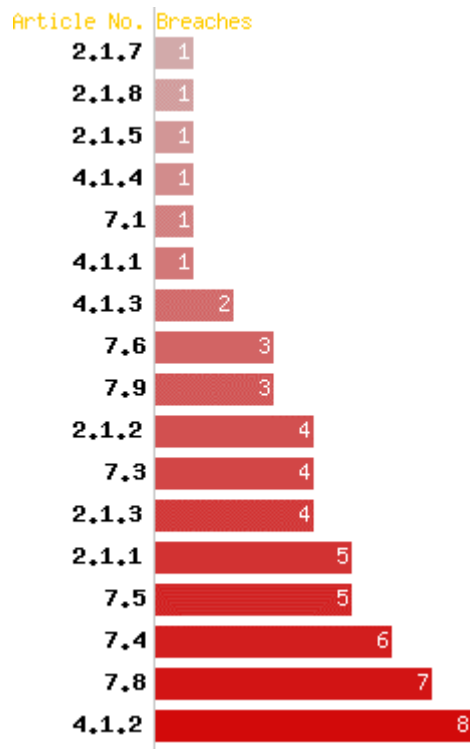


Sokwanele - Enough is Enough - Zimbabwe PROMOTING NON-VIOLENT PRINCIPLES TO ACHIEVE DEMOCRACY

Zimbabwe Election Watch

Issue 13 : 18 December 2007

Breaches in Issue 13



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The Zimbabwe Election Support Network (ZESN) has come up with an important critique of the recently gazetted Electoral Laws Amendment Bill which seeks to align the country's laws governing elections with Constitutional Amendments numbers 17 and 18.

ZESN's 10 000-word document was authored last month and fears contained in it were confirmed when President Mugabe warned in his state-of-the-nation address that Zimbabwe would not brook any interference in the running of next year's watershed elections. He insisted that only friendly nations would be invited to observe next year's combined elections.

In response, African Commission on Human and People's Rights (ACHPR) special rapporteur on freedom of expression in Africa, Pansy Tlakula, called on the people and civic organisations in Zimbabwe to use the EU-Africa summit to bring pressure on Mugabe.

Despite calls from the opposition Movement for Democratic Change (MDC) for the Zimbabwe Electoral Commission (ZEC) to shelve the demarcation of constituencies until the conclusion of talks between the opposition and ruling Zanu PF party, the authorities went ahead and marked out constituencies for the elections.

The outcome of the constituency delimitation exercise, announced during early December, is reported to be biased in favour of Zanu PF, revealing glaring gerrymandering by the electoral body.

As announced by ZEC George Chiweshe, the three Zanu PF stronghold provinces - Mashonaland Central, Mashonaland East and Mashonaland West - will get 27 of the 60 new seats in the expanded parliament. In response, the MDC said the remaining 33 were disproportionately shared by the other provinces. Bulawayo province, which is controlled by the opposition, gained the lowest number of new seats - five.

Chiweshe has refused to accept concerns raised by the MDC that the national voters' roll is "a shambles" and needs an overhaul to remove the names of people who have died.

Chiweshe said although the voters' roll is still open for registration, the commission had used the more than 5.6 million voters who were on the register to mark out the constituencies.

This number of voters is questionable given that, in March 2005, Tobaiwa Mudede, the registrar-general, announced there were 5.7 million voters on the roll and since then the population has dropped significantly.

Responding to Mudede's announcement in 2005, MDC supporters said that up to a million phantom voters could have been included on the register and that ghost voters would be used to inflate votes, which turned out to be the case.

Eddie Cross, a policy adviser to the Movement for Democratic Change (MDC) (MT), estimates there are now less than 3 million potential voters. Current estimates suggest that the country's population has dropped from around 12.5 million people in 2000 to between 7 and 8 million people, of whom 1.6 million are AIDS orphans. Conservative estimates indicate that more than 3 500 people die each week due mainly to starvation, malnutrition and the collapse of the health care system.

According to a study by the Solidarity Peace Trust, 3.4 million Zimbabweans had left the country by 2004, a staggering 60-70% of productive adults and since then the ranks of the diaspora have swelled significantly in response to the economic collapse, the collapse of health care and the escalation of violence. More than 25% of all Zimbabweans are now in political or economic exile - the biggest proportional mass movement of a population in peacetime ever in modern history.

A fresh report by a group of human rights physicians says the Zimbabwean government has brutally sought to suppress political opposition with state-sponsored torture and political violence, and doubts that the 2008 general elections polls will be free and fair.

