

ZIMBAWE CATHOLIC BISHOPS' CONFERENCE (ZCBC)

A REPORT

ON THE HARMONISED ELECTIONS IN ZIMBABWE

HELD ON 29 MARCH 2008

THE EFFECTS OF PARTY-STATE ON DEMOCRACY AND HUMAN RIGHTS

THE CASE OF IN ZIMBABWE

**PRODUCED BY THE
CATHOLIC COMMISSION FOR JUSTICE AND PEACE IN
ZIMBABWE (CCJPZ)**

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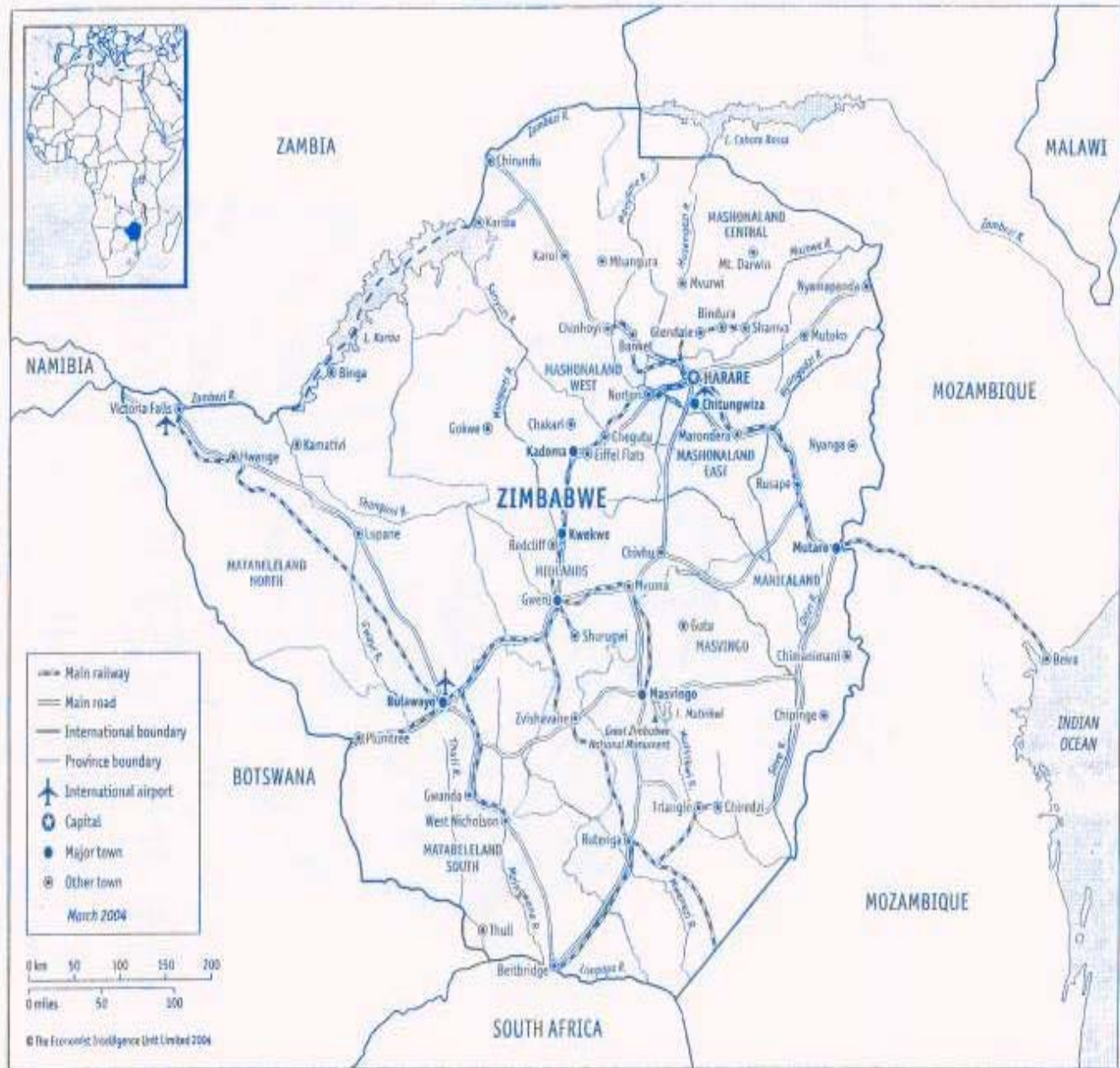
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MAP OF ZIMBABWE



FOREWORD

The 29 March 2008 Harmonised Elections were indeed a historic event which brought about new insights into the whole process of conducting democratic elections.

Since 1980, Zimbabwe has had several elections some which brought about disputed results in most cases while a few brought about positive, genuine results that reflected the free will of the people.

The March 2008 elections were held in the context of the Southern Africa Development Community (SADC) mediated negotiations between ZANU PF and the two the MDC formations. Some of the fruits of these negotiations included the agreement to harmonise all elections and more significantly to make some important but modest changes to the electoral playing field.

Of most importance are the SADC Principle and Guidelines Governing the Holding of Democratic Elections and the African Union guidelines on the holding of elections assisted in the improving the pre polling conditions this time as compared to the 2000,2002 and 2005 elections. There was significant improvement in terms of freedom, movement, assembly, association and speech even though there were some resistance by some stakeholders especially the ruling party functionaries and state security agents to allow contestants to campaign freely.

The state electronic and print media demonstrated that they still need to do a lot of adjustments or transformation in order to conform to the SADC norms and standards on the holding of democratic elections.

The Zimbabwe Electoral Commission (ZEC) conducted its duties to some extent in a professional manner before the polling period but the events that followed the counting of votes brought some serious doubts on the role and professionalism of such a national institution. The displaying of results outside the polling stations as required by law was but a small and significant revolutionary innovation in the electoral process.

It is against this background that the Catholic Commission for Justice and Peace in Zimbabwe (CCJPZ) was mandated by the Zimbabwe Catholic Bishops' Conference (ZCBC) to observe these elections and noted quite a number of anomalies and makes these recommendations institutional, structural and administrative if our future elections are to be credible in the eyes of all stakeholders. For example, there has to be a clear cut separation between the party and state structures. The fusion of the two into one result into confusion that undermines the tenets of democracy and human rights.

As we look forward to other elections in the future, it is important for us to think through the recommendations given in this report seriously and work towards correcting the shortcomings so as to build electoral confidence and ultimately our country.

+ Bishop Alexio Churu Muchabaiwa
Bishop Chairman of CCJPZ

EXECUTIVE SUMMARY

Introduction

On 29 March 2008, Zimbabwe conducted what are arguably historic elections in several senses. First, it was the first time that Zimbabwe simultaneously held four elections to elect the President, 210 members of the House of Assembly, 60 Senators and nearly 2 000 local government councillors. Second, is that the four-tier elections were all held on one day rather than over several days as was the previous tradition. Third was that they were being held in the context of a SADC-mediated negotiation process between the then ruling ZANU-PF party and the then opposition MDC party. Some of the fruits of the negotiations included agreement to “harmonise” all elections and more significantly, to make some important but modest changes to the electoral and political playing field. Lastly was that the pre-election campaign period was the most peaceful (even carnival) since the beginning of the multi-layered Zimbabwe crisis in 2000.

Framework for Analysis

In reviewing the 29 March elections, we do so against the background of the 2004 SADC Principles and Guidelines Governing Democratic Elections. We also note that the Electoral Act governing elections in Zimbabwe also provides for general principles guiding democratic elections. The African Union also has similar guidelines and principles.

We found it useful to approach the task by elaborating on the framework the CCJP first applied for our Report on the March 2005 parliamentary elections. This refers to the perspective that sees post-independence Zimbabwe as incrementally moving towards the construction of a party-state whereby the ruling ZANU-PF party imperceptibly merged with the structures of the state. The party and the state increasingly became indistinguishable and resources of the state (i.e. public resources) were taken to be resources of the ruling party. State institutions – including electoral and security institutions – became integral parts of the party-state.

We also found it useful to observe that Zimbabwe, given the depth, scope and longevity of the crisis and some of its violent manifestations, was in many senses similar to conflict situations in other parts of the world. The very existence of a SADC-brokered mediation process at the time attests to the existence of conflict that needed to be resolved. It could then be argued that Zimbabwe was not really ripe for elections and that the mediation efforts should have been exhausted, concluded and the conditions created for elections before holding them. The developments that happened after 29 March lend credence to this line of argument.

The Socio-Economic Context

Zimbabwe went to the polls in the midst of an unprecedented economic meltdown signified by a 364% inflation rate in March 2008, the highest inflation rate in the world;

to put this into proper perspective, the next highest inflation rate was 53% for war-torn Iraq. The purchasing power of the average Zimbabwean has fallen to levels last seen in the early 1950s and according to some economists, Zimbabwe's gross domestic product declined by over 43% between 2000 and 2007. Agriculture is on its knees, largely a consequence of the fast-track land reform programme hastily and chaotically implemented since 2000 and which played havoc with commercial agriculture. The manufacturing sector has shrunk by more than 47% between 1998 and 2006, the same output figures as in 1972. In June 2007 the Government announced and implemented the populist Operation Reduce Prices whereby retailers were to slash their commodity prices by 50% and in the six months that followed, manufacturing output fell by more than 50% and some firms were forced to close down.

The informal economy has blossomed where the formal economy used to be. In 1980, the informal economy accounted for less than 10% of the labour force. This rose to 20% in 1986 and to an estimated 40% in 2004. In June 2005, nearly 3 million Zimbabweans earned their living through informal sector employment while the formal sector employed only about 1.3 million people.

The human cost of the economic crisis has been catastrophic. Millions have taken the exit option and estimates put the number of Zimbabweans – most of them professionals – in the Diaspora at about 3 million or a quarter of the population. The unemployment rate is over 80%, so is the poverty level, having doubled since mid-1990s. Zimbabweans have one of the lowest life expectancies in the world; life expectancy at birth is now 37 years for men and 34 years for women. In short, the social and economic situation in the pre-election period was dire and desperate.

Pre-29 March Developments

Constitutional and Statutory Changes

Between the last parliamentary election of March 2005 and the March 2008 which is under review, two major constitutional amendments were made. The first, Constitutional Amendment No. 17 made several changes, the most significant for our purposes being the re-introduction of the Senate of 66 members, 50 of whom were directly elected. The second amendment - Constitutional Amendment No. 18, hereafter referred to as CA 18 – also made several changes to the constitution but the most significant was to increase the size of both chambers of Parliament: the House of Assembly was increased from 150 members (120 elective) to 210 all elective members; and the Senate was increased from 66 to 93 members (60 being directly elected and the other comprising 18 chiefs, 10 provincial governors appointed by the president and five presidential appointees). The other major innovation in CA18 was to consolidate all national and local elections so that they would be held simultaneously and their terms run concurrently. CA 18 was a direct product of the Thabo Mbeki-led SADC mediation process.

The other product of the SADC-brokered talks was the amendment of media, security and electoral legislations whose combined effect was to somewhat improve the political and

electoral playing field. However, the late enactment of the amendments diminished their effectiveness because of the limited time left to adequately prepare for the complex harmonised elections.

Institutional Changes

Another significant development since March 2005 was the consolidation of electoral agencies and functions in the Zimbabwe Electoral Commission (ZEC) unlike in the past elections when several electoral bodies existed, with overlapping functions and causing unnecessary confusion among all stakeholders. However, the Electoral Act failed to clearly distinguish between ZEC's functions and those of the Registrar General's office. The former is meant to maintain the voters roll but the latter continues to shoulder responsibility for registration (though now supervised by the ZEC) giving rise to a "recipe for confusion." The Electoral Act should have transferred management of *all* electoral processes to the ZEC, including management of the voters roll. We also note that, due to time constraints, the changes in the composition of the ZEC occasioned by CA 18 could not be effected. ZEC was also forced to fast-track the delimitation process and had to short-circuit some of the stages while this also gave rise to allegations of gerrymandering of electoral districts. Other changes relating to the Media and Information Commission could also not be effected because of time constraints.

Overall though, it is fair to say the legal and institutional framework for the March 2008 elections was comparatively better than any in the post-2000 period. There was really notable improvement in media coverage in the last two weeks of campaigning though this should have been done much earlier to ensure a level playing field.

Impaired Integrity of Electoral Institutions

The pre-election period was characterised by instances of impaired autonomy and impartiality by designated electoral institutions in executing their constitutional functions. This is with particular reference to the Electoral Court and ZEC. For instance, in mid-March, the Electoral Court turned down an application by the MDC seeking an order compelling election authorities to: (a) disclose information pertaining to the number of ballot papers printed for the elections; (b) order ZEC to disclose the identity of the firm contracted to print ballot papers; (c) allow inspection and auditing of ballot papers; and (d) order ZEC to increase the number of polling stations in urban areas. The Electoral Court claimed it had no jurisdiction to hear the matters when in fact it was created to adjudicate on electoral matters. Fair minded Zimbabweans found this judgement baffling. We also highlight the reluctance of ZEC to clarify the apparent inconsistencies in the Electoral Act regarding circumstances surrounding a Presidential "second election". Section 110 (3) of the Electoral Act allows for a second election within 21 days if none of the candidates emerges with a clear majority of the total number of valid votes cast while as Section 3 (1) of the second schedule of the same Act says the candidate with a plurality of votes – and not necessarily a majority of the votes – should be declared the winner. As many observers have noted, this inconsistency had great potential to not only cause confusion but bitter disputes if none of the candidates achieves a minimum 50%

plus one vote of the valid votes cast. This confusion could easily have been avoided by a prompt and decisive interpretation that guided all stakeholders.

Intimidatory Pronouncements

From September 2007 right up to the eve of the 29 March elections, statements and declarations were being made by various security chiefs to the effect that they would not recognise the election of any one other than the incumbent as president of the country. Such inflammatory statements raised tensions and had the clear effect of intimidating the voting public to vote in a particular way. In a functional democracy, we firmly believe it is not the function of security forces to veto the will of the people.

The ZANU-PF presidential candidate and Commander-in-Chief of the Zimbabwe Defence Forces also repeatedly vowed that the opposition MDC would never win the election. CCJP further regrets that ZEC was unable or unwilling to sanction such conduct.

Use of Inducements to Attract Voters

There were widespread reports of abuse of state resources during the campaign by the then ruling ZANU-PF party as manifested in politically motivated distribution of food aid in the midst of widespread scarcities. We also noted the manipulation of traditional and community leaders for partisan purposes and the patronage uses of farming inputs and equipment under the guise of the farm mechanisation programme. Uniformed forces, civil servants and other public sector employees were awarded huge salary increases just before the elections and other sectors of society received all sorts of goods e.g. vehicles for doctors and promises of houses for health institutions, all in a manner designed to induce them to vote in way favourable to the ruling party.

Inadequate Voter Education

It is trite to state that voter education is essential for people to be able to turn out to vote and to make the right electoral choices. ZEC was found wanting in this regard and at a time when it was needed most in light of the fact that the harmonised elections were not only a new experience for all Zimbabweans but were also complex.

Many voters and communities were not sufficiently informed about things like voter registration, inspection of the voters roll, location of polling stations, the times of voting, that voting would be on one day only and for four different elections. Voters also needed to be told that it was no longer acceptable, unlike in the past, for a voter to use a driver's licence as identification; only a national identity card or passport were acceptable. Another complication arose from the delimitation of new constituencies and voters needed to be informed how this would affect them.

CCJPZ deeply regrets that despite its limitations in terms of reach, personnel and other critical resources for mounting an effective civic and voter education campaign, ZES

prohibited civic organisations from complementing its work until very late. For instance, in February, ZEC actually barred ZESN from continuing to flight its electronic and print advertisements that informed the public about various electoral issues. It was also embarrassing that when the ZEC embarked on its voter education campaigns, some of its voter educators were themselves not adequately informed. For instance, some of them could not answer to the question whether there would be only one ballot paper with all four candidates for the four elections or four separate ballot papers.

Voters Register

At the close of the voter's register on 15 February 2008, there were 5 934 768 registered voters in Zimbabwe. The provincial breakdown was as below.

Table 1

Province	No. of Registered Voters	No. of Constituencies
Bulawayo	320, 772	12
Harare	784, 598	29
Manicaland	774,482	26
Mashonaland Central	522,107	18
Mashonaland East	658,123	23
Mashonaland West	625,729	22
Masvingo	625,729	26
Matabeleland North	740,969	13
Matabeleland South	366,271	13
Midlands	786,237	28
Total	5,937,768	210

There were credible reports of the voters roll being in a shambolic state with ghost voters and suspicious names included in some constituencies. ZEC also failed, until the last minute, to provide, as the law stipulates, to provide contesting opposition parties and candidates with an electronic copy of the register.

Selective and Discriminatory Invitations to Foreign Observers and Media

Invitations to observe the 29 March elections were restricted to what Government regarded as “friendly” countries, organisations and media houses. Western countries were not invited to observe the elections except that all countries with diplomatic representation in Zimbabwe whose staffs were accredited to observe the polls. Some SADC-based election monitoring bodies were barred, e.g. the Johannesburg-based Electoral Institute of Southern Africa (EISA). This was also the case with Western journalists and media houses but the media ban also extended to even some ‘unfriendly’ media from SADC, e.g. e-TV from South Africa. This discrimination is very damaging for a country that wants to project a good image of itself in the international community as it gives the impression that the Government has something to hide.

Political Campaigns

Overall, all political parties and candidates were able to campaign freely, communicate their political messages without undue impediments and their supporters tolerated each other remarkably well. This pleasing development must be attributed to pronouncements by various political leaders exhorting their supporters to refrain from violent political campaigns and the considerable extent to which these calls were observed. As a consequence, throughout the country, the political atmosphere for the elections was significantly more conducive than at any time in the post-2000 period. This is as things should be. There was certainly a marked reduction in inter-party violence, intimidation, forcing people to party rallies, forcing people to buy party cards or wear party regalia, and there were no youth militia bases – as happened in 2000, 2002 and 2005 – to harass and coerce prospective voters. CCJPZ observers favourably noted that people were moving freely to and from rallies and freely wore different party regalia with little or no harassment from others. This was totally different from previous elections and was something to be praised. Opposition parties and candidates also had free access to formerly no-go rural areas.

The police force by and large conducted itself in a professional manner with senior police officers assuring voters that they would adopt a “zero tolerance” approach to political violence. Most contestants expressed satisfaction with the conduct of the police.

Notwithstanding the above positive developments, there were worrisome issues that have to do with old habits taking long to die. Some national politicians, especially from ZANU-PF continued to use hate/inflammatory and insulting language at rallies and in both the print and electronic media, language that is unbecoming of a civic campaign. Some traditional leaders also took it upon themselves to campaign for the ruling party and threatening their subjects with denial of food, evictions, beatings, and even war and they generally conducted themselves as if they were ZANU-PF campaign agents¹.

In some instances, the police yielded to the demands of ZANU-PF and would cancel opposition MDC rallies in order “to avoid clashes.” To this extent, there was selective application and/or interpretation of the amended Public Order and Security Act (POSA). POSA, in conjunction with media laws like AIPPA and BSA continued to be applied in a manner that made the campaign field skewed in favour of the ruling party.

Postal Votes and Disenfranchisement of Diaspora Voters

Zimbabwe allows for postal votes for certain categories of voters e.g. those serving in diplomatic missions and those on state duty outside their voting areas and these are normally police, soldiers and civil servants serving as polling officials. It was alleged –

¹ Many traditional authorities, especially chiefs and headmen received scorch carts, ploughs, wheelbarrows and other farming implements just before or during the campaigns.

and never denied – that the ZEC had ordered the printing of 600 000 postal ballots² when less than 30 000 had been applied for. This caused unnecessary confusion and tension among contesting parties and candidates some of whom justifiably feared that the extra ballots would be used fraudulently.

