 14 reported that the freedom of association was interfered with, as opposition supporters were unable to wear their party insignia and put up their posters. Basic freedoms are being denied to the general public; according to the reports received, they are forced to attend Zanu PF meetings, and run the risk of being beaten if they do not attend. The MDC were unable to hold as many meetings as Zanu PF as they are threatened, harassed, and assaulted by the police. However, there is one report that showed that, in Gweru Urban, the MDC is using the same tactics as Zanu PF as they forced people to attend their meeting.

It was reported that the main groups interfering with freedom of movement within a constituency were ZanuPF supporters and the militia. However, in Mberengwa East, the CIO, police, war veterans, chiefs, and kraals heads are all involved in this activity. There are reports of people being forced out of their homes for being MDC supporters or simply for not supporting ZanuPF.

There are some - 7 of 20 - reports of residents being restricted from moving out of the constituency. Again, Mberengwa East appears to be the worst affected, as the police, the militia, ZanuPF supporters, the army, CIO, traditional chiefs, and war vets are reported as being involved in controlling movements within the constituency. There were few reports regarding the introduction of new residents into the constituencies, but reports from wards indicate that the new residents were the militia: this was reported from Gokwe South, Mberengwa East, and Gokwe North.

All constituencies reported interference with the freedom of expression. According to the reports, this lack of freedom only affects the opposition and members of civic organisations, as they are harassed by ZanuPF supporters when they try to exercise this right. It is difficult to read the newspaper of your choice as most independent papers are banned, and there will be victimisation

if one is seen reading anything other than a state-sponsored paper. It was widely reported that ZanuPF supporters force residents to chant slogans, and those who refuse are beaten up.

There were few reports of physical violence, but instances of assault, torture, death threats, unlawful detention and arrests were reported. Most reports were of hate speech, threats, and intimidation. In Gokwe South, however, there were reports of sexual assaults, displacements, and property-related violence. Of all the reports received of political violence, MDC was the perpetrator in only one incident of assault in Chirumanzu, and here the victim was also MDC. In all the other reports, the perpetrators were ZanuPF supporters or the militia, and targets were MDC supporters or civic organisation members. Most of the reports of gender-based violence referred to women being forced to attend party bases, but there were reports of indecent assault in four wards in Gokwe Central and South.

All the reports of hate speech and intimidation mainly involved Zanu PF, but, in Mberengwa East, it was reported that the MDC was also involved in hate speech against ZanuPF. ZanuPF did not limit its attacks on the MDC, but included other groups as well. Reports of inter-party violence indicated that ZanuPF was the major instigator, and the MDC the victims. As regards intra-party violence, MDC was reported to be the guilty party in Gweru Urban and Mberengwa East, whilst ZanuPF was involved in Gokwe Central, North and South, Gweru Urban, Silobela, Zvishavane, Mberengwa East and West.

There are reports of election disagreements between the two principle parties but also with other groups that unfortunately were not specified. With regard to voter education, the ESC was reportedly conducting this only in Gokwe North and Mberengwa East. The other areas have either ZanuPF or MDC doing voter education at their rallies. It was reported that there is politically motivated food distribution in most of the constituencies. In Mberengwa East, it was stated that GMB food distribution was being done through the ward council and the militia.

Recommendations

The Midlands Province was severely marred by political violence in the 2000 Parliamentary Election, and, although overt physical violence is reduced in the current pre-election period, all the other indicators indicate several problems. Considering that elections are now less than 5 weeks away, there is a great need to ensure that the climate is made conducive to ensuring a free and fair process. It is necessary to examine carefully the allegations made in this report, and ensure that in the next few weeks steps are made to ensure that full citizen participation is guaranteed for the elections.

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, 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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Midlands Province [February 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
Chirumanzu	yes	no	yes	yes	yes	No	no	yes	4
Gokwe Central	no	yes	yes	yes	yes	yes	yes	no	13
Gokwe North	no	yes	no	yes	yes	yes	no	yes	10
Gokwe South	yes	yes	yes	yes	yes	yes	no	yes	13
Gweru Urban	no	yes	yes	yes	yes	No	no	yes	6
Mberengwa East	yes	yes	no	yes	yes	yes	yes	yes	12
Mberengwa West	yes	no	yes	yes	yes	yes	no	no	11
Silobela	yes	yes	no	yes	yes	yes	no	yes	13
Zvishavane	yes	yes	no	yes	yes	yes	no	yes	13