The [report](#) [1], titled "We Have Degrees in Violence: A Report on Torture and Human Rights Abuses in Zimbabwe" released this month, documents how victims of political violence have been tortured and subjected to other human rights abuses causing devastating health consequences.

During the first week of December, heavily armed riot police violently stopped a demonstration by the National Constitutional Assembly and in Kwekwe, five student leaders were severely assaulted for wearing T-shirts displaying a portrait of the late MDC spokesman, Learnmore Jongwe.

A musical concert promoted by the civic organisation Crisis in Zimbabwe Coalition to disseminate information on people's civic rights to vote was stopped by the Central Intelligence Organisation. At least a dozen theatrical performances have been banned and the artists detained without trial.

Despite the ongoing talks, a political agreement between Zanu PF and the opposition Movement for Democratic Change has not been reached.

David Coltart, MDC MP (MT) for Bulawayo South, says: "Unless there is an agreement regarding a new constitution being introduced prior to the election, and a reasonable time

period between its introduction and holding an election, then any agreement will not be possible."

Electoral reforms questionable

Source Date: 08-12-2007

Zimbabwe Independent - Editor's memo

The Zimbabwe Election Support Network (ZESN) has come up with an important critique of the recently gazetted Electoral Laws Amendment Bill which seeks to align the country's laws governing elections with Constitutional Amendments numbers 17 and 18.

ZESN's 10 000-word document was authored last month and fears contained therein were confirmed this week when President Mugabe gave his state-of-the-nation address on Tuesday. The president said Zimbabwe will only invite friendly nations to observe next year's combined elections.

Under the new provisions contained in the Bill, all observers will have to be accredited by the Zimbabwe Electoral Commission (ZEC)'s Observation Accreditation Committee. It is proposed in the Bill that half the members of the six-member committee are commissioners and the rest are ministerial and presidential nominees.

ZESN observes that the three ministerial nominees will still exert a partisan influence when it comes to inviting observers. More egregious is the ministerial power of veto contained in the provisions. This will be used to exclude observers who might be prepared to find fault in the electoral process.

"The ministerial power of veto over the accreditation of representatives from other regional electoral bodies is particularly startling," ZESN says. "It is a gross insult to the integrity and independence of the electoral commission."

ZESN also notes: "The provisions of the Amendment Bill relating to observers fail to effect the changes that would ensure that a wide cross-section of observers are accredited and that the ruling party will not be able to cherry-pick who will be accredited."

But Mugabe has said his government will do so, which questions the independence of the electoral commission. The whole idea of amending the Electoral Act and the Zimbabwe Electoral Commission Act is to make institutions entrusted with running polls as independent as possible.

The government has pitched the Electoral Laws Amendment Bill as part of this endeavour but the ZEC remains in the clutches of Zanu PF which has already started publicly dictating to it the dos and don'ts of next year's elections.

Observers must not be selected on the basis of their bias in favour of one party or another. In the 2002 presidential election a number of foreign observer missions were denied entry to Zimbabwe, whilst many domestic observers were denied accreditation due to discriminatory procedures, ZESN said.

In the 2005 parliamentary election only organisations and persons considered to be sympathetic to the ruling party were invited to conduct electoral observation. All other institutions and persons were excluded.

The ZESN document says the African Union Guidelines for African Union Electoral Observation and Monitoring Missions states: "International, regional and national observers have come to play an important role in enhancing the transparency and credibility of elections and democratic governance in Africa."...

The electoral commission is also up to scrutiny on how it is going to ensure there is equitable media coverage of all contesting parties in the poll. There is no way this equity is going to be possible as long as there is no diversity in the electronic media in which Zanu PF holds all levers of control.

I do not see the commission speaking out against the abuse of state resources by the President and Zanu PF to campaign in the poll. Only last week state resources were harnessed to transport Zanu PF supporters to the "million man march". ...

Given the fact that there has been widespread doubt about the fairness and integrity of the election process in Zimbabwe in the past, it is vitally important that there should be extensive observation of the next election by a wide cross-section of observers.

The presence of local, regional and international observers is essential to help confer legitimacy on the outcome and to provide an objective analysis of claims of fraud or other electoral malpractices.

Source: [Zimbabwe Independent, The](#) [2] (ZW)

SADC standards breached

- 2.1.5: Equal access to state media for all political parties
- 2.1.7: Independence of the Judiciary and impartiality of the electoral institutions ...
- 4.1.2: Conducive environment for free, fair and peaceful elections
- 7.3: [The member state holding elections shall] Establish impartial, all-inclusive, competent and accountable national electoral bodies staffed by qualified personnel ...
- 7.5: [The member state holding elections shall] Take all necessary measures and precautions to prevent the perpetration of fraud, rigging...
- 7.8: [The member state holding elections shall] Ensure the transparency and integrity of the entire electoral process ...