Preparations for Voting

The preparations were on the whole adequate. However, the distances between polling stations were very uneven in two respects: first, was the discrepancy in the distribution of polling stations between the rural and urban areas – the allocation was not proportionate to population and this gave rise to fears that urban voters would be disadvantaged or even disenfranchised as many were in the 2002 presidential elections; secondly, in some rural areas the polling stations were far apart while in others they were too close to each other. In the latter cases, too few voters were served e.g. less than 40 voters were served at some polling stations. Reports from our observers indicated that ballot boxes (transparent and not wooden) were despatched in time at all polling stations. Other polling materials, e.g. ink, voters roll, were in place by the time of voting. Almost all polling stations opened on time at 7:00 am except for a few that opened late.

Polling Day

Polling day itself was equally peaceful and the voting was done in an orderly manner. At most polling stations, ballot boxes were opened and verified as empty in the presence of all party agents; there were a few instances where our observers could not vouch for this procedure having been verified. However, our observers noted that many people were turned away because their names were not on the voters' roll and were not allowed to vote even when they had receipts proving that they were registered. Some people were turned away for being aliens, being in the wrong wards or bringing their driving licences as a form of identity.

Some overzealous traditional authorities took it upon themselves to write down the names of people who had turned out to vote. The number of spoilt ballots was also a cause for concern. In some cases, e.g. in Gokwe, half of the entire votes cast were spoilt mainly because of confusion over the similar symbol – the open palm – used by the two MDC parties. Our observers also filed disturbing reports of some ruling party councillors and some traditional leaders who kept a threatening and intimidating presence at polling stations even when they were not party agents. There were also cases where party supporters (predominantly ZANU-PF) were making slogans e.g. raising the fist, singing and dancing within the prohibited 500 meters of the polling station. In such incidents, the police often dispersed them in accordance with the law.

² It was also alleged that – and also not denied – that ZEC had ordered the printing of 9 million ordinary ballot papers when ZEC itself had announced that the total number of registered voters was only 5,9 million people. What were the extra ballots for?

It may be noted that polling in three constituencies of Gwanda South, Pelandaba-Mpopoma and Redcliff was postponed after a candidate in each constituency died after nomination.

Counting of Votes and Display of Results

Counting was done in a professional manner and ZEC should be commended for this. Polling agents and observers were allowed to witness the counting which was done at polling stations and at most polling stations; this was done to the satisfaction of observer groups and contestants. Results of poll were displayed outside the polling stations as required by law but there were a few instances e.g. in Mashonaland West, where this was not done. The display of polling results at polling stations proved to be a small and yet revolutionary innovation, thanks to the SADC mediation talks.

The counting of votes showed that out of the estimated 5.9 million registered voters, 2 497 265 turned out to cast their votes (or 43%) at roughly 9 000 polling stations throughout the country. There were nearly 40 000 spoilt ballots or 1.6% of total votes cast.

Post-Polling Developments

Not all that starts well ends well. At the time of writing, the presidential election is not yet over. This report of post-polling developments is therefore confined to the period from 29 March to 2 May 2008 when the presidential results were finally released. The general satisfaction that voters had expressed on voting day was quickly dissipated when results – which were posted at polling stations – took more than 36 hours to start being announced nationally. When the announcement started, it proceeded at a snail's pace that created anxiety, frustration and even anger among highly expectant voters. It took ZEC a full five days to announce results of the House of Assembly and Senate contrary to the simple and straightforward procedure that ZEC itself had published³. It also announced them in bizarre and suspicious manner which showed that it was deliberately holding on to the results it had long received but continued to hide under the pretext that it was still awaiting the results from remote areas. Oddly, results from constituencies right here in Harare – including in the constituency in which the National Command Centre was located – were announced well after those from far flung areas! The final tally in the 2008 contested constituencies is as in the Table below.

Table 2

Party/Candidate	House of Assembly	Senate
MDC-Tsvangirai	99	24

³ It must be stressed that it was not the expected duty of the Chief Elections Officer to announce the results of local government and parliamentary (House of Assembly and Senate) elections because these were announced by Constituency Elections Officers at the point of posting them at constituency level. It was only in respect of presidential results that the Chief Elections Officer had the prerogative to announce the results; for the other elections, he simply publicized them for the rest of the nation to know.

ZANU-PF	97	30
MDC (Mutambara)	10	6
Independent	1	0
Total	207*	60

* Three constituencies were not contested because the duly nominated candidates died before the election; there will now be by-elections on 27 June 2008, simultaneously with the presidential run-off.

It was at this point that serious questions began to be asked and aspersions being cast in and outside Zimbabwe regarding the autonomy, impartiality and general professionalism of ZEC.

After announcing the results of parliamentary elections, it then took more than a month for the electoral body to announce the results of the flagship presidential elections. The MDC was compelled to seek the intervention of the courts to get the all-important results released but got little redress. The regional body – SADC – was also forced to convene an emergency meeting on 12 April to deal with the unfolding electoral crisis. The SADC Summit resolved that the presidential election results be released “expeditiously” but this had little effect on ZEC which continued with its business-as-usual approach. Instead, ZEC proceeded to order a recount of votes in 23 constituencies on what to many people and observers appeared to have been on the instructions of ZANU-PF which had earlier written to ZEC stating that “ZEC may be faced with a serious, profound and far-reaching case of miscounting.” The recounting did not yield any material deviations from the original results.

After much agitation and mounting pressure from domestic and international stakeholders – including court orders and a job stay away called by the MDC and discussion of the stalemate at the United Nations - the presidential election results were finally released on 2 May. They were as follows: Morgan Tsvangirai in the lead with 47.9%; Robert Mugabe with 43.2% and the balance of the votes to independent candidates Simba Makoni (8.3%) and Langton TOUNGANA (0.6%). According to the law, this result necessitated a second election “within 21 days of the previous election,” which ZEC interpreted to mean ‘21 days after the declaration of the results’. The electoral body did not immediately announce the date for the new poll. Meanwhile, the main opposition MDC-T rejected the results having previously declared that its candidate won an outright majority. By the time the results were announced, Tsvangirai had already skipped the country fearing for his life. It is clear that the 29 March harmonised elections, far from producing harmonised results, generated much disharmony which is deepening with each passing day.

A key but very negative post-29 March development was a wave of politically motivated violence especially in the rural areas, and within them, in the three Mashonaland provinces of Mashonaland West, East and Central. These were also the areas where ZANU-PF had done best. The post-polling crackdown, allegedly orchestrated and

systematically executed by soldiers⁴, policy, security agents, ZANU-PF militia and veterans of the liberation war ranged from intimidation, kidnapping, torture, arson and murder of opposition or suspected opposition leaders, activists and supporters in a campaign called “Mavhotera Papi” (Where did you put your vote?). This strategy was designed to ‘soften’ the electorate ahead of an envisaged second round election pitting the first two candidates Tsvangirai against Mugabe. A major humanitarian crisis has since arisen, compounding an already tragic multi-layered crisis.

Conclusions

CCJPZ’s assessment of the 29 March 2008 harmonised elections in Zimbabwe is that the pre-polling conditions were a vast improvement compared to the preceding elections in 2000, 2002 and 2005. There were significant improvements in terms of freedom of assembly, of association and movement though there were incidents that demonstrated the residual resistance by some stakeholders, especially ZANU-PF functionaries and the security agencies, to allow contestants to campaign freely and unencumbered. The state print and electronic media did not conduct themselves in a manner that complied with the SADC Principles and Guidelines though there was also a significant and commendable improvement in the two weeks preceding the elections.

ZANU-PF abused its power of incumbency to try to influence voters through the use of state resources to the advantage of the incumbent party and its candidates. The ruling party, through the government, distributed agricultural and medical equipment and accessories in a clear move to induce voters to cast their vote for the incumbents. Senior officers of the security forces also acted in questionable ways which had the effect of swaying voters, or intimidating them and generally creating tension and anxiety.

Polling day activities were conducted in an efficient and orderly manner. However, post-polling events – specifically the inordinate delays in the release of the results - were a source of much distress, anxiety and suspicions. In the process, ZEC tainted its credibility as an impartial and autonomous electoral agency. To many, it demonstrated beyond reasonable doubt that it is an integral part of the party-state system in Zimbabwe.

It is therefore our conclusion that the playing field for the 29 March 2008 elections was skewed in favour of ZANU-PF. Notwithstanding this, the people of Zimbabwe were afforded a reasonable opportunity to make their voice heard and to express their will. To this extent, we find the 29 March 2008 harmonised elections to have been relatively free but lacking in the basic tenets of fairness. There are still serious procedural flaws and institutional weaknesses that need to be addressed if the second election and future

⁴ The Government denies involvement and instead blames the MDC for instigating the violence. The military, for instance, issued a statement denying involvement: “The Zimbabwe National Army wishes to raise concerns over articles being published in the print and electronic media on allegations relating to the alleged political violence, assaults, harassment and robberies perpetrated by men in army uniforms. The army categorically distances itself and any of its members from such activities” (see IRIN “Zimbabwe: Hunger drives post-election violence, deepens poverty” 9 May 2008).

elections are to be free and fair and yield a result that is not disputable by the contesting parties and candidates.

Recommendations

Below we outline some of the critical areas that need to be addressed by the relevant electoral bodies:

- The voters' roll that has been in shambles for a long time needs to be overhauled and cleansed of ghost voters and other suspicious persons. It also needs to be updated in order to include all those who would have registered to vote for a particular election. More critically, it is necessary, when the current dust has settled, to seriously explore the possibility of automatic voter registration whereby a citizen who attains the legal age of majority is automatically registered as a voter. This obviates the need to go through the laborious process of registering as a voter in addition to the equally onerous process of registering for a national identity card. Automatic voter registration is practiced in many countries and has worked well;
- If the present voter registration procedures are maintained, the requirements for registration must be user-friendly. The requirement for proof of residence is a case in point, a requirement that is presently abused by landlords and traditional authorities. It is also important to ensure that the cut-off date for voter registration for a particular election be respected. Presently, there are instances of ruling party officials processing letters instructing voter registrars to register voters in their constituencies even after the deadline;
- Voter education, an area where the ZEC failed to adequately perform its constitutional mandate, should be dispersed to other civic organisations that have the resources and the commitment to perform the function. Further, and equally important, voter education should not be a one-off exercise done just 90 days before an election; it must be a continuous exercise throughout the year;
- The pre-election conditions must be levelled in order for all parties and candidates to be able to carry out their political campaigns and other political activities designed to reach the voter. This demands that the restrictive media, security and electoral laws be either repealed or reviewed to level the playing field which is presently skewed in favour of the incumbent. The media terrain is presently a particularly worrisome area whereby the ruling party is abusing the public media as a propaganda tool to advance its partisan and sectional agenda;
- The constitutional role of military and security agencies and personnel must be clearly defined such as to effectively proscribe any political and partisan activities by serving members of the uniformed forces. Their role must be fully understood to be that of impartial and non-partisan officers who are there to serve any government; they must of necessity be de-linked from the party-state. Other state institutions should equally be de-politicised. It is particularly important for the law enforcement agencies to maintain law and order and a zero tolerance to politically motivated violence, before, during and after elections. The Zimbabwe Republic Police was found wanting in respect of post-poll political violence

whereby it was accused of applying the law in a selective and discriminatory manner;

- ZEC, or any other electoral body, must also conduct itself in the manner specified in the constitution, i.e. that it should conduct elections and referendums “efficiently, freely, fairly, transparently and in accordance with the law.” ZEC should act with absolute transparency and provide voters with the requisite information regarding the various procedures and stages governing the elections and should adhere to them. ZEC was found particularly wanting in the post-poll period. We also note that some of the deficiencies by ZEC related to the woefully inadequate resources at its disposal and to this extent, the public fiscus must ensure that this pivotal public institutions is adequately provided for in order to fully execute its constitutional mandate;
- It must be made clear that traditional authorities are custodians of our culture and have no role to play in modern electoral politics and should not be used as instruments of political parties in competitive political battles;
- There must be effective implementation of laws that clearly prohibit intimidatory practices, corrupt practices, illegal practices as stated in the Electoral Act and other statutes. Zimbabwe’s elections have perennially been plagued by such malpractices;
- Adequate pre-election preparations should be put in place well before the election. This is especially the case in respect of the demarcation of electoral boundaries and their publication to all stakeholders. The printing of ordinary and postal ballots must also be done in a transparent manner;
- Consistent with the SADC Principles and Guidelines, the state must give due recognition and facilitation of international, regional and domestic election observers and media and not confine the invitations to “friendly” countries and organisations. Further, this function must be totally invested to the electoral body, in this case, ZEC;
- The time period within which election results must be released must be unambiguously specified in law. The post-poll spectacle whereby ZEC froze results and holding the nation to ransom must be proscribed by law;
- Lastly, what happens at the so-called National Command Centre must be subjected to more scrutiny and transparency than was the case for the 29 March 2008 elections. There was a lot of opaqueness in the manner in which the National Collation Centre executed its functions e.g. its clandestine closure without stakeholder knowledge, and accusations that the ZEC did not complete the verification process before announcing the presidential results.

INTRODUCTION

March 29, 2008 will be eternally engraved in the annals of Zimbabwean history as a landmark moment. On that day, nearly 6 million Zimbabweans were asked to define their political future by choosing – in four sets of simultaneous elections – who they would like to govern them. They partly did that and in the process dramatically changed the country's political landscape. This Report is an assessment of the events and developments before, during and after the March 29 momentous event. It does not cover the period after the belated announcement of presidential election results on 2 May 2008. To this extent, it does not purport to cover the developments leading to the second presidential election that has been scheduled for 27 June 2008.

The Report was first prepared under unique and cloudy circumstances whereby the results of the Presidential election held simultaneously with Senatorial, House of Assembly and Local Authorities elections had not been announced, a month after the historic 29 March 2008 harmonised poll. It became incumbent in the course of preparing the report to be guided by the definition of “election period” as enshrined in Zimbabwe's Electoral Act, Section 4 (“Interpretation”) (1) where the words “election period” refers to “the period between the calling of the election and the declaration of the result of the poll.”

The harmonised elections were historic in the double sense that it was the first time in the history of the country that Zimbabwe was holding four-tier elections and secondly that the results took tortuously long to be announced. This was despite the fact that - also for the first time - the election results were actually posted at polling and constituency centres by the end of the second day after polling i.e. by 30 March 2008. It took a full five days of staggered and painstakingly slow reporting for the results of the House of Assembly and Senate to be announced. The electoral body - the Zimbabwe Electoral Commission (ZEC) - pleaded that it needed time to meticulously perform its mandate. As will become evident in the Report, this inordinate delay in producing results of the presidential elections overshadowed every other aspect of the election and eclipsed the otherwise reasonable performance of the ZEC in conducting the multiple elections.

The March 2008 elections took place in the context political negotiations mandated by the Southern African Development Community (SADC) and under the leadership of South African President Thabo Mbeki. As will be evident in the Report, the SADC mediation process yielded some partial positive results. The assessment of the elections was made with reference to Zimbabwe's laws governing elections and the SADC Principles and Guidelines which we discuss below.

GENERAL PRINCIPLES OF DEMOCRATIC ELECTIONS

Zimbabwe's Principles: the Electoral Act

The Electoral Act (as amended at 6th February 2008) embodies the general principles under-girding democratic elections in Zimbabwe. Section 3 of the Act says:

Subject to the Constitution and this Act, every election shall be conducted in way that is consistent with the following principles:

- (a) the authority to govern derives from the will of the people demonstrated through elections that are conducted efficiently, freely, fairly, transparently and properly on the basis of universal and equal suffrage exercised through a secret ballot; and
- (b) every citizen has the right—
 - (i) to participate in government directly or through freely chosen representatives, and is entitled, without distinction on the ground of race, ethnicity, gender, language, political or religious belief, education, physical appearance or disability or economic or social condition, to stand for office and cast a vote freely;
 - (ii) to join or participate in the activities of and to recruit members of a political party of his or her choice;
 - (iii) to participate in peaceful political activity intended to influence the composition and policies of Government;
 - (iv) to participate, through civic organisations, in peaceful activities to influence and challenge the policies of Government;
- (c) every political party has the right—
 - (i) to operate freely within the law;
 - (ii) to put up or sponsor one or more candidates in every election;
 - (iii) to campaign freely within the law;
 - (iv) to have reasonable access to the media⁵.

When the above provisions of the Electoral Act are read in conjunction with the fundamental civil and political freedoms, rights and liberties guaranteed in the Declaration of Rights (Chapter 3 of the Constitution of Zimbabwe) e.g. freedom of

⁵ The term “reasonable access,” though not defined in the Electoral Act, is presumably defined in the ZEC Act, Part IVA, especially Section 16C (1) which covers access to public broadcasting media which states that “ “Public broadcasters shall afford all political parties and independent candidates contesting an election such free access to their broadcasting services as may be prescribed in regulations, made by the Commission, with the approval of the Minister ...”

assembly, freedom of expression, freedom of movement, freedom of conscience, protection from torture, inhuman or degrading treatment, the protection of the law, etc, it is clear that the juridical framework is solid for the application of the aforesaid principles of democratic elections. However, as the Report shows, it is at the empirical or practical level where serious deficits seem to arise.

SADC Principles and Guidelines Governing the Holding of Democratic Elections

The Zimbabwe elections are also assessed against the *SADC Principles and Guidelines Governing Democratic Elections* of August 2004. These electoral standards were agreed to and signed by all SADC member states including Zimbabwe. In fact, most of the elections-related changes in the constitution and the Electoral Act were informed and motivated by the SADC Principles and Guidelines. Further, Zimbabwe was the first SADC country to apply these electoral benchmarks in its March 2005 general election. As a signatory, Zimbabwe should adhere to the following principles in the conduct of democratic elections:

- Full participation of the citizens in the political process;
- Freedom of association;
- Regular intervals for elections as provided by the respective National Constitutions;
- Equal opportunity for all political parties to access the state media;
- Equal opportunity to exercise the right to vote and be voted for;
- Independence of the Judiciary and impartiality of the electoral institutions; and
- Voter education.

The SADC mediation processes initiated in March 2007 had as its centrepiece the conduct of a genuinely free and fair election whose results are beyond dispute.

The AU Declaration on the Principles Governing Democratic Elections

The SADC Principles seem to be derived from the *AU Declaration on the Principles Governing Democratic Elections in Africa* adopted at the 38th Ordinary Session of the Assembly of the OAU in 2002 in Durban, South Africa. The AU Declaration outlines four cardinal Principles of Democratic Elections as follows:

- 1) Democratic elections are the basis of the authority of any representative government;
- 2) Regular elections constitute a key element of the democratic process and therefore, are essential ingredients for good governance, the rule of law, the maintenance and promotion of peace, security, stability and development;
- 3) The holding of democratic elections is an important dimension in conflict prevention, management and resolution;

4) Democratic elections should be conducted:

- (a) freely and fairly;
- (b) under democratic constitutions and in compliance with supportive legal instruments;
- (c) under a system of separation of powers that ensures in particular, the independence of the judiciary;
- (d) at regular intervals, as provided for in National Constitutions;
- (e) by impartial, all-inclusive, competent and accountable electoral institutions staffed by well-trained personnel and equipped with adequate logistics.

