

ZIMBABWE ELECTION SUPPORT NETWORK



BALLOT UPDATE

Issue 2: February-March 2012

INTRODUCTION

This update provides an analysis of political developments as reported by ZESN observers over the period February to March 2012. The period has been characterised by police violence which culminated in the death of a civilian and the injury 11 citizens. The political environment while seeming calm is filled with tension as parties in the GNU continue with in fighting and testing each other's muscle. There is continued electioneering by political parties which has caused the electorate much confusion.

Observers report that political parties activities have increased significantly with political party restructuring, campaigns and meetings as parties evidently prepare for elections. While observers have reported limited physical violence, reports of intimidation and harassment continue to pose a real threat to citizens' psychological wellbeing.

The Zimbabwe Election Support Network remains dedicated to the promotion of democratic elections in Zimbabwe. In line with this objective, we continue to analyse the political environment in the 210 constituencies where observers are deployed. This update is informed by observations from these constituencies and broadly captures national political developments in Zimbabwe.

Elections – “with or without the constitution”		been used for personal purposes is a reflection of the inability of the members of parliament inability to honour their campaign promises. ZESN is concerned with the halt by the Attorney General on arrests and investigation as a bid to protect MPs from public scrutiny. We thus urge the responsible authorities to bring to book those who misappropriated the funds as the constituency development fund is meant to development projects in constituencies. The continued call for elections before the end of the constitution making process and in the absence of reforms is worrying. While ZESN applauds the reiterations by the SADC mediator President Zuma that elections can only be held once reforms that would guarantee a free and poll have been put in place, ZESN is largely of the view that SADC has to some extent taken a back seat and has not provided enough pressure to bear for the full implementation of the GPA. A whole raft of reforms that remain critical before elections can be done in Zimbabwe include; the cleaning of the voters roll, repealing of POSA and AIPPA, the proposed electoral amendment bill, the referendum act and ensuring the independence of ZEC from the executive influence among others. Institutional reform remains critical though very little has been done as evidenced by impunity and the ways in which discretion has been abused by the police, office of the president among others. Faith based organisations have also reiterated the need for the full implementation of the GPA before elections can be held. Churches have also urged SADC, the guarantors of the agreement to ensure that parties to the GPA fully implement the outstanding issues in the agreement. In a statement the churches under three independent bodies of the Zimbabwe Council of Churches, the Zimbabwe Catholic Bishops' Conference (ZCBC) and the Evangelical Fellowship of Zimbabwe (EFZ) noted the need for the government of Zimbabwe to create conditions that allow citizens to exercise their freedoms, including genuine elections that allow citizens to choose leaders of their choice in peace. The President of Zimbabwe, Robert Mugabe has reiterated that Zimbabwe will go for a referendum in May this year failure of which will revert to the Lancaster House Constitution and holding of elections before the end of the year. On the other hand the
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Banning of NGOs in Masvingo		Constitutional and Parliamentary Affairs Minister Eric Matinenga said drafters of the Constitution making process will be through writing the first draft chapter by mid- April but a referendum will be out in September the earliest. COPAC's March Press Statement indicated that a lot of progress has been made on the constitution making process, and assured the nation that the new constitution will be out soon. ZESN is taking note of these controversial statements, and hopes that COPAC will remain working in the best interest of the nation and remain committed to its mandate of spearheading a people centred process. ZESN condemns the suspension of NGO activities in Masvingo by the Governor of the province. In addition, civil society groups have come coalesced together to condemn the action as illegal and unconstitutional. In total 29 NGOs were banned by the Governor of Masvingo, Mr Titus Maluleke accusing them of being unregistered with his council which has since been declared illegal by the Minister of Labour and Social Welfare Honourable Paurina Gwanyanya-Mpariwa. In the same onslaught of NGOs, President Mugabe has accused NGOs of burning the midnight oil to ensure his downfall alleging that they are pushing for foreign agendas. ZESN notes that such statements do not provide for peaceful co-existence between the state and non state actors and do not create a credible working relationship based on trust and mutual reciprocity. NGOs that promote human rights are not enemies of the state but ensure that citizens are aware of their rights and obligations and contribute significantly to the development of civic engagement and complement government efforts in the provision of goods and services. Police brutality and impunity which has never been resolved culminated in the death of a civilian at the hands of the police. Citizens are baffled as to the logic of the loss of human life over 20grammes of gold whether fake or genuine. The police need to respect the sanctity of human life. Shamva police station officer in charge, Aspias Shumba and seven other officers took the law into their own hands and physically assaulted the deceased Luxmore Chivambu of Ashley Mill Compound in Shamva and 11 other residents after his wife had bought 30 grammes of fake gold from the mill. ZESN condones the unnecessary loss of life and argues that human life is worth far more than the 30 grammes of fake gold that Luxman died for. Respect for human rights needs to be inculcated in uniformed forces and actions should be tempered with
Police brutality and impunity		