Zimbabwe pushes ahead with preparations for elections

Source Date: 06-12-2007

Zimbabwean authorities said on Thursday they had begun marking out constituencies for general elections due next year, despite opposition charges the voters' roll was open to rigging by the government.

The country's main opposition, the Movement for Democratic Change (MDC), wrote a letter to Zimbabwe's Electoral Commission (ZEC) last week saying the national voters' register was a shambles and needed an overhaul to remove people who had died.

ZEC chairman George Chiweshe - a former High Court judge - told a news conference on Thursday no register could be perfect and complainants had to provide evidence of any anomalies....

"All I can say is that our electoral system is as good as any in the region...and that you will never find a perfect voters' roll anywhere," Chiweshe said....

Chiweshe said although the voters' roll was still open for registration, the commission would use the more than 5.6 million voters who were on the register by Tuesday to mark out the constituencies....

Source: [Reuters](#) [3]

SADC standards breached

- 2.1.1: Full participation of the citizens in the political process;
- 4.1.1: Constitutional and legal guarantees of freedom and rights of citizens
- 4.1.2: Conducive environment for free, fair and peaceful elections
- 4.1.3: Non-discrimination in the voters' registration;
- 4.1.4: Existence of updated and accessible voters roll;
- 7.1: [The member state holding elections shall] Take necessary measures to ensure the scrupulous implementation of the above principles ...
- 7.3: [The member state holding elections shall] Establish impartial, all-inclusive, competent and accountable national electoral bodies staffed by qualified personnel ...
- 7.5: [The member state holding elections shall] Take all necessary measures and precautions to prevent the perpetration of fraud, rigging...
- 7.6: [The member state holding elections shall] Ensure the availability of adequate logistics and resources for carrying out democratic elections;
- 7.8: [The member state holding elections shall] Ensure the transparency and integrity of the entire electoral process ...

Delimitation exposes ZEC
Source Date: 15-12-2007

The outcome of the Zimbabwe Electoral Commission (ZEC) constituency delimitation exercise ahead of the 2008 House of Assembly elections is biased in favour of Zanu PF and reveals glaring gerrymandering by the electoral body.

From the 210 seats to be contested, ZEC allocated 143 constituencies to communal lands and the remaining 67 to urban and peri-urban areas.

The ruling party has since Independence in 1980 received its main support from rural areas....

Apart from being skewed in favour of the ruling party, the delimitation process did not take into consideration the on-going SADC-initiated dialogue between the MDC and Zanu PF.

In the talks, the opposition is pushing for a reconstituted ZEC that would institute a fresh voter registration process and delimit constituencies thereafter.

The MDC argues that it supported the Constitution of Zimbabwe Amendment Number 18 in Parliament on the understanding that the ZEC would be reconstituted and become independent.

The opposition further argued that the commission's composition was a scandal as it was staffed with "former military personnel, Zanu PF functionaries and individuals whose identities are suspect"....

The Zimbabwe Election Support Network (ZESN) said it should be compulsory and prudent for the ZEC to give political parties and other interested groups the opportunity to make meaningful representations about constituency boundaries redrawing to avoid controversies.

"The commission should then have the obligation to take these representations properly into account before finalising its work on drawing new boundaries," ZESN said. "This should apply particularly to the extensive changes that will be necessitated by the large increase in numbers of seats in the Lower House brought about by the recent constitutional amendments."

ZESN said the delimitation should not have been rushed and there must be ample opportunity for objections to be taken into account....

Source: [Zimbabwe Independent, The](#) [4] (ZW)

SADC standards breached

- 4.1.2: Conducive environment for free, fair and peaceful elections
- 4.1.3: Non-discrimination in the voters' registration;
- 7.3: [The member state holding elections shall] Establish impartial, all-inclusive, competent and accountable national electoral bodies staffed by qualified personnel ...
- 7.4: [The member state holding elections shall] Safeguard the human and civil liberties of all citizens ...
- 7.5: [The member state holding elections shall] Take all necessary measures and precautions to prevent the perpetration of fraud, rigging...
- 7.6: [The member state holding elections shall] Ensure the availability of adequate logistics and resources for carrying out democratic elections;
- 7.8: [The member state holding elections shall] Ensure the transparency and integrity of the entire electoral process ...