The Declaration then lists responsibilities of the Member States among which are the following commitments:

- safeguard the human and civil liberties of all citizens including the freedom of movement, assembly, association, expression, and campaigning as well as access to the media on the part of all stakeholders, during electoral processes;
- promote civic and voters' education on the democratic principles and values in close cooperation with the civil society groups and other relevant stakeholders;
- take all necessary measures and precautions to prevent the perpetration of fraud, rigging or any other illegal practices throughout the whole electoral process, in order to maintain peace and security.

In addition, the Declaration lays out thirteen rights and obligations “under which democratic elections are conducted” including that:

- No individual or political party shall engage in any act that may lead to violence or deprive others of their constitutional rights and freedoms. Hence all stakeholders should refrain from, among others, using abusive language and/or incitement to hate or defamatory allegations and provocative language. These acts should be sanctioned by designated electoral authorities.

THE POLITICAL CONTEXT

The Party-State Phenomenon

One key-defining characteristic of the post-independence governance system in Zimbabwe is the dominance and domineering role of the ruling ZANU-PF party over everything else. This is despite the façade of a multi-party political system; this phenomenon is best described as a *party-state*.

In its Report on the March 2005 elections, the CCJPZ commented that:

One fundamental aspect of elections in Zimbabwe is the belief of the President and ZANU-PF in a one-party state. Such a belief of necessity rejects the concept of a valid opposition to its policies. ZANU-PF regards itself as the only legitimate defender of the liberation struggle. It follows from this, that various attempts to create a viable opposition are regarded as a threat to the hard-won gains of the liberation struggle and as inimical to the interests of the nation, as represented by the party.⁶

What was not particularly emphasised in that report, and which has become too apparent since then is the reality that Zimbabwe is in fact a party-state. However, a year before the March 2005 elections, Masunungure had made reference to “the capture of the state” by the ruling party: “The state has successfully been used, or abused in the service of the ruling party.”⁷ The reality in Zimbabwe now is that there is more than just a close relationship between the ruling party and the state but a fusion between the state – which should be a *public institution* – and the ruling party, which, like all other parties, is supposed to be articulating and aggregating the sectional interests of its members. The interests of the party are now confused and conflated with the interests of the state. In other words, the ruling party is the state, and similarly, the state is the ruling party. In short, the party and the state have become indistinguishable. Masunungure noted that since independence, “the various bureaucratic institutions gradually underwent a process of professional subordination to the dictates of the ruling party” and that “the party and its interests became virtually indistinguishable from those of the state.”⁸

In short, the party plays a vanguard role and is sovereign rather than “the people” being sovereign. The practical meaning of this is that the ruling party simultaneously considers the institutions and resources of the state as the institutions and resources of the party. This is a fundamental fact that should guide the assessment of the 29 March elections and the state institutions like the police, army, Registrar-General of Voters and, most critically, the Zimbabwe Electoral Commission must be assessed in light of this reality.

Because the ruling party and the state are viewed as Siamese twins, elections are tolerated to the extent that they do not or seek to separate the Siamese twins. Any attempt to separate or seek such separation will be resisted with all the might at the disposal of the party-state, hence the political violence which has without exception punctuated all post-Independence elections. The 29 March 2008 elections were the closest to committing this ‘unforgivable crime’ of separating the ruling party from the state and hence the vicious reaction of the party-state in defence of its indefinite prolongation of the status quo. This

⁶ CCJPZ, *A Report on the Parliamentary Elections in Zimbabwe Held on 31 March 2005*, Harare, April 2005, 23.

⁷ E. Masunungure, “Travails of opposition politics in Zimbabwe since Independence” in David Harold-Barry (ed.) *Zimbabwe: The Past is the Future: Rethinking Land, State and Nation in the Context of Crisis*. Harare: Weaver Press, 2004, 148.

⁸ *Ibid*, 149.

kind of thinking necessarily leads the controllers of the party-state to adopt a posture of exclusion – politically, socially and economically- and intolerance of opponents who are invariably treated and regarded as “enemies” of the party-state. This is the game in which the game of political competition – whose most practical expression is elections – is played in Zimbabwe. In short, Zimbabwe’s political institutions and processes are better understood using the analytical lens of the party-state.

Another important consideration is that the country’s politics are marked by a lack of *political consensus*; Zimbabwe’s politics are profoundly polarized. The main contenders for political power – the ruling ZANU-PF and opposition MDC formations – do not agree on who has the *right* to rule. On one hand, the ruling party contends that it has earned the *right and privilege* of holding power in perpetuity by virtue of its contribution to liberating the country from white minority rule. This heritage, it argues, endows ZANU-PF with unchallenged authority. On the other hand, the opposition parties argue that political legitimacy must be regularly renewed via transparent, free and fair elections conducted under a popularly approved constitution. They argue that the use of state violence and the manipulation of election outcomes over the years has invalidated ZANU-PF’s claim to legitimacy.

The main political players acknowledge the need for constitutional rules and regular elections, largely because these institutions enable any regime to call it democratic. In all other respects, however, *there is a lack of consensus on the rules of the political game*. Not only do incumbents and opposition disagree on whether recent elections have been conducted fairly but, even more fundamentally, whether acceptable elections can be held under existing constitutional arrangements. *These political preferences have hardened into largely non-negotiable positions. There is little middle ground.*

The space for political moderation – normally occupied by non-partisan civic actors – has been squeezed from both sides. The ruling party has deliberately sown divisions in civil society, for example by sponsoring rival leadership bodies within some religious denominations, the labour movement (ZCTU/ZFTU), the student body (ZINASU/ZCSU), civil society (NANGO/ZFNGO), human rights lawyers (ZLHR/ZLJ) etc. And civil society organizations have routinely failed to draw a clear line between their members and activities and those of MDC, thus inviting the government to lump both forces together as enemies of the regime. Hence, *Zimbabwe possesses few institutions with the credibility and capacity to serve as neutral mediators between contending political forces.*

In assessing the political context in which the 29 March elections were held, it is therefore imperative to recognise the lack of consensus as one of the difficult and overarching problems confronting the country and the government arising from the elections.

In this section we outline the political context in which the elections were held. To fully appreciate this context, it is important to highlight the key political events since the last

general election in March 2005⁹. Common threads define this period: political ruptures in both the ruling and opposition parties; accelerated economic implosion; and continued international isolation. From March 2007, there were moments of intensified political violence within the country, which precipitated regional intervention in the form of South Africa's attempted mediation between rival parties.

Defining Moments

Prominent Role of the Military/Security Sector

One of the defining features of the post-March 2005 period was the enhanced role of the security sector in the governance of the country particularly at the level of strategic decision-making. It was marked by a discernible shift from incipient to more overt militarization of state institutions and state behaviour. This quasi-military style became most visible with the internationally condemned Operation Murambatsvina (meaning 'clean out the filth') or Operation Restore Order that was launched on 19 May 2005 or less than two months after the March 2005 election. This operation was aimed predominantly if not solely at the urban poor in a campaign of forced evictions and demolition of homes/businesses, depriving hundreds of thousands of livelihoods. According to the UN's special envoy report of July 2005, an estimated 700 000 persons lost their homes or businesses in the operation and an additional 2.4 million persons were indirectly affected. Police and military did not only execute this operation, but credible reports claim that it was at their instigation.

The Government defended its action as a move to enforce local government by-laws and regulations and to flush out illegal economic activities but many analysts saw the crackdown as the government's retaliation against urban populations that had voted overwhelmingly for the opposition MDC in the March 2005 elections. There were also fears by the party-state that the increasingly desperate urban dwellers would be ready raw material for mass protests and even a people's uprising and hence the need to pre-empt such an outcome. Operation Murambatsvina was condemned by the United Nations and other international agencies as a gross violation of human rights¹⁰. It was followed by "Operation Garikayi" (Operation Live Well), a housing scheme ostensibly meant for victims of Murambatsvina but which ended up benefiting top civil servants and members of the security forces and ruling party. Many of the internally displaced persons (IDPs) continue to lack permanent shelter and a significant number of them became disenfranchised as a result of the relocation. About the same time another military-led operation was launched and dubbed "Operation Taguta," in which the armed forces were made responsible for food production.

⁹ It is granted that there was another national election in November 2005 to select members of the newly re-created second chamber, the Senate. However, this election was not only low key, but was boycotted by the major faction of the split MDC. To many people, that Senate election was a non-event, hence largely the less than 20% of the registered voters who bothered to go to the polls.

¹⁰ See the report by Anna Cataula Tibaijuka, *Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlement Issues in Zimbabwe*, July 2005.

Meanwhile, the inflation dragon was rearing its ugly head thanks in part to the reckless printing of money by the central bank. To address the runaway inflation and the dwindling purchasing power of the Zimbabwe dollar, the government decreed “Operation Reduce Prices” (ORP) in June 2007, which mandated that retailers cut the prices of basic commodities by fifty percent. After initially celebrating this policy intervention, consumers soon realised the perverse effects of this move. Stocks of consumer goods like maize-meal, bread, sugar and cooking oil soon disappeared from shop shelves as producers found themselves unable to supply goods at prices below the cost of production. Not surprisingly, the same goods that had disappeared from the formal market were awash in the parallel market often at more than triple the officially gazetted prices. Moreover, the counterproductive effects of this policy were felt countrywide and not just in the urban areas. It can be contended with a high degree of confidence that this single policy thrust was the turning point in terms of declining support for the ruling party; it marked the slide in its support that most probably explains the major shifts in public support away from ZANU-PF and towards the opposition MDC in the 29 March 2008 elections.

Local Government Elections

Local council elections for rural councils were held in October 2005. The ZEC allegedly disqualified hundreds of opposition candidates for failure to meet obstructive registration requirements, a situation that resulted in the ruling party winning unopposed in over one third of the electoral wards. Local observers also noted that thousands of voters were disenfranchised for improper registration and that ZANU-PF abused or manipulated local traditional authorities to mobilise the vote for the party. Traditional authorities used threats of withdrawal of government-supplied food to coerce people to vote for the ruling party. These observers however also noted that pre-election violence was very minimal and that there was no intimidation of voters on polling day. The ruling Zanu-PF won a vast majority of the local council seats.

Senate Elections

In September 2005, the government used its newly re-acquired two-thirds majority to drive through Constitutional Amendment No. 17, a multi-clause amendment to the constitution. One of the clauses re-introduced a second chamber, a 66-member Senate. Fifty of the Senate seats were elective and elections were scheduled for November 2005. The MDC had bitterly opposed this constitutional amendment during debates in parliament but ironically, it soon bitterly quarrelled among themselves over participation or not. The founding leader of the party, Morgan Tsvangirai called for a boycott of the elections while others favoured participation leading to a split in the party in October 2007. Efforts to re-unify the two MDC formations (one led by Tsvangirai and the other by Arthur Mutambara) failed and the two factions participated in the March 2008 elections separately after failing even to forge an electoral alliance.

Senate elections were held on 26 November 2005 and produced the lowest voter turnout (19.5%) in Zimbabwe's history. The results are depicted in Table 3. Of the 26 MDC candidates who contested, only seven were elected with the ruling ZANU-PF party gaining the overwhelming majority of seats in an election that registered unprecedented voter apathy.

Table 3: 26 November 2005 Senatorial Election

Registered Voters	3,239,574
Total Votes	631,347
Voter Turnout	19.5%
Invalid/Blank Votes	21,052
Total Valid Votes	610,295

Party	Number of Votes	% of Votes	Number of Seats
ZANU-PF	449,860	73.71	43
MDC (pro-Senate)	123,628	20.26	7
ZANU-Ndonga	11,023	1.81	-
Zimbabwe Youth Alliance (ZIYA)	6,919	1.13	-
Peace Action is Freedom for All (PAFA)	5,278	0.86	-
African National Party (ANP)	3,585	0.59	-
ZAPU-FP	213	0.03	-
MOP-CD	100	0.02	-
Independents	9,689	1.59	-

Note: The Senate election was boycotted by the main opposition MDC party.

Fifty seats were filled through direct elections; 16 seats were reserved for appointees (6 direct presidential appointees and 10 traditional chiefs who are themselves appointed by the president).

11 March, 2007

March 11, 2007 (or 3/11) is to Zimbabwe what 9/11 was to the United States of America. This episode should be understood in the context of the government's loss of control of the economic levers of the country and the increasing desperation of the citizenry. Failure to control the economy forced the government to tighten its control in the political domain. This had been the pattern since March 2005 as exemplified by the assaults on the Zimbabwe Congress of Trade Unions in September 2006 and arrests and beatings on WOZA, teachers, and junior doctors etc. In February 2007, the government imposed a three-month ban on political rallies and demonstrations in Harare "due to the volatile situation in the country"; the ban remained in force until June 29, 2007.

On 11 March 2007, the Save Zimbabwe Campaign (a coalition of church and civic groups) organised a "prayer meeting" in Harare that was to be attended by both MDC leaders. The police violently broke up the meeting, killed one MDC supporter, and arrested over 40 activists and leaders including both Tsvangirai and Mutambara. Over 200 other activists and supporters were arrested and severely assaulted in custody and were not released until March 14. Many had to be hospitalised. The government accused

the opposition of ignoring police bans, inciting violence and petrol bombings and the president warned himself that should they repeat the same action “we will bash them.”

The significance of March 11 is that it sparked widespread international media condemnation and an outcry not only from Britain, the United States and European Union but also from the United Nations,¹¹ the African Union¹² and the AU’s African Commission on Human and Peoples Rights. Inside the country, the most outspoken was the Catholic Church, which issued a pastoral letter protesting that “Black Zimbabweans today fight for the same basic rights they fought for during the liberation struggle.” The Zimbabwe Catholic Bishops’ Conference (ZCBC) then warned:

The confrontation in our Country has now reached a flashpoint. As the suffering population becomes more insistent, generating more and more pressure through boycotts, strikes, demonstrations and uprisings, the State responds with ever-harsher oppression through arrests, detentions, banning orders, beatings and torture. In our judgement, the situation is extremely volatile. In order to avoid further bloodshed and avert a mass uprising the nation needs a new people driven Constitution that will guide a democratic leadership chosen in free and fair elections that will offer a chance for economic recovery under genuinely new policies.¹³

What made March 11 a real landmark and defining moment was that it compelled the regional body SADC (the Southern African Development Community) to convene an extra-ordinary summit meeting in Dar es Salaam, Tanzania on March 29, 2007. Though the SADC Summit lent its customary “solidarity with the government and people of Zimbabwe,” its most outstanding achievement was to commission President Thabo Mbeki of South Africa “to facilitate dialogue between the opposition and the government” (see text of communiqué in Appendix 1).

After a delayed start, the Pretoria-based mediation talks kicked off in July. Ultimately, a measure of progress was made culminating first in the bi-partisan agreement to pass the Constitutional Amendment No. 18 in September 2007. The Amendment, among other things, consolidated (or “harmonised”) all the country’s national and local government elections, expanded parliament (from 150 members to 210 in the House of Assembly and from 66 to 93 members in the Senate¹⁴), reduced the presidential term from six to five

¹¹ The U.N. Secretary-General Ban Ki-moon condemned the “reported beating of those leaders in police custody” and went on to criticise the police ban on political meetings as “such actions violate the basic democratic right of citizens to engage in peaceful assembly” (Statement issued by the Spokesman of the U.N. Secretary General on March 12, 2007).

¹² The then President of the African Union, Ghanaian President John Kufuor called the event “very embarrassing” (“Zimbabwe Leader Faces Growing Condemnation,” *Associated Press*, March 15, 2007)

¹³ ZCBC, “God hears the cry of the oppressed,” Pastoral Letter by the Zimbabwe Catholic Bishops’ Conference on the Current Crisis of Our Country, 5 April 2007, 4.

¹⁴ Under the amendment, all House of Assembly members are now elected while the Senate’s composition is now: 60 directly elected; 18 chiefs elected by their peers; 10 provincial governors appointed by the president, and five presidential appointees).

years (and hence ‘harmonised’ it with the life of parliament) and makes parliament an electoral college for selecting a new president if the sitting president resigns, dies, or is incapacitated. Worth noting is that this bi-partisan agreement was bitterly opposed by the MDC’s erstwhile civil society partners who threatened to withdraw their political support to the opposition party.

Further negotiations resulted in the December 2007 piecemeal legislative reforms to POSA (to allow political rallies as long as police deemed no threat of violence), AIPPA and the Broadcasting Services Act (to guarantee balanced coverage of election campaigns and selectively allow licensing of journalists and broadcasters). No sooner had agreement been reached, however, than President Mugabe on 25 January 2008 unilaterally declared a timetable for elections on March 29, 2008 without addressing MDC’s precondition of comprehensive constitutional reform. The MDC led by Morgan Tsvangirai denounced this announcement “as an act of madness and arrogance” while the rival MDC faction led by Arthur Mutambara called for a new constitution to be adopted prior to the election and alleged that free and fair elections could not be held under existing conditions. This effectively marked the collapse of the SADC-mediated negotiations but without having created the conditions for elections that would result in an undisputed outcome. The collapse of the talks was a harbinger of future problems surrounding the 29 March elections.

Moreover, as soon became apparent, ZANU-PF and the Government did not intend to abide by the new laws: the police continued to block or harass opposition gatherings and the state-controlled media continued to praise the ruling party and demonise the opposition, if it covered their activities at all.

ZANU-PF Fissures and Simba Makoni’s Entry into Presidential Race

Serious leadership divisions in ZANU-PF pre-date the March 2005 parliamentary elections. These fissures broke into the open in 2004 and were over the appointment of the party’s second vice-president and this episode resulted in the purge of the provincial and national leadership and the ascendancy of Joice Mujuru as the party’s vice president who was soon after appointed state vice-president as well. These divisions continued simmering and burst again in the open over plans mooted in late 2006 to delay the presidential election scheduled for March 2008 by two years to 2010 and synchronise it with the next parliamentary elections so as “cut on costs of elections.” This would have extended President Mugabe’s term by another two years. This sparked serious internal dissent and the plan died and was replaced in March 2007 by another one which entailed bringing the parliamentary elections forward by two years to March 2008, i.e. at the same time as the presidential election. At the same time, it was announced that the ZANU-PF Central Committee had selected Mugabe as its candidate in 2008.

This announcement merely served to heighten succession and leadership struggles within the party to a point where the party was forced to convene an Extra-ordinary Congress in December 2007 presumably so as to settle the leadership and candidature question with finality. The party’s chairman, John Nkomo, later announced that Mugabe had been

chosen the party's 2008 presidential candidate by acclamation and that congress had "fully and unreservedly" backed the decision.

The façade of unity within ZANU-PF ranks was removed when on February 5, 2008 and less than a week before the presidential nomination date, Simba Makoni, a former Finance Minister and politburo member announced his presidential candidature. He was immediately dismissed from the party¹⁵ and was also threatened by war veterans.

On 11 February Tsvangirai also announced that he would stand as presidential candidate for his MDC's faction and he dismissed Makoni as "old wine in a new bottle."

On 15 February 2008, four candidates registered for the presidential race: Mugabe, Tsvangirai, Makoni and little known Langton Towungana while Mutambara announced that he would not stand but instead support Makoni's candidature. On February 21 2008 Mugabe spoke scathingly about Makoni's presidential ambitions calling it "absolutely disgraceful" and dismissed his new rival as worse than a prostitute while also declaring that Western countries would not be invited to send observers for the election. This hate and intemperate language was to be the hallmark of Mugabe's campaign¹⁶.