		The MDC T had most of its meetings in Insiza South, and Gwanda central as well as other rural constituencies cancelled and convenors arrested. Moreover, there are reports whereby ZANU PF is the only political party which holds rallies, this occurred in constituencies such as Chitungwiza and Shamva North. ZANU PF has been conducting meetings without disturbances. The MDC faction led by Professor Welshman Ncube had been enjoying undisturbed civil liberties as the party had a meeting on the 25th February at Trade Fair grounds in Bulawayo, Nkayi, Lupane and other constituencies in Matabeleland North where Welshman continues to pave way for his presidency. It is at the discretion of the Police to allow or decline political parties meetings. ZESN observers have reported that citizens in some areas continue to be forced to attend meetings. Forced attendance to political meetings and rallies have been reported in Marondera Central, Mabvuku-Tafara, Chegutu West, Shamva North and Mazowe South. The threat of losing land if people do not attend meetings is real for residents of Mhondoro-Mubaira constituency. Reports from Murehwa South and Sanyati show that people who fail to attend ZANU PF meetings have been labelled sell-outs viewed as perceived MDC supporters. They also miss the opportunity to acquire inputs hence being denied a livelihood. In Zvimba West, political meetings have been covered with veiled threats of impending war and bloodshed should they vote for ZANU PF. In Buhera North, reports have shown that people have been forced to attend ZANU PF conducted every Saturday behind Mutomba Supermarket. In Zaka north constituency, ZANU PF held a meeting in ward 4 chaired by a ZANU PF office holder (name withheld) where people were threatened to be beaten up if they failed to attend. Citizens freedom of association continues to be violated as residents in Hurungwe Central at Tavoy Farm, have been barred from attending MDC meetings due to threats and intimidation by war veterans. Hate speech continues to be a problem as MDC supporters in Goromonzi South are harassed and abused for their political party affiliation. Distribution of food is being done on a partisan basis. This has been observed in the following constituencies
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Use of State Resources		At the political meetings convened by ZANU PF, there is evidence of the use of state resources in areas cited by observers. Observers in Marondera Central, Bindura North and Mwenezi East have reported that council vehicles have been used during rallies and campaigns. In Bindura North, council lorries and pickups were used to carry people campaigning in and around Bindura by soldiers and war veterans. During Minister Obert Mpofu's birthday army trucks were used to ferry ZANU PF supporters from constituencies to Nyamandlovu. The Minister's birthday was clearly a private function which did not sanction the use of government resources. In Mhangura and Zezegeza municipality premises have been used for political meetings. In Mufakose, Chakari, Muzarabani North and Chitungwiza constituencies there has been the use of community halls by ZANU PF to conduct their rallies. In Norton and Maramba Pfungwe reports have shown that ZANU PF used local schools for their meetings free of charge.
Conclusion		ZESN remains committed to monitoring Zimbabwe's political environment and analysing their implications for the conduct of elections in Zimbabwe. While some areas in Zimbabwe are experiencing human rights violations in various ways, observers have also noted areas where people's rights are respected. ZESN envisages a Zimbabwe where people's rights are respected and protected.

		In pursuance of our mandate of promoting a democratic Zimbabwe where free and fair elections are conducted, ZESN continues to advocate for these minimum conditions: • <i>The creation of a violent-free environment where freedom of assembly, association and speech among others are upheld.</i> • <i>Election observation forms a critical element in any election, ZESN calls for the opening up of election observation to all interested stakeholders and for the invitation to be given by ZEC and not an executive arm of government.</i> • <i>Furthermore, ZESN remains concerned about the state of the voters' roll and calls for the production of a fresh voters' roll.</i> • <i>ZESN advocates that ZEC should be independent of executive influence and report to Parliament, be well resourced and be given its full mandate in the management of the election.</i> <i>ZESN believes that for elections to be free and fair there is need for transparency in all processes of the elections which include among others results management, transparency in the processing of postal votes.</i>
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