Mugabe using torture to suppress opposition, says report

Source Date: 08-12-2007

Zimbabwe's government is using torture and violence to suppress opposition, raising doubts elections next year will be free and fair, according to a new report on the human rights situation in the country.

The report was released by The Open Society Initiative for Southern Africa (OSISA), The Open Society Institute and The Bellevue/NYU Program for Survivors of Torture.

The report - the first on Zimbabwe based on investigations by international health professionals with expertise in the evaluation, documentation and treatment of torture victims - said state agents had since March 2007 targeted both ordinary opposition activists and prominent leaders for abuse and torture.....

"This state-sanctioned violence targets low-level political organizers and ordinary citizens, in addition to the prominent members of the political opposition," said the report which called on South African President Thabo Mbeki to take a more robust stance against politically motivated violence and torture in his northern neighbour.

"President Mbeki must use his role as a democratic leader in the Southern African community to uphold international standards for opposition of torture and political violence and promotion of free and fair elections and basic human rights including a fair and impartial judiciary and rights of detainees in Zimbabwe," said the report....

(It) called on SADC, the United Nations Security Council, and the United Nations Commissioner on Human Rights to hold the Harare administration "accountable for its obligations under international law regarding prohibition of torture and political violence."

(The report) urged African leaders – who in the main have refused to criticise Mugabe – to change tack and speak out against torture and human rights violations in Zimbabwe....

Source: [Zim Online](#) [5] (ZW)

SADC standards breached

- 2.1.1: Full participation of the citizens in the political process;
- 2.1.2: Freedom of association;
- 2.1.3: Political tolerance;
- 4.1.2: Conducive environment for free, fair and peaceful elections
- 7.4: [The member state holding elections shall] Safeguard the human and civil liberties of all citizens ...

- 7.8: [The member state holding elections shall] Ensure the transparency and integrity of the entire electoral process ...
- 7.9: [The member state holding elections shall] Encourage the participation of women, disabled and youth in all aspects of the electoral process ...

Police violently stop NCA protest in Harare

Source Date: 07-12-2007

The National Constitutional Assembly reported Friday that 300 of its activists staged a demonstration in central Harare, before heavily armed riot police officers violently stopped it.

In a statement the NCA said in an act of 'clear determination and courage,' their activists walked from the city's Copacabana area to the Parliament Building.

'They were however violently dispersed by riot police who were heavily armed. The police launched a severe attack on the activists and the general public who were in the vicinity of the area that they were marching,' the statement said.

The activists chanted songs about the need for a new constitution braving the wet weather to march. The demonstration was against Constitutional Amendment Number 18, as well as the deteriorating situation in the country...

Source: [SW Radio Africa](#) [6] (ZW)

SADC standards breached

- 2.1.1: Full participation of the citizens in the political process;
- 2.1.2: Freedom of association;
- 2.1.3: Political tolerance;
- 4.1.2: Conducive environment for free, fair and peaceful elections
- 7.3: [The member state holding elections shall] Establish impartial, all-inclusive, competent and accountable national electoral bodies staffed by qualified personnel ...
- 7.4: [The member state holding elections shall] Safeguard the human and civil liberties of all citizens ...
- 7.5: [The member state holding elections shall] Take all necessary measures and precautions to prevent the perpetration of fraud, rigging...
- 7.6: [The member state holding elections shall] Ensure the availability of adequate logistics and resources for carrying out democratic elections;
- 7.8: [The member state holding elections shall] Ensure the transparency and integrity of the entire electoral process ...
- 7.9: [The member state holding elections shall] Encourage the participation of women, disabled and youth in all aspects of the electoral process ...

Students arrested, assaulted for wearing Learnmore Jongwe T-shirts

Source Date: 04-12-2007

Police in Kwekwe on Sunday arrested and severely assaulted five student leaders for wearing T-shirts with a portrait of the late MDC spokesman, Learnmore Jongwe. Mehluli Dube, Laswet Savadye, Whitlow Mugwiji, Stephen Chisungo and Gordon Mukarakati were arrested at a police roadblock while travelling from a Zimbabwe National Students Unions (ZINASU) leadership-training workshop in Bulawayo.

Police accused them of inciting public disorder by wearing Jongwe's T-shirts and detained them overnight at Kwekwe Central Police Station. They were later released without charge on Monday morning.

Dube, who has pending treason charges against him, for allegedly calling for the overthrow of Robert Mugabe, sustained a fractured tooth. He said fellow student leaders Mukarati and Savadye, incurred bruises and lacerations all over their bodies from the beatings. Dube said: "We were given some rough treatment indeed..."