Campaigning for the People's Vote

On 23 February Tsvangirai launched his campaign and presented his party's election manifesto which promised total rather than partial change. The MDC marketed its leader as not only a change agent but also "man of the people, man for the people, and man of peace." The party's manifesto revolved around five "key issues" namely:

- *people-centred governance* meaning a new "people-driven" constitution, respect for human rights, democracy and rule of law;
- *people-centred land and agrarian reforms* with attention on transparency, sustainability, productive land use, food security and job creation;
- *people-centred economy* "that guarantees growth, food security, investment and job creation";
- *people-centred social agenda* with emphasis on "affordable and quality health care and education for all"; and
- *national integration and reconciliation.*

Mugabe launched his re-election campaign on February 29 and presented his party's election manifesto. ZANU-PF campaigned "for a Peaceful, Democratic, Sovereign Zimbabwe." Its campaign style and message centred on its leadership of the 1970s liberation struggle, its deliverance of social services in the 1980s, the deliverance of land

¹⁵ The party's legal secretary said Makoni had automatically "self-expelled himself." On 1 March, former Interior Minister and politburo member Dumiso Dabengwa and former Speaker of Parliament Cyril Ndebele defected to join Makoni.

¹⁶ On February 23, Mugabe likened Makoni to "a frog trying to inflate itself up to the size of an ox" and that it was sure to burst. He also vilified Tsvangirai as a Western puppet and vowed that "regime change" would never occur in Zimbabwe.

since 2000 and promises to deliver economic empowerment and indigenisation of the economy after the elections. Mugabe was trumpeted as someone who is “tried and tested” and the party vowed to win the elections “resoundingly so that the British can feel the heat”¹⁷. Mugabe’s campaign slogan was “vote for the fist” which symbolised the party’s militancy to which the MDC responded by asserting, “We cannot feed people with clenched fists.”

Makoni launched his own campaign on 13 February 2008 and also presented his election manifesto which centred on a “10 Point Plan for Quick Turnaround”: “we promise to deliver to the people of Zimbabwe a quick economic turnaround through national political dialogue and healing; the strengthening of our economic sectors and; harnessing international goodwill.” His campaign slogan was: “Let’s Get Zimbabwe Working Again!” Makoni derided Mugabe’s campaign symbol of a fist by saying “the fist has become a hammer smashing the country.” Makoni’s entry into the presidential race energised many Zimbabweans who had previously made up their minds not to vote and most of his supporters are urban and educated classes.

Pre-Election Contentious Issues

The pre-election period was marked by several contentious issues and litigation by the MDC and presidential candidates who had failed to successfully register their candidatures. William Gwata of the Christian Democratic Party had his nomination papers rejected because they did not meet the required criteria. Daniel Shumba, of the United Peoples Party and a former Masvingo ZANU-PF provincial chairman also failed to file his papers as he was deemed to have arrived late.

The MDC filed a petition with the Electoral Court after failing to get electronic copies of the voter rolls. The Electoral Act (Section 21 (3)) clearly states that “The commission (ZEC) shall without delay provide any person who requests it with a copy of the voters roll, upon payment of the prescribed fee” but the ZEC had failed to make such copies available to contesting parties and candidates. Inexplicably, the Electoral Court ruled on March 13 that the Court had no jurisdiction in the matter forcing the MDC to file another petition at the High Court on March 17.

On March 20, Tsvangirai claimed that an audit of 28 rural constituencies had unearthed 90 000 ghost voters. The MDC leader also protested at the methodology for counting the ballots for the four elections and threatened to pull out of the process if his grievance was not addressed. Initially, ZEC had indicated that votes for the parliamentary and local government elections would be counted at the polling stations while those for the presidential election would be counted separately at the National Command Centre in Harare. ZEC later reneged on this, allowing presidential ballots to be also counted at the polling stations. Tsvangirai also alleged that there was overprinting of postal ballots, that 600 000 had been ordered when only 20 000 postal ballots were necessary.

¹⁷ Zimbabwe Independent, 14 March 2008.

On March 23, Tsvangirai's MDC Secretary-General Tendai Biti claimed that the ZEC was going to print nine million ordinary ballot papers when the officially announced aggregate of registered voters was less than six million. Biti alleged that the three million extra ballots were going to be used to rig the election in favour of incumbent Mugabe. ZEC Vice Chairperson Joyce Kazembe rejected the accusation but acknowledged that extra ballots had been printed "in order to account for spoilt ballots."

On February 29, it was reported in the state-controlled *The Herald* that the Commissioner of Prisons, Retired Major-General Paradzai Zimondi vowed not to salute either Tsvangirai or Makoni should they be elected as the country's president because they would reverse the country's land reform. He then ordered his officers to vote for Mugabe. Subsequently, the Defence Forces Commander, General Constantine Chiwenga reinforced the same message and declared that he would "not support or salute sell-outs and agents of the West before, during and after the presidential elections."¹⁸ Commissioner-General of Police Augustine Chihuri also repeated the same threat. To many Zimbabweans, these statements had the effect of intimidating the voters. As if to reassure the security chiefs, Tsvangirai claimed on March 23 that most members of the defence and security forces were "behind the people" and that they had "nothing to fear" from his presidency as long as they were "committed to the constitutional order in the country."¹⁹ These statements were dismissed by both domestic and international observers but the utterances were perfectly consistent with the reality that Zimbabwe's security arms are an integral part of the party-state led by Robert Mugabe.

ECONOMIC AND SOCIAL CONTEXT

Zimbabwe is in the throes of a multi-layered crisis for close to a decade now and shows no sign of abating. The chronic crisis has affected virtually all facets of life. A few statistics can illustrate the gravity of the crisis.

Economic Crisis

The country is going through a severe economic contraction and is said to have the fastest shrinking peacetime economy in the world. The purchasing power of the average Zimbabwean in 2007 had fallen to levels last seen more than half a century ago in the 1950s. According to economist John Robertson²⁰, in terms of physical output, about 35 years of economic progress have been undone in a decade. Gross domestic product (GDP) declined by at least 43% between 2000 and 2007²¹. To make ends meet, many Zimbabweans now rely on remittances from family and friends abroad.

¹⁸ "I will only salute Mugabe, not sell-outs: Chiwenga" *The Standard* 9 March 2008.

¹⁹ "vote rigging fears in Zimbabwe" *Cape Times*, March 24, 2008.

²⁰ John Robertson, "August 2007 Forecast Paper," Robertson Economic Information Services for Zimbabwean Statistics: <http://www.economic.co.zw>.

²¹ Figures of cumulative decline may differ depending on source but even the government accepts that there has been a catastrophic economic decline since 2000. For instance, the Framework for the ZEDS Broad

There are serious shortages of virtually all basic commodities principally food, foreign exchange to buy essential imports like fuel, medicines, industrial and agricultural imports. Inflation in the country has been the highest in the world for some years and was at an astronomic figure of 355 000% in March from 160 000% in February 2008; it was 56% in 2000, rising to 238% in 2005. It may be noted that the country with the next highest rate of inflation is Iraq and its rate is 53%.

In mid-2007, prices were rising so rapidly that government accused business people of advancing a “regime change” agenda sponsored by the West and issued a decree (“Operation Reduce Prices”) ordering a 50% price slash on all goods and services with the order being enforced – oftentimes viciously – by party-state organs including the police, military and militia groups. Soon after, the commodities disappeared from the formal market and re-appeared in the black market at highly inflated prices; this situation still obtains today, compounding an already catastrophic humanitarian crisis. A year earlier, in July 2006 the Reserve Bank Governor was forced to devalue the Zimbabwe currency by chopping off three zeroes in a vain effort to mitigate inflation which has been dubbed the country’s number enemy.

The Zimbabwe currency is now virtually worthless. Though its official value was Z\$30 000: 1USD, the Zimbabwe dollar was trading at Z\$43 million to 1 US dollar in the parallel (or real) market. Until 4 April, the highest denomination was 10 million dollars, just enough then to buy a loaf of bread. On 4 April, the RBZ introduced two additional notes of Z\$25 million and Z\$50 million dollars more for the convenience of the buying public than as an economic management tool.

The mainstay of the economy is agriculture and it has been decimated since the fast-track land reform programme from 2000. For instance, annual wheat production was 50 000 tons in 2007, a dramatic drop from the 300 000 tons recorded in 1990. The same has happened to tobacco, Zimbabwe’s largest foreign exchange earner that brought in US\$600 million in 2000 but only US\$125 million in 2007.

Manufacturing output has declined to levels last recorded in 1972: the sector contracted by 47% between 1998 and 2006. As a result of Operation Reduce Prices, Robertson estimated that manufacturing output fell by more than 50% in six months, forcing many companies to close or drastically scale down operations.

The mining sector has not been spared with production witnessing an unprecedented sharp drop. For instance, in 2006 Zimbabwe had its lowest gold production since 1907 and in the same year, coal production fell to its lowest in sixty years.

Consultative Process document prepared for the Zimbabwe Economic Development Strategy (ZEDS 2009-2013) states: “Real Gross Domestic Product cumulatively declined by 33.5 percent during the period 2000-2006 and the economy is projected to further decline by about 5 percent in 2007 giving close to 40 percent cumulative decline since 2000” (October 2007, 7).

One of the biggest casualties of the economic meltdown has been employment. It is now estimated that more than 80% of the labour force is not formally employed while those who remain in formal employment can hardly make ends meet. This has boosted the informal or parallel economy. According to the *Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlement Issues in Zimbabwe* (2005) by Anna Kajamula Tabaijuka, the informal sector had effectively become the main source of income for most Zimbabweans in 2005. The informal sector's share of employment grew from 20% in 2006 to about 40% in 2004. Twice as many Zimbabweans earned their living from this sector compared to the formal sector: 3 million against 1.3 million people.

The Social/Humanitarian Crisis

The economic free fall has had a catastrophic effect on people's welfare and livelihoods. It is now estimated that poverty levels have doubled from mid-1990s to about 85% now.

When the CCJPZ wrote its report on the Parliamentary Elections in Zimbabwe in April 2005, it was noted that according to the UNDP's *Human Development Report 2004*, Zimbabwe had a Human Development Index (HDI) of 147 (out of 177 countries, a decline from 117 in 2002). According to the 2007/2008 Human Development Report, Zimbabwe's HDI rank has further dropped to 151st of 177 countries.

According to the World Health Organisation's *World Health Report 2006* Zimbabwe now has one of the lowest life expectancies in the world: in 2006 it was 34 years for women from 57 years in 1994; and 37 years for men from 54 years in 1994. The Zimbabwe population is also being ravaged by HIV/AIDS with about one in five being infected by the HIV virus. UNICEF estimates that almost 25% of Zimbabwe's children are orphans (mainly because of AIDS), the highest percentage in the world. Further, 75% of hospital admissions are AIDS-related and the epidemic also causes a severe strain on the country's already crumbling healthcare system.

"God hears the cry of the oppressed," a pastoral letter by the ZCBC summarised this in what it called "a crisis of governance":

The national health system has all but disintegrated as a result of prolonged industrial action by medical professionals, lack of drugs, essential equipment in disrepair and several other factors.

In the educational sector, high tuition fees and levies, the lack of teaching and learning resources, and the absence of teachers have brought activities in many public schools and institutions of higher learning to a standstill. The number of students forced to terminate their education is increasing every month. At the same time, Government interference with the provision of education by private schools has created unnecessary tension and conflict.

Public services in Zimbabwe's towns and cities have crumbled. Roads, street lighting, water and sewer reticulation are in a state of severe disrepair to the point

of constituting an acute threat to public health and safety, while the collection of garbage has come to a complete standstill in many places. Unabated political interference with the work of democratically elected Councils is one of the chief causes of this breakdown.

The erosion of the public transport system has negatively affected every aspect of our Country's economy and social life. Horrific accidents claim the lives of dozens of citizens each month.

Almost two years after Operation Murambatsvina, thousands of victims are still without a home. That inexcusable injustice has not been forgotten.

Following a radical land reform programme seven years ago, many people are today going to bed hungry and wake up to a day without work. Hundreds of companies were forced to close. Over 80 per cent of the people of Zimbabwe are without employment. Scores risk their lives week after week in search of work in neighbouring countries²².

Since the pastoral letter was published last April 2007, things have markedly deteriorated and continue to worsen without any light at the end of the long dark tunnel. Malnutrition is now a widespread phenomenon. In December 2007, the World Food Programme warned that Zimbabwe was one of seven "hotspots" and that some 4.1 million or one third of the population would need food aid by April 2008²³.

Migration and the attendant brain drain continue to escalate unabated. Estimates vary but even conservative estimates put the number of Zimbabweans now living outside the country at 2 million with half of these living in South Africa. Many of these are adults qualified in various critical disciplines resulting in a serious brain drain that has crippled many economic and social service sectors.

Opposition MDC Member of the 2005-2008 House of Assembly David Coltart summed up the humanitarian catastrophe thus:

Never before has one country seen such a convergence of severe economic collapse, high levels of HIV/AIDS infection, and chronic malnutrition. Zimbabweans are suffering from the consequences of the fastest economic contraction anywhere in the world and high AIDS/HIV morbidity exacerbated by the scarcity and widespread shortages of medicine and food²⁴.

²² Pastoral Letter by the Zimbabwe Catholic Bishops Conference on the Current Crisis of Our Country, Harare, 5 April 2007.

²³ World Food Programme, "Zimbabwe: Food Security Overview," http://www.wfp.org/country_brief/indexcountry.asp?country=716.

²⁴ David Coltart, "A Decade of Suffering in Zimbabwe," Center for Global Liberty and Prosperity, March 24, 2008, No. 5, p. 9.

Zimbabwe: A Country in Conflict?

Given the above context, it may legitimately be argued that Zimbabwe has been lacking some of the essential requisites of a normal country. Indeed, that Zimbabwe is more than a country in crisis can no longer be seriously dispute; it closely approximates a country in conflict. If this is the case, then a conflict framework of analysis may be useful in trying to understand the difficulties of holding elections in such a situation.

The Chr. Michelsen Institute (CMI) in Norway has developed a three-pronged typology to analyse different post-conflict settings. The three post-conflict situations are as follows:

- a. *Self-enforcing Cases*, in which one side is overwhelmingly victorious, usually with the defeated party territorially displaced (e.g. post-conflict colonial or separation situations); there is typically substantial consensus in society about political developments in the aftermath of the cessation of hostilities (e.g. Timor-Leste and Eritrea).
- b. *Mediated Cases*, in which two or more previously warring factions agree to a peace settlement, which typically includes agreement on subsequent political development; however, mistrust usually remains, and, moreover, other elements of society are unable to voice their concerns, given the dominance of the previously warring factions (e.g. Cambodia and Mozambique).
- c. *Conflictual Cases*, in which one side achieves a military victory *per se*, but there is no comprehensive peace settlement to resolve the very issues that led to and exacerbated the conflict. The risk of renewed hostilities is high (e.g. Rwanda and Afghanistan)²⁵.

Zimbabwe at present very much approximates scenario (b) above i.e. of “mediated cases.” Granted, there is no physical war being fought that would necessitate a “peace settlement.” But no one would dispute that the relations between the two main parties – ZANU-PF and MDC – resemble those of warring parties. Even the language and other political paraphernalia resemble that of a country at war with itself. After the 2002 presidential election, the president called his cabinet a “war cabinet” which was more than a metaphorical phrase. In May 2002 the SADC held an extraordinary summit to discuss the Zimbabwe crisis and many other organisations have sought to do so, including the Commonwealth that suspended Zimbabwe before the country unilaterally withdrew its membership. The United Nations was compelled to send a special envoy to study the humanitarian and governance crisis in Zimbabwe arising from Operation Murambatsvina. In March 2007, as we have seen above, SADC held another extraordinary summit “to discuss the political, economic and security situation in the

²⁵ See UNDP and Chr. Michelsen Institute, Background Paper for Working Group Discussion, “Governance in Post-Conflict Situations,” Bergen, May 2004, pp. 4-5.

region, with special focus on the situations in Lesotho, Democratic Republic of Congo and Zimbabwe” (see March 29, 2007 SADC Communiqué, attached).

A post-conflict framework has been explicitly used in the Zimbabwe case by Todd Moss and Stewart Patrick in their 2006 article entitled: “After Mugabe: Applying Post-Conflict Recovery Lessons to Zimbabwe.” Moss and Patrick defend their decision to treat Zimbabwe’s transition as a post-conflict case by pointing out that “the country nonetheless exhibits many extreme characters of a society in violent conflict.”²⁶ They cite the following six features as evidence:

1. *The scale of economic collapse.* The Zimbabwe economy had declined by a third at the time Moss and Patrick were writing (as noted above, it has since declined by about 43%). “This compares to an average GDP decline in civil wars of ‘only’ 15%.”²⁷
2. *Political violence and social trauma.* This dimension is worth quoting in full:

Zimbabwean society has undergone intense stress stemming from organised violence and intimidation by the state. The security forces, intelligence services, and an array of government-backed militias have terrorised civilians, committed gross human rights violations, and been deployed to infiltrate and disrupt the opposition. In some cases, tactics from the guerrilla war – including re-education camps, propaganda bombardment, and all-night vigils – have been revived. Hundreds of thousands of citizens have been forcibly relocated. These conditions have produced high levels of suspicion, low levels of trust, and a steep deterioration of social capital²⁸.
3. *Breakdown of basic services.* The state is no longer able to provide political goods and services to the nation and this erosion of state services has contributed to deterioration in already low human development indicators²⁹.
4. *Erosion of economic foundations*, e.g. agriculture, “the mainstay of the pre-crisis economy, is a shell of its former self.”³⁰ Other sectors of the economy have suffered the same fate.
5. *De-formalisation of the economy.* “As in war situations, most people in Zimbabwe now operate in the informal economy” and “much of the remaining

²⁶ Todd Moss and Stewart Patrick, “After Mugabe: Applying Post-Conflict Recovery Lessons to Zimbabwe,” *Africa Policy Journal*, Spring 2006, Vol. 1, 21-34, p. 23.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid, 24.

³⁰ Ibid, 25.

formal economy has been effectively captured by Mugabe's cronies, ZANU-PF leaders, and the military elite."

6. *Mass flight of people and capital.* Moss and Patrick note the millions of Zimbabweans in the Diaspora as well as hundreds of thousands more who are internally displaced as a result of the fast-track land reform programme and the 2005 Operation Murambatsvina.

The point of all this is to ask: If Zimbabwe is in conflict, how feasible are credible, free and fair elections in such an environment? The UNDP/CMI paper referred to above admonishes that in "many post-conflict societies, elections represent a key step in a broader process of building political institutions and legitimate government and yet they can also be a lightning rod for popular discontent and extremist elements."³¹ They further caution:

A common mistake is to hold elections too soon after conflict before national political issues have progressed and before the routines of normal peacetime politics have had time to develop....While elections are part of the broader process of democratization, ill timed, hurried, badly designed or poorly run elections can actually undermine that process in fragile post-conflict environments.

The UNDP/CMI then recommends that "in post-conflict situations, the first step needed is to conduct an assessment of whether there is consensus to have elections in the first place, and whether conditions on the ground are conducive to the conduct of safe and free elections"³². In Zimbabwe, there was no such consensus to have elections at the time they were held. The incumbent government unilaterally set the date while the opposition MDC argued for postponement from March to June 2008. Further, the MDC had wanted the constitution-making process to be instituted first so that the harmonised elections would be held under a new constitutional dispensation but ZANU-PF rebuffed these demands. In the final analysis, the MDC participated "under protest."

What all the above means is that a post-conflict analytical framework leads to the inevitable conclusion that the March 29, 2008 elections should not have been held at the time they were conducted. The conditions were simply not right and that more should have been done to create the conditions conducive for credible, free and fair elections whose results would not be subject to bitter and protracted dispute by the contestants.

³¹ Ibid, 29.

