

NATIONAL CONSTITUTIONAL ASSEMBLY (NCA)

Election Climate Report No.8

Week ending 4 March 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.

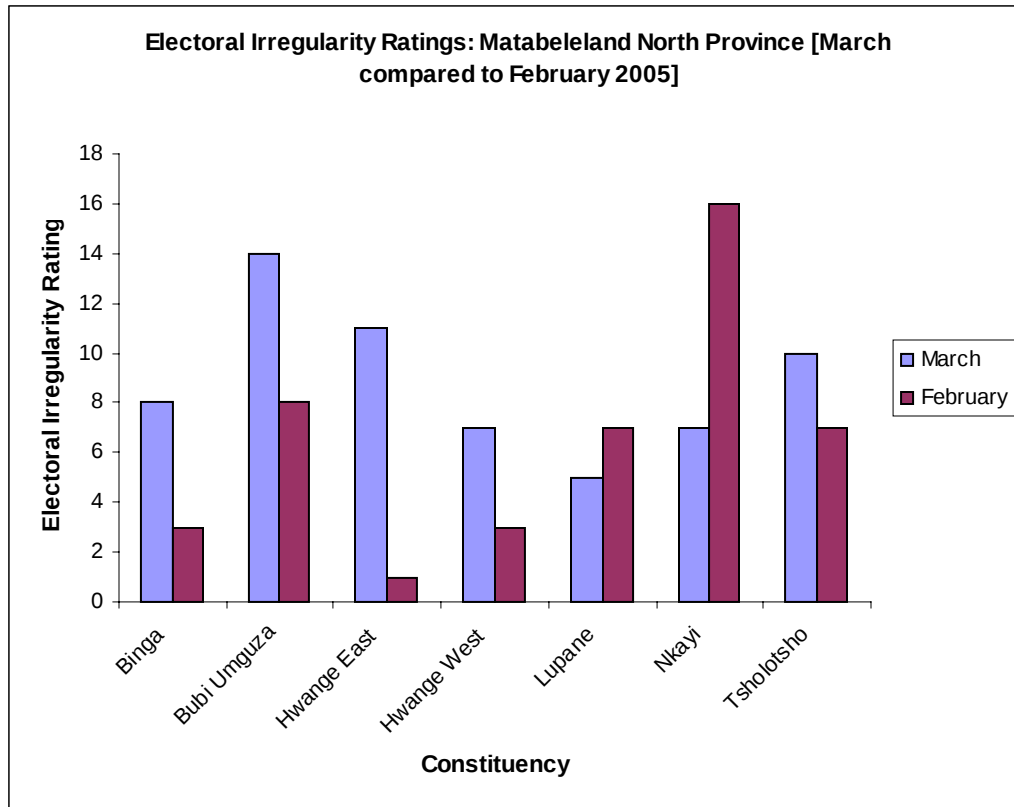
Overview

This is the second report on Matebeleland North. The **EI** ratings are varied with the highest being recorded in Bubi Umguza with 16 and the lowest in Nkayi and Lupane with 5 each. Ratings in general have decreased since the first report. The overall Provincial **EI** rating has increased during the first week of March, as can be see from the table below.

In Bubi Umguza, the rating has doubled as in the previous report it had a rating of 8, but the rating in Nkayi [7] has decreased from its previously from a rating of 16. This large change was mainly due the drop in interference with freedom of movement and political violence. The average **EI** ratings are Lupane[5], Hwange East[11], Binga [8], Hwange West[7], Nkayi[7], Hwange East[11], Bubi Umguza [14], and Tsholotsho [10].

There is little voter education being done by anybody. Two constituencies only reported this. In Bubi Umguza, ZanuPF are conducting voter education, whilst the MDC are doing so in Nkayi. The ESC who is the responsible body for voter education is not at all visible, and this needs to be looked into as a matter of urgency.

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.



Matabeleland North

The infringements on the freedom of association continue with party supporters not able to wear their insignia or put up their posters. As was previously reported, the opposition are mainly affected by this, but there was one report, from Tsholotsho, where Zanu PF was prevented from putting up their posters. As regards freedom of association, most constituencies reported that there were forced attendances for ZanuPF meetings. This was reported in Binga, Bubi Umguza, Hwange East, Nkayi, and Tsholotsho.