Jongwe, who was a former legislator of Kuwadzana constituency, died in prison in 2002. He was the first spokesman of the MDC at its formation in 1999 and an outspoken student activist.

Identified victims: Student leaders: Mehluli Dube, Laswet Savadye, Whitlow Mugwiji, Stephen Chisungo and Gordon Mukarakati

Source: [SW Radio Africa](#) [7] (ZW)

SADC standards breached

- 2.1.1: Full participation of the citizens in the political process;
- 2.1.2: Freedom of association;
- 2.1.3: Political tolerance;
- 4.1.2: Conducive environment for free, fair and peaceful elections
- 7.4: [The member state holding elections shall] Safeguard the human and civil liberties of all citizens ...

Mugabe's secret agents, police clash over musical concert

Source Date: 12-12-2007

Police and agents of the government's spy Central Intelligence Organisation (CIO), who otherwise generally co-operate on security matters, clashed here at the weekend over a voter education concert that the CIO wanted banned despite the police having cleared the event.

To their credit, the police had cleared in advance the musical concert promoted by the civic organisation Crisis in Zimbabwe Coalition (CZC) to disseminate information on people's civil rights to vote....

But moments before the show could begin before about 5 000 people, council officials arrived to stop the performance claiming the dreaded CIO had ordered the concert cancelled....

Zimbabwe police and the CIO have this year banned at least a dozen theatrical performances they perceived as too critical of Mugabe's rule and detained the artists without trial...

Source: [Zim Online](#) [8] (ZW)

SADC standards breached

- 2.1.1: Full participation of the citizens in the political process;
- 2.1.2: Freedom of association;
- 2.1.3: Political tolerance;
- 2.1.8: Voter education.
- 4.1.2: Conducive environment for free, fair and peaceful elections
- 7.4: [The member state holding elections shall] Safeguard the human and civil liberties of all citizens ...
- 7.8: [The member state holding elections shall] Ensure the transparency and integrity of the entire electoral process ...
- 7.9: [The member state holding elections shall] Encourage the participation of women, disabled and youth in all aspects of the electoral process ...

Zanu PF splashes scarce forex on new election campaign vehicles

Source Date: 13-12-2007

Zanu PF has splashed over US\$10 million in scarce foreign currency on 220 new vehicles for party officials ahead of crunch elections next year.

The vehicles which were handed over to President Robert Mugabe on Wednesday will be dolled out to Zanu PF women and youth league officials in the country's 10 provinces as the ruling party gears up for crucial presidential and parliamentary elections in March 2008.

Politburo member and Zanu PF secretary for finance David Karimanzira who was in charge of the purchasing of the vehicles said officials in the war veterans' association as well as war collaborators and ex-detainees were among those in line to receive the new vehicles....

The main beneficiaries of the new vehicles, the women's and youth leagues as well as the war veterans, have been pivotal in canvassing support for Mugabe's controversial candidature ahead of the ruling party extraordinary congress this weekend.

In recent weeks, war veterans led by Jabulani Sibanda have been organising pro-Mugabe solidarity marches around the country to drum up support for Mugabe's presidential candidature.

Zanu PF members of the women and youth leagues joined the solidarity marches by war veterans which culminated in the so-called million man march on November 30 in Harare.

Source: [NewZimbabwe.com](http://www.newzimbabwe.com) [9] (ZW)

SADC standards breached

- 4.1.2: Conducive environment for free, fair and peaceful elections
- 7.4: [The member state holding elections shall] Safeguard the human and civil liberties of all citizens ...
- 7.5: [The member state holding elections shall] Take all necessary measures and precautions to prevent the perpetration of fraud, rigging...
- 7.8: [The member state holding elections shall] Ensure the transparency and integrity of the entire electoral process ...

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[1]

http://www.soros.org/resources/articles_publications/publications/zimbabwe_20071201/zimbabwe_20071130.pdf

[2] <http://allafrica.com/stories/200712100571.html>

[3] <http://africa.reuters.com/top/news/usnBAN723362.html>

[4] <http://www.thezimbabweindependent.com/viewinfo.cfm?linkid=21&id=11998&siteid=1>

[5] <http://www.zimonline.co.za/Article.aspx?ArticleId=2435>

[6] <http://www.swradioafrica.com/news071207/nca071207.htm>

[7] <http://www.swradioafrica.com/news041207/learnmore041207.htm>

[8] <http://www.zimonline.co.za/Article.aspx?ArticleId=2449>

[9] http://www.zimbabwesiuation.com/dec14a_2007.html