³² Ibid, 31.

STATE ORGANS AND THE 29 MARCH ELECTIONS

The Zimbabwe Electoral Commission

The Zimbabwe Electoral Commission (ZEC) is the pivotal institution in the running and management of elections in Zimbabwe. It owes its first existence as a statutory body created in conformity to the Zimbabwe Electoral Commission Act of 2004 and which came into force in February 2005, just two months before the 31 March 2005 elections. The Act itself was an attempt to comply with the SADC Principles and Guidelines Governing Democratic Elections that were unanimously agreed to at the SADC Summit in Mauritius in August 2004.

In August 2005, Constitutional Amendment No. 17 (hereafter referred to as CA 17) was passed which among other things, transformed ZEC from a mere statutory body to a constitutional agency. Prior to ZEC, the legislative and regulatory framework was an overcrowded arena that was inhabited by several electoral bodies: two constitutional bodies i.e. the Electoral Supervisory Commission (ESC) and the Delimitation Commission; and two statutory bodies i.e. the Election Directorate and the Registrar-General of Elections. The latter was probably the most powerful and central body in charge of many aspects of the elections. The effect of CA 17 was to abolish the ESC and replace it with ZEC. September 2007 saw another Constitutional Amendment No. 18 (CA 18) which abolished the Delimitation Commission and transferred its functions to the ZEC.

It is worth emphasising therefore that the previous confused situation where there were too many electoral cooks in the kitchen who resultantly spoilt the broth (the co-habitation of the ESC and ZEC was particularly confusing); this confusion has been substantially reduced but not yet eliminated. Under the old system, the government argued that the multiplicity of electoral institutions with overlapping and interdependent functions provided “checks and balances.” In addition to the chaos and disorder created, the co-existence of many electoral entities with blurred responsibilities made it easier for the government to continue deliberately passing on the buck in respect of accountability by pointing fingers at one or the other part of the system of being in default.

However, the amended Electoral Act failed to clearly distinguish between ZEC’s functions and those of the Registrar General’s office. The former is meant to maintain the voters roll but the latter continues to shoulder responsibility for registration (though now supervised by the ZEC) giving rise to a “recipe for confusion.” The Electoral Act should have transferred management of *all* electoral processes to the ZEC, including management of the voters roll.

In our report on the March 2005 elections, we pointed out a number of concerns surrounding the ZEC one of which revolved around the impartiality of the Commission. We wrote then:

The composition of the Electoral Commission³³, although it may – and indeed does – include members of the opposition, is not the independent body envisaged in the SADC principles since, in the last analysis, it is the President who approves and appoints its members. The President directly appoints its Chairperson³⁴.

In addition to the chairman of ZEC there are six other members – of whom at least three must be women – who are also appointed by the President. However, the President's discretion is limited by the requirement that he chooses from a list of nine nominees submitted by the Parliamentary Committee on Standing Rules and Regulations. There is little doubt that the creation of ZEC and the merging of several entities into ZEC was a positive development. However, scepticism still remains as to its political neutrality and autonomy from the president and the party-state. In addition, ZEC seemed to be facing serious capacity constraints such that it was not yet fully established in terms of staffing by the time of the harmonised elections. ZEC is supposed to be decentralised to district level but it was still advertising and filling posts at this level less than a month before the elections. It was better staffed though at provincial level.

Further, the relationship between ZEC and the Registrar of Voters is still problematic. The latter is still responsible for registration of voters, compilation of voters' rolls and maintenance of the roll under supervision of ZEC. However, ZEC's supervisory role is largely theoretical because it presently does not possess the expertise and experience to carry out this function. In short, the Registrar of Voters continues to play a de-facto but prominent role, one more indication of the persistent weakness of ZEC. Events since the March 29 elections, and especially surrounding the announcement of presidential election results, have fully vindicated previously expressed grave concerns about the impartiality and independence of the Commission.

According to Section 61 (4) of the Constitution of Zimbabwe, ZEC has the following functions:

- To prepare for, conduct and supervise elections and referenda and to ensure that they are “conducted efficiently, freely, fairly, transparently and in accordance of the law”;
- To supervise voter registration;
- To compile, preserve and maintain rolls and registers of voters;
- To secure the equipment and locales necessary for voting operations;

³³ It may be noted that in our last report on the March 2005 elections we reported that ZEC consisted of a Chairperson and four other commissioners, at least two of whom shall be women, appointed by the President from a list of seven nominees submitted by the Committee on Standing Rules and Orders. This composition has since changed and ZEC now consists of a Chairperson and six other members, at least three of whom shall be women, appointed by the President from a list of nominees submitted by the Committee on Standing Rules and Orders.

³⁴ The correct position is that the President appoints the ZEC Chairman (who must either be a judge or a person qualified for appointment as a judge) “after consultation with the Judicial Service Commission” and should the President's appointment be at variance with the recommendation of the Judicial Service Commission, he shall cause the Senate to be informed “as soon as practicable.”

- To undertake voter education;
- To accredit observers;
- To instruct the Registrar-General of Voters and state employees on their functions under the law “for the purpose of ensuring the efficient, proper, free and fair conduct of any election or referendum”;
- To delimit constituencies and wards; and
- To execute other tasks required of ZEC by the law.

In addition to the functions specifically stated in the constitution there are functions specified by the ZEC Act itself. These are:

- Undertaking and promoting research on electoral matters;
- Developing electoral expertise and technology;
- Promoting co-operation between the Government, political parties and civil society;
- Keeping the public informed about registration, delimitations, the location and boundaries of polling stations and when they are open, voters rolls inspection and on contesting political parties and candidates; and
- Making recommendations to Parliament on appropriate ways for public financing of political parties.

For purposes of assessing the quality of the work done by the ZEC in the last elections, it is important to take note of Section 8 (2) of the Zimbabwe Electoral Commission Act (Chapter 2:12) entitled “Provisions to ensure independence, impartiality and professionalism of Commissioners and staff and agents of Commission.” The significance of the section derives from the fact that it is meant to govern the attitude, behaviour and general conduct of the Commission with a view to promoting and safeguarding the integrity of the electoral processes and their outcomes. According to the Section:

Commissioners and the Commission’s employees and agent shall –

- (a) exercise their functions in a manner that –
 - (i) promotes conditions conducive to free, fair and democratic elections and referendums; and
 - (ii) ensures that the secrecy and integrity of voting at elections and referendums is respected;
 and
- (b) not interfere, directly or indirectly, with the exercise by a voter of his or her rights under the Electoral Act; and
- (c) maintain strict impartiality in the exercise of their functions; and
- (d) not do anything, whether in the exercise of their functions or otherwise and whether by way of action, speech, attitude or manner, that may—
 - (i) give rise to a reasonable apprehension that they are exercising their functions with partiality or bias; or

- (ii) place in jeopardy their independence or the perception of their independence; or
 - (iii) compromise the Commission's credibility, impartiality, independence or integrity;
- and
- (e) assist observers accredited under the Electoral Act to exercise their functions under that Act³⁵; and
 - (f) safeguard all ballot boxes, ballot papers and other electoral documentation and materials entrusted to the custody of the Commission in terms of the Electoral Act; and
 - (g) not—
 - (i) divulge, except in the exercise of his or her functions or with the Commission's prior approval; or
 - (ii) make private use of or profit from;
 any confidential information which he or she has gained through being a Commissioner or an employee or agent of the Commission³⁶.
- (3) Without derogation from subsection (1) (c) and (d), no Commissioner and no full-time employee of the Commission shall—
- (a) hold, or seek appointment, election or nomination to, any elective or political office; or
 - (b) except in the exercise of his or her functions as a Commissioner or as an employee of the Commission, perform any work for a political party or candidate in connection with an election or referendum;
 - (c) knowingly wear any badge or article of clothing that is or is reasonably likely to be associated with a political party or candidate contesting any election or supporting or opposing any question put to a referendum.

Sub-sections (d) and (g) are particularly critical because the very rationale for an election is to produce a result that is indisputable, and central to achieving this electoral quality is the credibility of the body that runs the elections i.e. the electoral referee, in this case ZEC. Any action (or inaction for that matter) that compromises the independence, credibility and impartiality of this critical governance pillar brings the whole electoral process and its outcomes into serious question and disrepute. It is thus salutary that *in law*, the ZEC Act is almost beyond reproach in seeking to achieve free, open and honest elections. This is further fortified under the Constitution of Zimbabwe Section 61 (5) which categorically states that ZEC “shall not, in the exercise of its functions ... be subject to the direction or control of any person or authority.” Theoretically and juridically therefore, ZEC has all the qualities of a professional and independent electoral

³⁵ Paragraph amended by section 4 of Act 17/2007 [deletion of reference to monitors].

³⁶ Paragraph inserted by section 4 of Act 17/2007.

body. But the test of the pudding is in the eating and it is at the level of practice that problems with ZEC's autonomy seem to arise.

Voter Education

The SADC Principles and Guidelines require voter education to be conducted, so does the ZEC Act which outlines the following as functions of Commission with respect to voter education:

- To provide adequate, accurate and unbiased voter education; and
- To ensure that voter education provided by persons other than political parties is adequate and not misleading or biased in favour of any political party; and
- To ensure compliance otherwise by persons referred to in paragraph (b) with the provisions of section 15 (1).

It must be noted that the Act stipulates that the Commission “shall” (and not ‘may’) meaning that it is compulsory that the electoral agency must conduct the said voter education. Further, the Act stipulates that the Commission “shall” commence a programme of voter education directed at the electorate “not later than ninety days before polling day in any election.” [Section 15 A (1)]. In fact, the Commission has an “obligation to provide general programmes of voter education at other times” [Section 15 A (3) (a)]. So the governing legislation is very categorical in directing the responsibility for voter education on the ZEC.

Despite its mandate, human rights and elections monitoring bodies concur that ZEC did very little in this regard. For instance, Human Rights Watch “visited numerous areas in Zimbabwe’s provinces and found that very little voter education was taking place. Many people informed Human Rights Watch that they had not seen any ZEC officers in their area” (March 2008, 42). ZEC education officers also tended to concentrate their voter education in the bigger urban centres like Harare and Bulawayo “but not in the rural areas, where such education is especially necessary given the lack of media access and lower literacy rate of voters.” As a result of ZEC failing to fully perform its proper function, the following weaknesses were observed:

- There was very little understanding around the country about the conduct of the four-tier elections. Many people were not even aware that they would be voting in four different elections and in only one day. Instead, they thought they would have four days, each day dedicated to each of the four elections;
- Voter education was started very late, in many cases much later than the 90 days before polling day stipulated by law.
- The information provided by voter education officers was sometimes inaccurate or not extensive enough. For instance, some of them could not answer to the question whether there would be only one ballot paper with all four candidates for the four elections or four separate ballot papers.

- There was very little publicity of information for voters³⁷. Many voters and communities were not sufficiently informed about things like voter registration, inspection of the voters roll, location of polling stations, the times of voting, that voting would be on one day only and for four different elections. Voters also needed to be told that it was no longer acceptable, unlike in the past, for a voter to use a driver's licence as identification; only a national identity card or passport were acceptable. Another complication arose from the delimitation of new constituencies and voters needed to be informed how this would affect them.

The above deficits in the delivery of voter education were compounded by the legal requirement [ZEC Act, 15 (1)] that no person other than the commission, or a political party or a person appointed by ZEC shall provide voter education. This stricture could perhaps make sense if the ZEC had the capacity to do the job on its own but apparently it does not and regrettably, does not seem to want any competition even if it is to complement its own work. For instance, the Zimbabwe Election Support Network (ZESN) is one of the most experienced and capacity-endowed voter monitoring and observation civic bodies which had started doing voter education well before ZEC. In late February 2008, ZEC banned ZESN from running electronic and print advertisements on grounds that it had not been authorized to do so. Clearly, this is an area that the legislature needs to review with a view to allowing more actors in the delivery of voter education while ZEC may retain mere regulatory powers to monitor quality.

The Military/Security Institutions

The Zimbabwe Defence Forces (ZDF)

The ZDF is the largest of the five sectors that are understood to comprise the security establishment in Zimbabwe. It comprises the Zimbabwe National Army (ZNA) and the Zimbabwe Air Force (AFZ) and a commander heads each of them. The other sectors are the intelligence service [Central Intelligence Organisation (CIO)], the Zimbabwe Republic Police (ZRP) and the Zimbabwe Prisons Service (ZPS). For a long time after independence, the ZDF was highly regarded internationally as one of the most professional armies but in the recent past, and most likely as a consequence of being sucked in the fast-track land reform programme, the military's professionalism and apolitical status has been seriously questioned.

Since 2000, the Zimbabwe military has increasingly taken a visibly partisan role in favour of ZANU-PF. Prior to the March 2002 presidential elections, the Commander of the ZDFs, General Vitalis Zvinavashe, led his fellow service chiefs by issuing a televised message to the nation to the effect that they would never recognise, let alone salute any leader who had no liberation war credentials. This was a thinly veiled reference to MDC leader Tsvangirai. The service chiefs were threatening that they would veto the verdict of the people should the people elect someone other than Mugabe; in effect, they were threatening to subvert electoral democracy. Many people did not pay much attention to

³⁷ Human Rights Watch, op. cit.

this most ominous development that was one of the most manifest demonstrations of the military as closely associated to the party-state.

Watchers of civil-military relations in Zimbabwe were clearly alarmed by this ‘straightjacket’ declaration. Six months before the March 2008 harmonised elections, a senior army officer, Brigadier-General David Sigauke was quoted in state-controlled *Herald* newspaper allegedly threatening any government not led by Mugabe and ZANU-PF. “As soldiers, we have the privilege to defend this task on two fronts: the first being through the ballot box, and second being the use of the barrel of the gun should the worse come to the worst. I may therefore urge you as citizens of Zimbabwe to exercise your electoral right wisely in the forthcoming election in 2008, remembering that ‘Zimbabwe shall never be a colony again’ ”³⁸. He left it to little imagination that “defending Zimbabwe’s sovereignty,” meant denying power to the MDC or any other opposition party and “Zimbabwe shall never be a colony again” is a ZANU-PF slogan.

Three weeks before the poll, the Commander of the ZDF, General Constantine Chiwenga warned that he would overturn the constitutional order if Robert Mugabe loses to “sell-outs and agents of the West.” Speaking to the Zimbabwe Standard newspaper, he emphatically said: “Elections are coming and the army will not support or salute sell-outs and agents of the West before, during, and after the presidential elections. We will not support anyone other than President Mugabe who has sacrificed a lot for this country”³⁹ this left no one in any doubt as to the allegiances of the ZDF and how it would behave post-March elections.

The Zimbabwe Republic Police

Like the ZDF mentioned above, the top brass of the ZRP is of liberation war background and has openly identified itself with the incumbent president and with ZANU-PF. The ZRP has been known for its partisan policing and an anti-opposition stance. Throughout the campaign period, it selectively applied the controversial Public Order and Security Act (POSA) to ban opposition MDC campaign rallies. Applications for peaceful demonstrations by civil society organisations that the ZRP perceives as agents for ‘regime-change’ were also banned. It also fought running battles in major cities and towns with civil society organisations particularly, the National Constitutional Assembly (NCA), Women of Zimbabwe Arise (WOZA), Zimbabwe Congress of Trade Unions (ZCTU) and the Zimbabwe National Students Union (ZINASU). The partisanship of the police has been captured by the Zimbabwe Human Rights NGO Forum in a report just before the 29 March elections:

A highly politicised police force has been employed (by ZANU-PF) as one of its instruments of repression, backed up by the intelligence service (the CIO) and the army. The police force has largely abrogated the right of freedom of assembly for opponents of government. It has freely allowed meetings and demonstrations by

³⁸ *The Herald*, “Army urged to defend Zim’s sovereignty,” 25 September 2007.

³⁹ *The Standard*, 9 March 2008.

ruling party supporters, but has frequently disallowed and brutally broken up meetings and demonstrations by the opposition and by organisations that are critical of the Mugabe administration. The police have arrested on spurious charges large numbers of opposition supporters and critics of the government and, in many instances, have subjected them to torture.⁴⁰

Indeed, the ZRP has been known for its heavy-handedness as clearly testified by the momentous March 11 2007 incident which resulted in the fatal shooting of an opposition MDC-Tsvangirai activist and the internationally condemned severe assault of some of its leaders, including Morgan Tsvangirai. Consequently, this triggered the convening of an extra-ordinary SADC Summit in Tanzania that was meant to discuss the situation, as part of preventive diplomacy, resulting in the Mbeki-mediated inter-party talks.

On the eve of the elections, the Police Commissioner-General, perhaps expressing his personal rather than institutional opinion, warned the police force and people of Zimbabwe against voting for what he referred to as “stooges of the British”⁴¹. However, as an organisation, the ZRP campaigned for what it referred to as “Zero Tolerance” and “Violence-Free Election”. To this extent, it actually held anti-political violence marches in Harare suburbs on the even of the elections.

On polling day, the ZRP also maintained heavy and visible presence and reacted swiftly to any disturbances including the two political violence-related incidents in St. Mary’s outside Harare and Emakhandeni-Entumbane in Bulawayo.

The Zimbabwe Prison Services

Like the ZDF and the ZRP, ZPS also appears or acts like a politicised institution and an arm of the party-state. The Prison Services Commissioner – Paradzai Zimondi - is a retired senior officer from the ZDF and he proudly identifies himself with the ruling party and its president. A month before the historic elections, Retired Major-General Zimondi said he would not salute opposition presidential candidates Simba Makoni and Morgan Tsvangirai should either of them win the presidential election: “If the opposition wins the election, I will be the first one to resign from my job and go back to defend my piece of land. I will not let it go.” He then ordered his staff to vote for Mugabe: “We are going to the elections and you should vote for President Mugabe. I am giving you an order to vote for the President.”⁴² The message to voters and opposition candidates was very clear.

⁴⁰ Zimbabwe Human Rights NGO Forum, Can the elections in Zimbabwe be free and fair in the current environment? Harare, 18 March 2008, 4-5. The Forum’s answer to the question was that “it is not possible to hold free and fair elections under the prevailing conditions.”

⁴¹ ZANU-PF deliberately and routinely dismiss the MDC as a western front for “regime change”. It has labeled the MDC “a puppet of the British and Americans”.

⁴² *The Herald*, “I’ll not salute Tsvangirai, Makoni – Defence chief”, 29 February 2008.

The Intelligence Service

The CIO is also headed by a retired ZDF senior officer, Retired Major-General Happyton Bonyongwe. It must be stressed that intelligence work in a country is legitimate function but should be in the service of the state rather than individuals within it or for the benefit of ruling parties. However, in Zimbabwe and as with the other security sector institutions, the CIO is equally heavily politicised in defence of the incumbent party and its president. It has been suspected of infiltrating and destabilising the opposition MDC which in turn suspects the CIO of always playing a decisive role in elections to ensure victory for the incumbent.