The police, Zanu PF supporters and the militia were said to be responsible for infringing on people's freedom of movement, it is alleged that they disallow people from moving in groups at night, and those caught are beaten and harassed. In Bubi Umguza, it was reported that people moving in pairs are harassed by the youth militia and ZanuPF supporters, demanding to know where people are going. There is also interference with people's movement travelling out of the constituency by these same groups. In Nkayi, the police are mounting road blocks and searching people, asking for ID cards. Reports of new residents were frequent: in Binga, it was stated that these new residents, identified as youth militia, are camping at Kamativi mine, masquerading as trainees. In Bubi Umguza, it was alleged that police from another area have been registered as voters in the constituency although they are not resident in Bubi Umguza. From the reports, it appears as though the new residents are mainly the police and the militia, with only Lupane reporting that new voters had moved in.

There were many reports of interference with freedom of expression. People continue to be afraid to voice their opinions in public because of POSA and AIPPA, and it was reported that the militia beat up people expressing anything that can be viewed as contradictory to government's view, in Hwange West, it was reported that the residents are afraid of ZANU, CIO, ZRP, the youth militia, and soldiers. The residents mostly affected by this lack of freedom are members of the MDC and the civic organisations, as well as other ordinary citizens. ZanuPF was named as the

main party that is forcing people to chant party slogans, and, in Bubi Umguza, it was reported that no one else is allowed to chant slogans. In Nkayi and Binga, people are forced to chant slogans only if they attend the meetings. In Hwange West, an unnamed group is forcing people to chant slogans to show that one belongs to them.

Politically-motivated physical violence has decreased, but, in Matebeleland North, there were reports of assaults in Hwange East, Bubi Umguza, and Binga. In Nkayi, the youth militia were reported to be responsible as they not happy with a rally that was held at Gweluishena. Three reports of gender-based violence were received, with forced attendance at party bases in Hwange West and Binga, and one women was indecently assaulted in Bubi Umguza. The main perpetrators of this gender-based violence were reported to be the militia and ZanuPF supporters.

Hate speech, intimidation, and threats were the main forms of political violence that took place in 9 of the 14 constituencies reported on, and ZanuPF was on the receiving end of this only in Lupane. Inter- and intra-party violence was low, with only one report of inter-party violence, in Nkayi, where Zanu PF was involved in some squabbles with the MDC. The two parties both had in-house fighting. In Bubi Umguza and Hwange East, the MDC was having problems, whereas ZanuPF was having similar problems in Binga, as well in Hwange East.

Militia bases were reported in Hwange East, Hwange West, Bubi Umguza [Near Saw Mills at Beit Hall], Tsholotsho, Lupane, Binga [Kamativi Training camp], and Nkayi, where the youth are going around the ward telling people how to vote. All the bases mentioned are alleged to belong to ZanuPF.

There were reports of election procedure irregularities, as the parties are not happy with the administration of the elections. ZanuPF was reported to have had disagreements with the MDC in Bubi Umguza and Tsholotsho, whilst, in Nkayi, the MDC was reported to have had disagreements with another party. The lack of voter education remains very worrying, as this was only reported in Bubi Umguza and in Nkayi, where the political parties are doing this themselves. There was no mention of the ESC, who are actually responsible for this. It was alleged that the use of food as a campaign tool is being used widely, even by the MDC, where it was reported that, after a rally, food was given in ward 10 in Nkayi. In all other constituencies it was reported that ZanuPF was providing food to party card holders only. In Tsholotsho, it was alleged that ZanuPF gave people maize to plough, but insisted on them first filling in a form, whilst, Bubi Umguza, it was reported that ZanuPF are not limiting themselves to just food, as they gave people seeds, school books, and building materials.

Recommendations

Full citizen participation cannot be guaranteed under the conditions above, and there is an urgent need to investigate all the claims made. It is necessary to ensure that the climate is made conducive to ensuring a free and fair process. Basic freedoms have to be respected, but this does not seem to be the case in Matabeleland North Province. Additionally, it is clear from the reports received that the militia, the supporters of ZanuPF, and the security forces are the main violators of these freedoms, and it seems evident that they have government support.

Matabeleland North has very little voter education going on, and none by the ESC. The commission should be asked to explain why this is so, but Matabeleland North Province is not the only province with no or little voter education reported, and with just over three weeks to elections this is unacceptable. It is important to stress here that these elections are being carried out under a largely new system, and it seems obvious, from the lack of voter education by the ESC, that any voter education that does take place may be strongly influenced by partisan considerations.

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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Matabeleland North 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
Binga	No	yes	yes	yes	yes	yes	yes	yes	8
Bubi Umguza	Yes	yes	yes	yes	yes	yes	no	yes	14
Hwange East	No	yes	yes	yes	yes	yes	yes	yes	11
Hwange West	No	no	no	yes	yes	yes	yes	yes	7
Lupane	No	no	no	yes	yes	yes	yes	yes	5
Nkayi	yes	no	yes	yes	yes	yes	no	yes	7
Tsholotsho	yes	yes	yes	yes	yes	yes	yes	yes	10