From the above, it is clear that the security organs were of one mind in preventing an MDC victory and retaining the status quo. This mind set dates back to January 2002 when, two months before the March 2002 presidential elections, all the security chiefs, led by the now-retired General Vitalis Zvinavashe, issued a televised message to the nation to the effect that they would never recognise, let alone salute any leader who had no liberation war credentials. More or less the same message, though more diplomatically, was delivered by the service chiefs just a day before the 29 March elections. On Friday, 28 March, 2008, all security service chiefs comprising the ZDF Commander General Chiwenga, ZRP Commissioner-General Chihuri, ZNA Commander Lieutenant-General Sibanda, AFZ Commander Air Marshall Perrance Shiri, ZPS Commissioner Retired Major-General Zimhondi, CIO Director-General Retired Major-General Bonyongwe, held a joint press conference. They - commendably - called for the upholding of peace and tranquillity as the nation voted during and after the harmonised elections. They assured the nation that the security forces would continue to be on full alert and would thwart any threats to national security. Below is the full joint statement of the security forces that was read by the ZRP Commissioner-General Chihuri live on ZTV:

Tomorrow the nation goes to vote in the harmonised elections amid peace and tranquillity much to the chagrin of detractors who hyped that there will be increased political violence as we move to the polls. Such a view was intended to buttress their ultimate conclusion that the polls would not be free and fair. We urge everyone in our nation from all sectors of our society to uphold the peace, law and order that prevailed as of now, tomorrow as we vote and also thereafter. We wish to advise the nation that all the defence and security forces of Zimbabwe are on full alert from now onwards covering the election period and beyond. May we remind everyone that those who think and do evil must fear, for the defence and security forces are up to the task in thwarting all threats to national security. Also those who may have been breathing fire about Kenya-style violence should be warned that violence is a poor substitute for intelligence and that it is a monster that can devour its creator as it is blind and not selective in nature. Such misguided elements should stop this dangerous dreaming where they start to commend themselves, measure themselves by themselves, and compare themselves among themselves forgetting the Constitution and our existence. Doing so is not wise.

As we approach the polls tomorrow, we remind all contesting parties and individuals that the law clearly stipulates how the votes will be counted and results announced. We are not going to allow a situation where individuals arrogate themselves the roles of election officials and announce themselves winners at any stage of the electoral process. The authority of counting votes and announcing winners is vested in the ZEC in accordance with the law. We warn anyone of such inclination that we will not tolerate such pronouncements as they have the effect of trying to take the law into their own hands thereby fomenting disorder and mayhem. Everyone is, therefore, advised to follow the law. We guarantee peace and safety for all Zimbabweans who would like to exercise their right to vote. Adequate security deployments have been made to ensure their safety.

But after voting we urge all voters to go back and wait for the results in the comfort of their homes. The officers who have been deployed at polling stations have been thoroughly briefed on their roles in line with Statutory Instrument 43 of 2008.

There have been some exaggerated reports carried by the media with regard to these elections. We appeal to the various media houses to report stories in a professional and ethical manner. Truth and accuracy should not be sacrificed on the altar of political expediency.

In Conclusion, ladies and gentlemen, we reiterate that violence does not discriminate on its victims. It has the capacity to injure and take lives of both perpetrators and the innocent. We discourage acts that could lead to anarchy. We advocate total peace, law and order. On our part, we are without doubt ready to carry out our Constitutional obligations without fear of favour. May the Almighty God bless our only motherland Zimbabwe.⁴³

The Media Terrain

A vibrant media ought to be regarded as the bridge between the government and the people. It should play a critical role during important events such as elections. Indeed, in a working democracy, a vibrant media should be a necessary watchdog on the performance of government. It should play the critical role of informing, educating and entertaining the public. In recognition of this, the SADC Principles and Guidelines clearly advocate for “equal opportunity for all political parties to access the state media.”

Unfortunately due to its restrictive media policies, Zimbabwe still has only one state-run television channel – the ZTV – and a four state-run radio stations, all under the Zimbabwe Broadcasting Holdings. Like the television and radio services, the state-run

⁴³ See *The Sunday Mail*, March 30- April 5, p.7. While it may have been necessary, in full memory of the Kenyan scenario, to make such a joint statement, some quarters interpreted the statement as having been tailor-made to pre-empt any possible reaction by the opposition MDC- Tsvangirai, to potentially flawed elections.

newspapers under the Zimpapers stable, are also widely perceived to have an anti-opposition editorial policy which appeared to have been stepped up during the historic harmonised elections as reflected by the time and quality of space that was allocated to the various political parties⁴⁴.

On the positive side and coinciding with the some of the observer teams that had started arriving in the country two weeks before the polling day, and probably for the first time in Zimbabwe's election history, opposition parties had their advertisements accepted flighted in the state-run papers and on television as well as on the radio. This was partly in compliance with some of the SADC Principles and Guidelines.

The editorial policy of state-run media was clearly meant to give the incumbent party and leader monopoly over information dissemination. Consequently and due to the increasingly deteriorating quality of its services, coupled with advanced technology of the internet and satellite television, most people in Zimbabwe have turned to alternative media sources e.g. DSTV, Studio7 of the Voice of America, and SW Radio among others. They also now have access – though largely restricted to urban areas – to various foreign print and electronic newspapers that include the Mail and Guardian, *The Zimbabwean*, *The Saturday Star*, ZWNEWS, ZimOnline, New Zimbabwe, whose editorial policies are more objective and their content less censored. These foreign television and radio stations as well as newspapers have been very helpful to the opposition forces in affording the critical time and space they should be getting from ZTV/ZBH and Zimpapers. As the Media Monitoring Project of Zimbabwe clearly stated, state-run media has become “the private broadcaster of the incumbent party”⁴⁵.

Again, on the positive side, manifesto advertisements and interviews of prospective candidates were common during the week before the polling day. However, interviews with opposition candidates were rather hostile. For instance, the interview on ZTV of the independent presidential candidate, Dr Simba Makoni, appeared, in the eyes of many Zimbabweans, as having been a well orchestrated interrogation session that was meant to frustrate and discredit him for daring to challenge Robert Mugabe from inside ZANU-PF.

In fact, the South African Broadcasting Corporation played a function that, traditionally, was supposed to have been played by the Zimbabwe Broadcasting Holdings, both radio and television services. Specifically, the ZTV did not afford open election forums to local experts and think tanks of various political orientations as SABC, BBC, Sky News, e-TV, CNN, France24 and many other foreign media houses did. On the voting day and indeed the days immediately after, ZBH was merely the mouthpiece of the Zimbabwe Election Commission during the announcement of results from the Elections Command Centre at Rainbow Towers, Harare. It covered the historic elections during the main news bulletins only.

⁴⁴ The Media Monitoring Project of Zimbabwe, (MMPZ) has consistently conducted weekly surveys that show the clear imbalances.

⁴⁵ See Ibid.

Despite the fact that the government banned and did not accredit western media organisations because it perceives them as hostile to Zimbabwe, including the BBC, CNN, France24 and e-TV of South Africa, their reporters effectively covered the elections from Zimbabwe's borders with its neighbours, thus providing news-starved Zimbabweans with a rare choice of stories on their national elections. SABC did a particularly good job: with its highly mobile teams, it provided effective hourly coverage of the entire process including live forums with local politicians and experts.

Meanwhile, ZBH was deliberately delinquent just after the elections and with voters anxiously waiting for the results. It was in a business as usual mood throughout the critical period that was characterised by deep suspense, suspicions, speculations, fear and anger over the ominous delays. This clearly underscores the extent to which public institutions have been reduced into instruments at the service of the party-state system.

The local privately owned newspapers were also delinquent in being too uncritically aligned with the opposition MDC and of hostile criticism of, and propaganda against, the Government of Zimbabwe in general and Robert Mugabe in particular. However, state-run media houses should have performed better being public institutions: there is everything wrong with public media being the only media available to the people. To this day, there are privately owned daily newspapers, the last one having been banned in September 2003.

Also noteworthy is that most remote parts of Zimbabwe do not have clear, if any, ZTV and ZBH radio transmission as well as regular access to local newspapers. Only about a third of the country is effectively covered by radio broadcasts. Studio7 of the Voice of America that transmits on shortwave closed this gap and played a critical role in informing, educating, and enlightening Zimbabweans despite the government's jamming. In fact, Studio 7 is dismissed by government and ZANU-PF as the opposition's mouth piece together with SW Radio that is based in London. Interestingly, both Studio7 and SW radio are run by exiled Zimbabweans most of them former employees of the national broadcaster.

While the state run newspapers vilified the opposition, the privately-owned papers that include *The Independent*, *The Standard*, the South Africa-based *The Mail and Guardian*, *The Financial Gazette* and the London-based *The Zimbabwean*, provided some space for the opposition, covering most of its activities including those that are campaign-related before, during and after the polls. These newspapers have remained a rich alternative source of information for urban Zimbabweans. Such was the media environment during the harmonised historic elections.

TOWARDS 29 MARCH 2008 ELECTIONS

Summary of Improvements and Deficits since March 2005

*Improvements in the Legal Framework*⁴⁶

Between the last parliamentary election of March 2005 and the March 2008 which is under review, a number of significant constitutional and statutory changes were made to the framework governing elections. Two major constitutional amendments (No. 17 and No. 18) and several statutory changes were made whose cumulative effect was to improve the political and electoral playing field. However, the late enactment of the amendments diminished their effectiveness because of the limited time left to adequately prepare for the complex harmonised elections.

- 1) Abolition of the multiple electoral bodies and their consolidation into the Zimbabwe Electoral Commission;
- 2) Polling stations to be located in accessible places [Electoral Laws Amendment Act 2007 (ELAA), clause 38];
- 3) Registration of voters is now to be conducted on a continuous basis to keep the voters' roll up-to-date (ELAA, clause 19);
- 4) In addition, the Zimbabwe Electoral Commission was given the power to provide – within seven days after calling of the election concerned – to every political party or candidate contesting the election and every accredited observer group, one electronic copy of every voters' roll to be used in the election (ELAA, Clause 19);
- 5) Inclusion in the Electoral Act of a section that explicitly and unequivocally prohibits intimidating practices during the campaign period (ELAA, clause 71);
- 6) *Amendments to POSA* relating to public meetings, processions, and demonstrations:
 - (a) notifications for public rallies/demonstrations can now be given to the nearest police station and not to the regulating authority in the area as was previously the case;
 - (b) appeals against prohibitions can now be dealt with on an urgent basis at a magistrate's court and police powers to disperse disorderly or

⁴⁶ Also see Human Rights Watch, *All Over Again: Human Rights Abuses and Flawed Electoral Conditions in Zimbabwe's Coming General Elections*, Vol. 20, No. 2 (A), March 2008.

potentially disorderly gatherings are defined, which was not the case previously.

7) *Additional amendments to AIPPA* – courtesy of the SADC-mediated talks between ZANU-PF and the MDC – came into force on 11 January 2008. The amendments included:

- a) Reconstituting the media regulatory agency - the Media and Information Commission (MIC) - into the Zimbabwe Media Commission (ZMC) but the MIC had not been dissolved by the time of the elections and even at the time of writing (April 2008). As a result the MIC - widely perceived to be partial and partisan - was still in charge at the time of the elections;
- b) Abolishing the offence of “journalism without accreditation” which was a positive development but was watered down by the retained criminal offence of practicing journalism without accreditation when covering official events including elections or talking to election officials.

However, other offensive media clauses were retained including Section 15 of POSA that makes it an offence to publish or communicate false information that may be prejudicial to the state. Section 16 of POSA makes it a crime subject to imprisonment of up to one year to make statements construed as engendering feelings of hostility towards the president.

Overall though, it is fair to say the legal and institutional framework for the March 2008 elections was comparatively better than any in the post-2000 period.

Deficits in the Electoral Framework

- 1) Late passage of important legislation (e.g. Constitutional Amendment No. 18 and amendments to media, security and electoral laws) created extremely tight timetable for campaigning and for ZEC to prepare for the elections: it had only three months for preparations of the most complex elections in the country's history;
- 2) There was also little time to put in place some of the key changes including changes to the composition of ZEC as required by CA-18.
- 3) The fresh delimitation of constituencies (210 for the House of Assembly and 60 for the Senate) and wards (1958 in total) was done rather hurriedly and there was no time for political parties to study the Delimitation Report to assess changes or debate them in Parliament. There were also widespread allegations from the opposition that ZEC had gerrymandered constituencies in favour of the ruling ZANU-PF party.

- 4) *Impaired Integrity of Electoral Institutions.* The pre-election period was characterised by instances of impaired autonomy and impartiality by designated electoral institutions in executing their constitutional functions. This is with particular reference to the Electoral Court and ZEC. For instance, in mid-March, the Electoral Court turned down an application by the MDC seeking an order compelling election authorities to:
- disclose information pertaining to the number of ballot papers printed for the elections;
 - (b) order ZEC to disclose the identity of the firm contracted to print ballot papers;
 - (c) allow inspection and auditing of ballot papers; and
 - (d) order ZEC to increase the number of polling stations in urban areas.

The Electoral Court claimed it had no jurisdiction to hear the matters when in fact it was created to adjudicate on electoral matters. Fair minded Zimbabweans found this judgement baffling. We also highlight the reluctance of ZEC to clarify the apparent inconsistencies in the Electoral Act regarding circumstances surrounding a Presidential “second election”. Section 110 (3) of the Electoral Act allows for a second election within 21 days if none of the candidates emerges with a clear majority of the total number of valid votes cast while as Section 3 (1) of the second schedule of the same Act says the candidate with a plurality of votes – and not necessarily a majority of the votes – should be declared the winner. As many observers have noted, this inconsistency had great potential to not only cause confusion but bitter disputes if none of the candidates achieves a minimum 50% plus one vote of the valid votes cast. This confusion could easily have been avoided by a prompt and decisive interpretation that guided all stakeholders.

- 5) *Intimidatory Pronouncements:* As already noted, right up to the eve of the 29 March elections, statements and declarations were being made by various security chiefs to the effect that they would not recognise the election of any one other than the incumbent as president of the country. Such inflammatory statements raised tensions and had the clear effect of intimidating the voting public to vote in a particular way. In a functional democracy, we firmly believe it is not the function of security forces to veto the will of the people. The ZANU-PF presidential candidate and Commander-in-Chief of the Zimbabwe Defence Forces also repeatedly vowed that the opposition MDC would never win the election. CCJP further regrets that ZEC was unable or unwilling to sanction such conduct.
- 6) *Use of Inducements to Attract Voters:* There were widespread reports of abuse of state resources during the campaign by ZANU-PF as manifested in politically motivated distribution of food aid in the midst of widespread scarcities. We also noted the manipulation of traditional and community leaders for partisan purposes and the patronage uses of farming inputs and equipment under the guise of the farm mechanisation programme. Uniformed forces, civil servants and other public sector employees were awarded huge salary increases just before the elections and other sectors of society received all sorts of goods e.g. vehicles for doctors and

promises of houses for health institutions, all in a manner designed to induce them to vote in way favourable to the ruling party.

- 7) *Voters' Register in Shambles*: There were credible reports of the voters roll being in a shambolic state with ghost voters and suspicious names included in some constituencies. ZEC also failed, until the last minute, to provide, as the law stipulates, to provide contesting opposition parties and candidates with an electronic copy of the register. ZEC itself conceded that the voters' roll was "in shambles" after the opposition unearthed 8 000 voters who, according to the register, were "normally resident" in a block in Hatcliffe in Harare that had no buildings and a shack that had 75 registered voters!
- 8) *Selective Invitations to Foreign Observers and Media*: As will be noted below, invitations to observe the 29 March elections were restricted to what Government regarded as "friendly" countries, organisations and media houses. Western countries were not invited to observe the elections except that all countries with diplomatic representation in Zimbabwe whose staffs were accredited to observe the polls. This discrimination is very damaging for a country that wants to project a good image of itself in the international community as it gives the impression that the Government has something to hide.
- 9) *Postal Votes and Disenfranchisement of Diaspora Voters*: Zimbabwe allows for postal votes for certain categories of voters e.g. those serving in diplomatic missions and those on state duty outside their voting areas and these are normally police, soldiers and civil servants serving as polling officials. It was alleged – and never denied – that the ZEC had ordered the printing of 600 000 postal ballots⁴⁷ when less than 30 000 had been applied for. This caused unnecessary confusion and tension among contesting parties and candidates some of whom justifiably feared that the extra ballots would be used fraudulently.
- 10) *Intimidation and Violence*: Political violence and intimidation have since independence been some of the ghastly scourges to Zimbabwe's elections. There are well-documented reports that most of these electoral malpractices have been committed by supporters and members of ZANU-PF but members of the security and intelligence services have been involved as well⁴⁸. The Zimbabwe Human Rights NGO Forum actually reported that there was a marked deterioration in human rights violations in 2007 compared to preceding years: e.g. 8 036 violations in 2007 compared to 5 751 and 4170 in 2006 and 2005 respectively. However, this is contradicted by survey evidence. For instance, survey evidence from a MPOI study conducted in January/February 2008 shows that 85% of

⁴⁷ It was also alleged that – and also not denied – that ZEC had ordered the printing of 9 million ordinary ballot papers when ZEC itself had announced that the total number of registered voters was only 5,9 million people. What were the extra ballots for?

⁴⁸ Human rights organisations like Redress, Amnesty International, Amani Trust, Zimbabwe Human Rights Forum and Zimbabwe Peace Project have documented and widely publicised incidents of violence, torture, intimidation and the accompanying impunity.

respondents said there had been “no political violence” in their area in the previous three months; 10% reported “minor political violence,” and only 4% reported “major political violence.” Further, asked to compare the cases of political violence in their areas compared to the March 2005 elections, a quarter (74%) reported that “cases of political violence have decreased” and only 6% said they had increased.

On the basis of the above mentioned electoral flaws and deficits, the Human Rights Watch made the following bold verdict:

The combination of restrictions on campaigning, flawed electoral procedures, the politicisation of the distribution of agricultural equipment and food, an overwhelmingly pro-government media bias, arrests, beatings and other forms of intimidation during the run-up to the March 29 elections precludes the possibility of holding free and fair elections. It is clear that the government has not respected the right of Zimbabweans to freely exercise their right to vote or to participate in the government through freely chosen representatives. Nor has it met benchmarks for free and fair elections such as those set out in the SADC Principles and Guidelines.⁴⁹

Accreditation of Observers and Media

Accreditation of Observers

Article 7.10 of the SADC Principles and Guidelines lays it as a responsibility of member states holding elections the: “Issuing invitation by the relevant Electoral Institutions of the country in election to SADC 90 (ninety) days before the voting day in order to allow an adequate preparation for the deployment of the Electoral Observation Mission.” Instead of the ZEC, it was the Ministry of Foreign Affairs that selected and invited foreign observers from those countries that ZANU-PF and its presidential candidate Robert Mugabe regard as ‘friendly’. A total of 47 regional and sub-regional organisations as well as countries from Africa, Asia, the Americas and one European country – Russia were invited. According to the Minister of Foreign Affairs, the observers were selected on the basis of “reciprocity”, “objectivity” and “impartiality” in their relationship with Zimbabwe⁵⁰. The Minister said:

Clearly those who believe that the only free and fair elections is where the opposition wins, have been excluded since the ruling party, ZANU-PF, is poised to score yet another triumph... Only those diplomats who are accredited on a full-term basis and not those on temporary assignments and wish to observe the March elections will be granted accreditation upon their request to the Ministry of Foreign Affairs. You are the resident ambassadors here. You know this country. All those who do not expect us to win the election would want to discredit the process. Therefore, you will come across all sorts of allegations in volumes and

⁴⁹ Human Rights Watch, March 2008, 46.

⁵⁰ See *The Herald*, 7 March 2008, p.1

volumes. My appeal to you is please try your best to ensure that any allegation that is made is verified. We think that is the role you should play⁵¹.

All 13 SADC states were invited alongside 10 other African countries among them Senegal, Algeria, Egypt, Kenya, Nigeria, Ghana, Libya, Uganda, Ethiopia and Sudan. Five Asian countries, namely, China, India, Malaysia, Indonesia and Iran; four countries from the Americas – Brazil, Jamaica, Venezuela and Nicaragua were also invited. African regional organisations invited include, SADC, AU, COMESA, ECOWAS, Pan-African Parliament, Economic Community for Central African States, and East African States. Sub-regional organisations invited include the African-Caribbean and Pacific, Association of South East Asian Nations, the MAGREB Union, the Community of Portuguese Speaking Countries (Lusophone) and the Intergovernmental Authority on Development. The Washington-based “December 12 Movement” was the only ‘Liberation Movement’ that was invited to observe the elections⁵².

As such, while the verdict of such observer teams may be objective, it should also be taken with considerable caution. In addition, while most observer teams assessed the historic elections as free and fair, such verdicts may have held water only with regard to the immediate pre-polling and polling days. Developments in the immediate post-polling period attest to a seriously flawed election process. Surely, it was presumptuous for the observer organisations to award a verdict – positive or negative – before the end of the election period that is clearly defined in the Electoral Act as “the period between the calling of the election and the declaration of the result of the poll.”

Accreditation of Foreign Media

There were about 300 foreign journalists who applied to cover the harmonised elections. But not all of them were accredited. The Zimbabwe authorities suspected some of them of being “uninvited observers and security personnel” from countries that the government of Zimbabwe treat as ‘hostile,’ notably the USA, Britain, the EU, and the “White Commonwealth.”. The Permanent Secretary in the Ministry of Information and Publicity said government was aware of “the machinations to turn journalists into observers”, and stressed that the accreditation of journalists was to be done after close scrutiny⁵³. The position of the Government of Zimbabwe was that:

The issue of media accreditation is as much an information issue as it is a foreign policy and security policy issue. For that reason, we have a team drawn from information, foreign Affairs and Security arms of the government that are examining each and every application. This committee is working closely with the ZEC whose accreditation has to validate our foreign policy and security goals. In terms of priority, we are giving first preference to media systems of SADC, of Africa, of the Third World, bearing in mind those countries and organisations that

⁵¹ See Ibid.

⁵² Ibid

⁵³ See “Foreign Media to be screened”, *The Sunday Mail*, March 16-22, 2008. 1

have been invited to observe the elections. I want to emphasise that the fact of operating in Africa alone is not enough. The national identity of the news organisation will be a major determinant. We are mindful of the attempt to turn journalists into observers, or to smuggle in uninvited observers and security personnel from hostile countries under the cover of the media or think-tanks. Those will be flashed out. We are also aware of journalists from Western countries who have sneaked into the country, for example one from the British *Guardian* newspaper and our security personnel are on the spoor. Let me warn those news agencies that choose to sneak in that they are prejudicing their applications that are already with us and are exposing their personnel to arrest. We have deployed information officials in every district and these together with security personnel and ZEC personnel have been given power to book anyone who is found breaking the law⁵⁴.

Preparations for Voting

The preparations were on the whole adequate. There were about 5.9 million registered voters and about 9 000 polling stations compared to about 4 000 polling stations in the March 2005 parliamentary election. However, the distances between polling stations were very uneven in two respects: first, was the discrepancy in the distribution of polling stations between the rural and urban areas – the allocation was not proportionate to population and this gave rise to fears that urban voters would be disadvantaged or even disenfranchised as many were in the 2002 presidential elections; secondly, in some rural areas the polling stations were far apart while in others they were too close to each other. In the latter cases, too few voters were served e.g. less than 40 voters were served at some polling stations. Reports from our observers indicated that ballot boxes (transparent and not wooden) were despatched in time at all polling stations. Other polling materials, e.g. ink, voters roll, were in place by the time of voting.

At the close of the voter's register on 14 February 2008, there were 5 934 768 registered voters in Zimbabwe. The provincial breakdown was as below.

Table 4: Registered Voters as at 14 February 2008

Province	No. of Registered Voters	No. of Constituencies
Bulawayo	320, 772	12
Harare	784, 598	29
Manicaland	774,482	26
Mashonaland Central	522,107	18
Mashonaland East	658,123	23
Mashonaland West	625,729	22
Masvingo	625,729	26
Matabeleland North	740,969	13
Matabeleland South	366,271	13

⁵⁴ Ibid

Midlands	786,237	28
Total	5,937,768	210
Source: Zimbabwe Electoral Commission		

Comparatively, in 2000 there were 5 052 788 registered voters, rising to 5 654 185 in 2002, and 5 789 912 in 2005. Given questions raised about the integrity and credibility of the registration process and the voters' register, some stakeholders also queried the total number of voters on the roll, arguing that the voter's register was inflated. EISA later commented that "stakeholders lacked a collective sense of confidence in the voters' roll."⁵⁵

Polling Day and Vote Counting

Polling Day

At almost all polling stations, voting began at the designated time at 7 a.m. on March 29 and continued for 12 hours and those voters who were still in the queue at closing time at 7 p.m. were allowed to cast their vote.

Polling day itself was peaceful and the voting was done in an orderly manner. At most polling stations, ballot boxes were opened and verified as empty in the presence of all party agents; there were a few instances where our observers could not vouch for this procedure having been verified. However, our observers noted that many people were turned away because their names were not on the voters' roll and were not allowed to vote even when they had receipts proving that they were registered. Some people were turned away for being aliens, being in the wrong wards or bringing their driving licences as a form of identity.

Some overzealous traditional authorities took it upon themselves to write down the names of people who had turned out to vote. The number of spoilt ballots was also a cause for concern. In some cases, e.g. in Gokwe, half of the entire votes cast were spoilt mainly because of confusion over the similar symbol – the open palm – used by the two MDC parties. Our observers also filed disturbing reports of some ruling party councillors and some traditional leaders who kept a threatening and intimidating presence at polling stations even when they were not party agents. There were also cases where party supporters (predominantly ZANU-PF) were making slogans e.g. raising the fist, singing and dancing within the prohibited 500 meters of the polling station. In such incidents, the police often dispersed them in accordance with the law. Another incident was the bombing of the home of a Zanu-PF parliamentary candidate in Bulawayo.

It may be noted that polling in three constituencies of Gwanda South, Pelandaba-Mpopoma and Redcliff was postponed after a candidate in each constituency died after nomination.

⁵⁵ EISA Interim Statement on the Zimbabwe Elections 2008: <http://www.eisa.org.za/EISApr200804401.htm>

All the key presidential candidates were buoyant about winning with Mugabe confidently declaring: “We are not in the habit of cheating. We don’t rig elections” and that his conscience would not let him sleep at night if he tried to rig. Tsvangirai also predicted victory “in spite of the regime’s attempts to subvert the will of the people” but added that the election could not be considered free and fair even if the MDC won.

Counting of Votes and Display of Results

Counting was done in a professional manner and ZEC should be commended for this. Polling agents and observers were allowed to witness the counting which was done at polling stations and at most polling stations; this was done to the satisfaction of observer groups and contestants. Results of poll were displayed outside the polling stations as required by law but there were a few instances e.g. in Mashonaland West, where this was not done. The display of polling results at polling stations proved to be a small and yet revolutionary innovation, thanks to the SADC mediation talks.

The counting of votes showed that out of the estimated 5.9 million registered voters, 2 497 265 turned out to cast their votes (or 43%) at roughly 9 000 polling stations throughout the country. There were nearly 40 000 spoilt ballots or 1.6% of total votes cast.

POST-POLLING DEVELOPMENTS

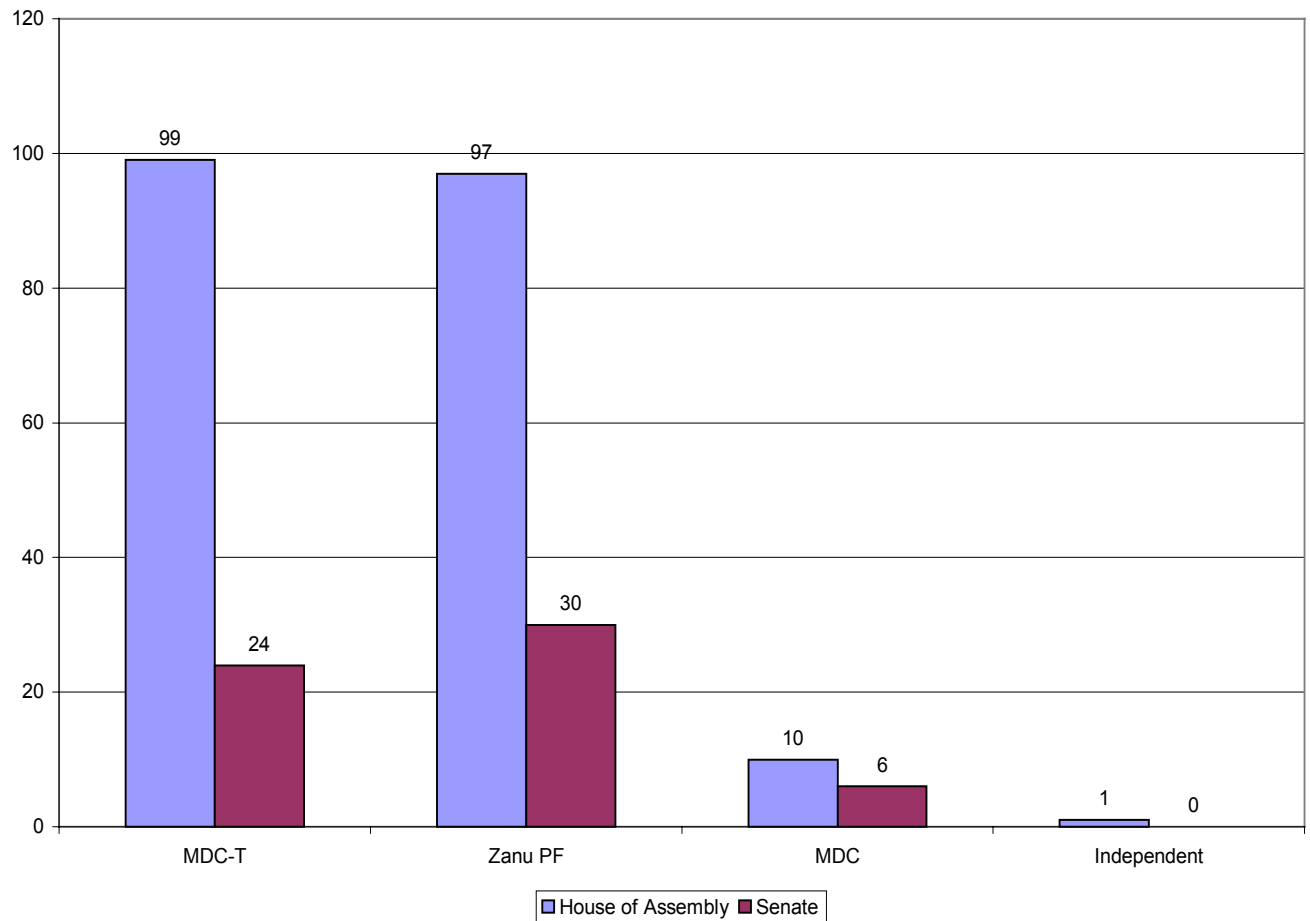
Not all that starts well ends well. In this section we summarise post-29 March developments – a blow by blow rendition of events is given in the attached chronology of events. At the time of writing, the presidential election is not yet over. This section is therefore confined to the period from 29 March to 2 May 2008 when the presidential results were finally released. The general satisfaction that voters had expressed on voting day was quickly dissipated when results – which were posted at polling stations – took more than 36 hours to start being announced nationally. When the announcement started, it proceeded at a snail’s pace that created anxiety, frustration and even anger among highly expectant voters.

One of the yawning loopholes in the Electoral Act is that there is no timeframe stipulated for the announcement of election results though there were reports, apparently false or misinformed, that results should be released within six days after the polls. It took ZEC a full five days to announce results of the House of Assembly and Senate contrary to the simple and straightforward procedure that ZEC itself had published⁵⁶. It also announced them in a bizarre and suspicious manner which showed that it was deliberately holding on to the results it had long received but continued to hide under the pretext that it was still

⁵⁶ It must be stressed that it was not the expected duty of the Chief Elections Officer to announce the results of local government and parliamentary (House of Assembly and Senate) elections because these were announced by Constituency Elections Officers at the point of posting them at constituency level. It was only in respect of presidential results that the Chief Elections Officer had the prerogative to announce the results; for the other elections, he simply publicized them for the rest of the nation to know.

awaiting the results from remote areas. Oddly, results from constituencies located right in Harare – including in the constituency in which the National Command Centre was located – were announced well after those from far flung areas! The final tally in the 2008 contested constituencies is as in the Figure 1 below; the full results are attached as Appendix 4

Figure 1: Parliamentary Results*



* Three constituencies were not contested because the duly nominated candidates died before the election; there will now be by-elections on 27 June 2008, simultaneously with the presidential run-off.

It was at this point that serious questions began to be asked and aspersions being cast in and outside Zimbabwe regarding the autonomy, impartiality and general professionalism of ZEC. As the results were openly available at the polling stations and various people and organisations had collated the results which showed an MDC win in the local government, House of Assembly and presidential elections, many people felt compelled to celebrate only for the police to suppress such jubilation. Then the public mood shifted from euphoria and hope to despondency, despair and anxiety.

After announcing the results of parliamentary elections, it took another four weeks for the electoral body to announce the results of the flagship presidential elections. The MDC embarked on a dual-track strategy to extract the ZEC results. First, it announced its own results – which varied with time – as per its own tabulation and collation of polling station results. For instance, on 1 April, the MDC announced that its leader Tsvangirai had won 56% of the vote against 37% of the vote. The following day, its Secretary-General announced that Tsvangirai had won by a more conservative 50.3% to Mugabe's 43.8%; it maintained this figure up to the announcement of the results. The second track

was the litigation route whereby on 4 April the MDC sought the intervention of the High Court to get the all-important results released. Ten days later, this application was dismissed with costs.

Meanwhile, ZANU-PF was claiming that ZEC officials and the MDC had connived to rig elections against the ruling party presidential candidate⁵⁷. ZANU-PF itself appeared to have had advance access to ZEC results because on 3 April, Deputy Information Minister Bright Matonga announced that ZANU-PF was ready for run-off and “ready for a resulting victory”. Matonga then gave a foretaste of what was to descend on Zimbabweans when he said: “In terms of strategy, we only applied 25% of our energy into this campaign (i.e. campaign for 29 March elections). That (the run-off) is when we are going to unleash the other 75% that we did not apply in the first case.”⁵⁸ This position was reiterated the following day after the party’s politburo meeting.

Many events began to unfold in quick succession. ZEC election officials were arrested in many parts of the country for allegedly manipulating the vote to MDC’s advantage. ZANU-PF demanded a recount of votes in 23 constituencies because it had unearthed “errors and miscalculations” that disadvantaged Mugabe, a demand that ZEC acceded to when it announced on 13 April that recounts will be done from 19 April⁵⁹. Also, soon after the politburo meeting at which about 400 war veterans marched in Harare streets, politically motivated violence broke out in many parts of the country, especially in Mashonaland Central, East and West and in Manicaland provinces. The first three provinces were also the areas where ZANU-PF had done best. The post-polling reign of terror, allegedly orchestrated and systematically executed by soldiers⁶⁰, police, security agents, ZANU-PF militia and veterans of the liberation war ranged from intimidation, kidnapping, torture, arson and murder of opposition or suspected opposition leaders, activists and supporters in a campaign called “Mavhotera Papi” (Who did you vote for?). This violent strategy had the dual purpose of punishing voters for voting ‘wrongly’ as well as softening the electorate ahead of an envisaged second round election pitting the first two candidates Tsvangirai against Mugabe. A major humanitarian crisis soon arose, compounding an already tragic multi-layered crisis. By the time the presidential election results were announced, the MDC had claimed that about 20 of its supporters had been killed, hundreds assaulted and thousands displaced and likely to be disenfranchised in the second election.

⁵⁷ ZESN later commented that: “It has never happened in the history of any policy that an opposition party rigs elections” see “Post-Election Update No. 1,” 30 March to 8 May 2008, p. 4.

⁵⁸ Newzimbabwe, “Mugabe said ready for election run-off” <http://www.newzimbabwe.com/pages/electoral1214.17997.html>.

⁵⁹ On 15 April, the MDC contested the recount but this again was dismissed with costs on 18 April. The legal challenge was made parallel to the MDC’s call for a stayaway on 15 April; this was largely ignored.

⁶⁰ The Government denies involvement and instead blames the MDC for instigating the violence. The military, for instance, issued a statement denying involvement: “The Zimbabwe National Army wishes to raise concerns over articles being published in the print and electronic media on allegations relating to the alleged political violence, assaults, harassment and robberies perpetrated by men in army uniforms. The army categorically distances itself and any of its members from such activities” (see IRIN “Zimbabwe: Hunger drives post-election violence, deepens poverty” 9 May 2008).

The gravity of the frozen election results was such as to force the regional body – SADC – was also forced to convene an emergency meeting on 12 April to deal with the unfolding electoral crisis. Mbeki caused an international outcry when, on his way to Lusaka he visited Mugabe in Harare and later declared that “there is no crisis in Zimbabwe.” After meeting for 13 hours, the SADC Summit resolved that the presidential election results be released “expeditiously” but this had little effect on ZEC which continued with its business-as-usual approach. Instead, ZEC proceeded to order a recount of votes in 23 constituencies on what to many people and observers appeared to have been on the instructions of ZANU-PF which had earlier written to ZEC stating that “ZEC may be faced with a serious, profound and far-reaching case of miscounting.” The recounting did not yield any material deviations from the original results.

After much agitation and mounting pressure from domestic and international stakeholders – including discussion of the stalemate at the United Nations - the presidential election results were finally released on 2 May. They were as follows: Morgan Tsvangirai in the lead with 47.9%; Robert Mugabe with 43.2% and the balance of the votes to independent candidates Simba Makoni (8.3%) and Langton Tountana (0.6%). According to the Electoral Act, this result necessitated a second election “within 21 days of the previous election,” which ZEC interpreted to mean ‘21 days after the declaration of the results’. The electoral body did not immediately announce the date for the new poll. Meanwhile, the main opposition MDC-T rejected the results and that ZEC had unilaterally declared results without agreement with MDC-T as to the final tally of the votes. It maintained its candidate won an outright majority and should “be declared president of Zimbabwe”. By the time the results were announced, Tsvangirai had already skipped the country fearing for his life.

It is clear that the 29 March harmonised elections, far from producing harmonised results, generated much disharmony which is deepening with each passing day. As mentioned at the beginning of the report, the 29 March 2008 elections took place against the backdrop of the political mediation process under the auspices of the SADC and that was designed to resolve the country’s governance crisis. One of the, if not the chief aim of the SADC mediation process was the creation of conditions conducive for holding free and fair elections that would produce an indisputable result. From this perspective, this objective was not achieved. At the time of writing, Zimbabwe was more polarised than ever and the political climate even worse than that which prevailed at the height of the fast track land reform programme of the post-2000 period.

Verdicts of Some Observer Teams

The following are some of the preliminary reports that were issued by some of the invited observer teams. All the cited reports were issued before the announcement of parliamentary results and therefore well before witnessing the long wait for the release of the presidential election results.

The African Union (AU)

The African Union election observer team was made up of twenty-one (21) observers drawn from the continent. It was led by former Sierra Leone President Ahmed Tejan Kabbah and arrived in the country on 26 March 2008, just three days before the polling day. A day after his arrival Kabbah had this verdict of the pre-polling situation:

Since we arrived we have been looking around. We saw that the place was peaceful. This morning I met one political party leader and he told me that he was against violence, and I believed him and we are hopeful that the election will be violence-free. I want to believe that the story moving around that other political parties are not allowed to broadcast or use media facilities may not be accurate. I am saying this because I have been watching television and listening to the radio and access to the media is being given to all parties. So let's try to convey the truth⁶¹.

The observer mission co-ordinator, Professor Raphael Omotayo Olaniyan also said:

The presence of the AU observer team constitutes an unequivocal proof of the AU's commitment to contribute to the promotion and strengthening of democracy and the rule of law on our continent. The main objective of the mission is to make an honest, independent and impartial observation and assessment of the organisation and conduct of the harmonised elections⁶².

Soon after the polls, the AU observer team then rendered its assessment:

The AU observer team would like to take the opportunity, at this stage, to commend the people of Zimbabwe for the manner in which they have comported themselves in relation to these elections and further appeal to them to continue to be patient while ZEC finalises the release of the results⁶³.

The team held a number of consultations with a number of stakeholders whose main purpose was, "to obtain relevant information that would lead to a clear understanding and appreciation of the political and social environments in which these harmonised elections were to be held as well as the legal framework and practical arrangements in place for the conduct of the polls"⁶⁴.

Common Market for East and Southern Africa (COMESA)

⁶¹ See *The Herald*, 28 March 2008, p.1-2

⁶² Ibid, p.2

⁶³ See *The Herald*, 3 April 2008, p.2

⁶⁴ Ibid.

COMESA released its preliminary statement on 1 April 2008, the head of the mission, Ms Licie Kasanga said:

“The mission did not witness any occurrences that compromised the integrity of the votes cast; law and order were observed in all polling centres visited. The presence of security personnel was limited to keeping law and order without interfering in the polling process. Voting procedures such as checks on voters’ national identity cards, and/or voters’ registration slips were used for verification of voters in the voters’ roll and the application of indelible ink on voters’ finger was strictly adhered to. Large numbers of voters were turned away due to missing names on the voters’ roll or were aliens hence they were not allowed to vote or were re-directed to go to the correct voting station. The mission was however concerned that some of the voters might not have gone to find the right voting station later to vote.”

The mission concluded that the 2008 elections were conducted in an environment which was transparent and secure enough to guarantee the freedom of the vote and respect the will of the voters⁶⁵.

The East African Community (EAC)

The EAC observer mission also declared the harmonised elections as having been free and fair. The leader of the EAC election observer mission, Mr Clarkson Otieno Karan said that his mission had observed the pre-election period, the “entire” electoral process including collation and tallying, and announcement of results: “Taking into account the observations and recommendations in this report, the harmonised elections in the Republic of Zimbabwe were, to this extent, free and fair”. EAC then expressed its concerns over the delay in the announcement of results: “This country has good infrastructure, and two days after the elections, they (ZEC) should by now have announced even the senatorial results, but there is undue delay in the announcements. The delays might encourage people and the political parties to begin announcing their own results. With the lessons from the recent volatile Kenyan elections where EAC participated, we urge winners to be magnanimous in victory and losers to accept defeat graciously. Quest for power may destroy the country and it is upon the leaders to ensure that the country is peaceful”⁶⁶.

The deputy leader added: “We are looking forward to citing Zimbabwe as a good example in the African region.”⁶⁷

December 12 Movement

⁶⁵ See *The Herald*, 2 April 2008, p.2, See also *The Manica Post*, 4-10 April 2008, p.2

⁶⁶ See *The Herald*, 3 April 2008, p.2

⁶⁷ Ibid.

This is a little-known USA-based Pan-African organisation/movement that had also observed the elections. It said the elections were free and fair and a reflection of the will of the people. It reportedly deplored the MDC-T action of announcing the results, which this movement described as a “pre-emptive strike” against the “anticipated victory” of President Mugabe and ZANU-PF. “The logic being that when all the results have finally come in, if MDC lost, it could only happen because the votes have been rigged⁶⁸”.

The African-Caribbean-Pacific (ACP)

The African, Caribbean and Pacific observer team reported that voting procedures were followed to the letter and polling was done in an orderly manner.

At all the polling stations visited, the ACP mission observed that polling material and facilities were in order and that the procedures were correctly followed in terms of the closure, sealing and layout of the ballot boxes, guiding of the voters, stamping of ballot papers, secrecy of ballot, etc. In all cases, agents of at least two of the contesting parties were present. The voting operations were conducted in an orderly manner at all eight polling stations where voting was observed. The ACP observer mission observed no malpractice or irregularity at any of the stations visited. The ACP mission was particularly impressed by the calm and peaceful atmosphere that prevailed before, during and immediately after the polling day. From what it observed, the mission views the conduct of voting process as orderly, transparent, democratic and fair⁶⁹.

The Pan-African Parliament (PAP)

In its interim statement, the PAP election observer team said that campaigning took place in an environment of peace, order, and high levels of tolerance⁷⁰ while voting was conducted in a transparent and efficient manner. It was also impressed by the legal provisions aimed at ensuring the independence and transparency of the ZEC:

It is the mission’s view that the irregularities that were detected were not so major as to compromise the flow of the electoral process. On the overall, the basic conditions of credible free and fair elections as contained in the OAU/AU Declaration on Principles Governing Democratic Elections in Africa (2002) were reflected in the Zimbabwe Harmonised Elections, thus far⁷¹.

⁶⁸ See *The Herald*, 31 March 2008, p.1

⁶⁹ *The Herald* 1 April, 2008, p.1

⁷⁰ The views of the Pan-African Parliament, like those of most other election observer teams, may only be true for the immediate pre, during and post-polling day. As such, the PAP did not witness the incidents of political violence and police ban of opposition campaign rallies because it had not yet arrived in the country.

⁷¹ *The Herald*, 1 April 2008, p.1

As the Herald added, the PAP also expressed concern over the delay in the announcing of results: “However, the mission is concerned that two days after the closure of the polls, the overall outcome remains unknown⁷².”

The SADC Elections Observer Group

The SADC election observer team comprised 163 members drawn from 11 countries from the region⁷³. At a press conference held on 30 March 2008, the team leader, Angolan Minister for Youth and Sport, Mr Jose Marcos Barrica said:

These elections were characterised by high levels of peace, tolerance, and political vigour from party leaders, candidates, and their supporters. No violence was observed countrywide⁷⁴ except for the Bulawayo incident where the house of a ZANU-PF candidate was bombed. The mission abhors the use of violence in whatever form and appeals for the law to be upheld. With regard to the polling process, it is the mission’s view that the elections were conducted in an open and transparent manner. The voting process was meticulously witnessed by observers and party agents. The polling stations generally opened and closed at the prescribed times and voters behaved in an orderly manner and exercised their franchise peacefully, freely, and unhindered. However the elections were held in a highly tense and polarised international atmosphere where some quarters of the international community remained negative and pessimistic about Zimbabwe and its chances for credible elections. We therefore conclude that notwithstanding the concerns highlighted above⁷⁵, *the elections held in Zimbabwe on 29 March 2008, have been a peaceful and credible expression of the will of the people of Zimbabwe*. Notwithstanding the mammoth logistical challenges these elections have brought to bear on all concerned, the Zimbabwe Elections Commission demonstrated high levels of professionalism, resilience and hard work in organising these complex elections. For this, ZEC deserves commendation. Consider the peace of your country. You have to avoid conflict. I have seen war, and you should avoid it⁷⁶ (emphasis added).

However, two members of the mission dissented from the group’s positive report.

The Electoral Institute of Southern Africa (EISA)

⁷² See *The Zimbabwean*, 3-9 April 2008, p.2

⁷³ A possible indication that not all SADC countries were represented and that there could have been very big teams from individual countries especially South Africa.

⁷⁴ The team omitted the incidents of political violence in St. Mary’s Chitungwiza involving supporters of the two factions of the opposition MDC in which five people were seriously injured resulting in some arrests with 15 people being charged with inciting political violence. See *The Herald*, 31 March 2008, p.1

⁷⁵ He was referring to concerns over statements by service chiefs in the pre-election period which he said were made in their individual capacities. On this, he was echoing the response by ZEC Chairman, Justice Chiweshe when he was asked the same question.

⁷⁶ See *The Herald*, 31 March 2008.

EISA was one of the election monitoring organisations that was denied accreditation but managed to somehow observe the elections and produced a report. The EISA Mission Interim Report published on 31 March 2009 found a lot to commend the March 2008 elections especially the “peaceful environment” and commended all electoral stakeholders “in creating and maintaining an atmosphere of calm and tranquillity in which candidates, parties and people from diverse political backgrounds were able to operate.”⁷⁷ The Report also noted that, “unlike in previous elections, freedom of assembly, freedom of association, freedom of movement and freedom of speech could be generally exercised without undue hindrance.” On account of this, and comparatively speaking, the EISA concluded that “the 2008 Harmonised Elections in Zimbabwe were partly free.”

However, the election observation body found “the electoral process to be severely wanting in respect of fairness” primarily because “most of the critical aspects of the process lacked transparency.” In short then, EISA found the elections to be partly free but unfair.

Centre for Peace Initiatives in Africa (CPIA)

CPIA is a regional peace organisation based in Harare. It was an accredited domestic observer and in its interim report it found that, despite some instances of violence and cases of voters being turned away for one or the other reasons, “elections seem to have generally gone well.”⁷⁸ It also commended Zimbabweans for showing political maturity and upholding peace before, during and after the polls. Its Executive Director, Leonard Kapungu said:

The Centre for Peace Initiatives in Africa would like to applaud Zimbabweans for holding these landmark elections in a relatively peaceful and non-violent manner. CPIA regards the elections as crucial in bringing about unity and reconciliation in Zimbabwe. The Centre calls upon all political parties to respect the election results⁷⁹.

CPIA further strongly condemned the emerging cases of violence reported. It further called upon the SADC initiative on Zimbabwe to continue after the elections for it to reach a logical conclusion. It also urged the foreign observer missions to remain on the ground until a government of national unity is formed to avoid giving false reports that might discredit the polls. Dr Kapungu ended by urging ZEC to speed up the process of announcement of results to allay anxiety saying: “People are patient but this can lead to violence. So we appeal to ZEC to speed up the process”⁸⁰.

⁷⁷ EISA Interim Statement on the Zimbabwe Election 2008, <http://www.eisa.org.za/EISA/pr20080401.htm>. Accessed 5 April 2008.

⁷⁸ CPIA, “Interim Report of CPIA on Zimbabwe’s 2008 Harmonised Elections,” Harare, not dated.

⁷⁹ See *The Herald*, 31 March 2008.

⁸⁰ Ibid.

The Zimbabwe Lawyers for Justice (ZLJ)

ZLJ is another domestic, new and generally pro-regime NGO that got accreditation. The national co-ordinator of ZLJ, Advocate Martin Dinha issued a statement commending the tranquil environment that prevailed before and during voting saying:

The pre-election period was tranquil, peaceful and campaigning was conducted in accordance with the SADC Principles and Guidelines. Generally, there were not major cases of violence, not a single election-related death or serious criminal case or conduct. In terms of democratic development, this election saw Zimbabwe rising higher in its democratic record, probably unparalleled in Sub-Sahara Africa⁸¹.

Reaction by Other Members of the International Community

Countries that have diplomatic accreditation were by virtue of this status accredited to observe the elections even when their home countries were not invited to do so. Virtually all EU countries, North American countries, Australia and New Zealand are accredited to Zimbabwe but were not invited to observe the elections. The Commonwealth – from which Zimbabwe stormed out of at the end of 2003, the SADC Parliamentary Forum – which produced a highly critical report on the 2002 presidential elections, and the United Nations – which Mugabe has not forgiven for producing a highly critical report on the 2005 Operation Murambatsvina - were all not invited to observe the harmonised elections. Even when not invited, most of these countries and organisations kept a very keen eye on the proceedings in Harare. Most of them started being agitated and to produce critical comments when presidential election results were inordinately delayed.

For instance, British Prime Minister Gordon Brown underscored the need for ZEC to respect the democratic rights of the Zimbabwean people, demanding that the presidential election results should be released expeditiously. He added that the international community was losing patience with Zimbabwean authorities. He reiterated this position while addressing the UN Security Council meeting on 15 April 2008 when he said that “No one thinks, having seen the results at polling stations, that Robert Mugabe has won this election...A stolen election would not be a democratic election at all”⁸². Prime Minister Brown advised ZEC to release the results expeditiously without any further delay. On 21 April British Foreign Secretary David Miliband described the situation in Zimbabwe as a constitutional crisis and accused President Mugabe of trying to “steal the election”: “The constitutional crisis in Zimbabwe continues as President Mugabe persists in his ambition to steal the election.”⁸³ Commenting on the recount of votes in 23 constituencies, Miliband was equally scathing: “No one can have any faith in this recount. We can have little confidence that whatever is ultimately announced as the

⁸¹ Ibid.

⁸² Ibid

⁸³ BBC, “Mugabe trying to ‘steal election’” 21 April 2008.

presidential election results will not have been sullied and contaminated by rigging through this recount.”

The USA was equally scathing and went even further. On 24 April, the US Assistant Secretary of State Jendayi Frazer, on a tour of Zimbabwe’s neighbouring countries even declared that Tsvangirai was the “clear victor” of the election though she further called for a “negotiated solution” and possibly a Tsvangirai-led GNU.

The United Nations Secretary-General Ban Ki-moon was equally concerned about developments in Zimbabwe and urged that international observers be present should there be a second presidential election. The G8 foreign ministers also released a joint statement on April 18 calling for the presidential results “to be released expeditiously” and for “speedy, credible and genuinely democratic resolution of this situation.”⁸⁴

CONCLUSIONS

In making the final assessment, we logically divide the election period into: pre-29 March; polling day, and post-29 March. The CCJP’s assessment is that the pre-polling conditions were a vast improvement compared to the preceding elections in 2000, 2002 and 2005. There were significant improvements in terms of freedom of assembly, of association and movement though there were incidents that demonstrated the residual resistance by some stakeholders, especially ZANU-PF functionaries and the security agencies, to allow contestants to campaign freely and unencumbered. The state print and electronic media did not conduct themselves in a manner that complied with the SADC Principles and Guidelines though there was also a significant and commendable improvement in the two weeks preceding the elections.

There were also other blemishes. ZANU-PF also abused its power of incumbency to try to influence voters through the use of state resources to the advantage of the incumbent party and its candidates. Senior officers of the security forces also acted in questionable ways which had the effect of swaying voters, or intimidating them and generally creating tension and anxiety.

Polling day activities were conducted in an efficient and orderly manner. From a technical standpoint, therefore, the polling day activities – with few exceptions that prove the rule – were competently executed and above board. However, post-polling events – specifically the inordinate delays in the release of the results - were a source of much

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distress, anxiety and suspicions. In the process, ZEC tainted its credibility as an impartial and autonomous electoral agency. To many, it demonstrated beyond reasonable doubt that it is an integral part of the party-state system in Zimbabwe.

It is therefore our conclusion that the playing field for the 29 March 2008 elections was skewed in favour of ZANU-PF. Notwithstanding this, the people of Zimbabwe were afforded a reasonable opportunity to make their voice heard and to express their will. To this extent, we find the 29 March 2008 harmonised elections to have been relatively free but lacking in the basic tenets of fairness. There are still serious procedural flaws and institutional weaknesses that need to be addressed if the second election and future elections are to be free and fair and yield a result that is not disputable by the contesting parties and candidates.

RECOMMENDATIONS

Below we outline some of the critical areas that need to be addressed by the relevant electoral bodies:

- The voters' roll that has been in shambles for a long time needs to be overhauled and cleansed of ghost voters and other suspicious persons. It also needs to be updated in order to include all those who would have registered to vote for a particular election. More critically, it is necessary, when the current dust has settled, to seriously explore the possibility of automatic voter registration whereby a citizen who attains the legal age of majority is automatically registered as a voter. This obviates the need to go through the laborious process of registering as a voter in addition to the equally onerous process of registering for a national identity card. Automatic voter registration is practiced in many countries and has worked well;
- If the present voter registration procedures are maintained, the requirements for registration must be user-friendly. The requirement for proof of residence is a case in point, a requirement that is presently abused by landlords and traditional authorities. It is also important to ensure that the cut-off date for voter registration for a particular election be respected. Presently, there are instances of ruling party officials processing letters instructing voter registrars to register voters in their constituencies even after the deadline;
- Voter education/information, an area where the ZEC failed to adequately perform its constitutional mandate, should be dispersed to other civic organisations that have the resources and the commitment to perform the function. To this extent, other stakeholders e.g. NGOs, community-based organisations and faith-based organisations should play a meaningful role in voter education and information. Further, and equally important, voter education should not be a one-off exercise done just 90 days before an election; it must be a continuous exercise throughout the year;
- The pre-election conditions must be levelled in order for all parties and candidates to be able to carry out their political campaigns and other political activities designed to reach the voter. This demands that the restrictive media,

security and electoral laws be either repealed or reviewed to level the playing field which is presently skewed in favour of the incumbent. The media terrain is presently a particularly worrisome area whereby the ruling party is abusing the public media as a propaganda tool to advance its partisan and sectional agenda;

- The use of state resources during election campaigns and on the eve of elections should be banned by law. This includes the donation of equipment, food aid, vehicles etc by the incumbent president and his ministers. In fact, this ban should be extended to all politically-motivated donations during electoral campaigns.
- The constitutional role of military and security agencies and personnel must be clearly defined such as to effectively proscribe any political and partisan activities by serving members of the uniformed forces. Their role must be fully understood to be that of impartial and non-partisan officers who are there to serve any government; they must of necessity be de-linked from the party-state. Other state institutions should equally be de-politicised. It is particularly important for the law enforcement agencies to maintain law and order and a zero tolerance to politically motivated violence, before, during and after elections. The Zimbabwe Republic Police was found wanting in respect of post-poll political violence whereby it was accused of applying the law in a selective and discriminatory manner;
- ZEC, or any other electoral body, must also conduct itself in the manner specified in the constitution, i.e. that it should conduct elections and referendums “efficiently, freely, fairly, transparently and in accordance with the law.” ZEC should act with absolute transparency and provide voters with the requisite information regarding the various procedures and stages governing the elections and should adhere to them. ZEC was found particularly wanting in the post-poll period. We also note that some of the deficiencies by ZEC related to the woefully inadequate resources at its disposal and to this extent, the public fiscus must ensure that this pivotal public institutions is adequately provided for in order to fully execute its constitutional mandate;
- It must be made clear that traditional authorities are custodians of our culture and have no role to play in modern electoral politics and should not be used as instruments of political parties in competitive political battles;
- There must be effective implementation of laws that clearly prohibit intimidatory practices, corrupt practices, illegal practices as stated in the Electoral Act and other statutes. Zimbabwe’s elections have perennially been plagued by such malpractices;
- Adequate pre-election preparations should be put in place well before the election. This is especially the case in respect of the demarcation of electoral boundaries and their publication to all stakeholders. The printing of ordinary and postal ballots must also be done in a transparent manner;
- Consistent with the SADC Principles and Guidelines, the state must give due recognition and facilitation of international, regional and domestic election observers and media and not confine the invitations to “friendly” countries and organisations. Further, this function must be totally invested to ZEC, in accordance with the law. Presently, and in practice, the Ministry of Justice enjoys the sole authority to invite and authorise accreditation of local observers, while

the Ministry of Foreign Affairs does the same for international observers. The theoretically autonomous electoral body, ZEC, plays the role of mere rubber stamping rather than a policy making and management role. In addition, and in line with SADC practices, the cost of accreditation of both observers and media should not be as exorbitant and prohibitive as it was for the March 2008 elections;

- The time period within which election results must be released must be unambiguously specified in law. The post-poll spectacle whereby ZEC froze results and holding the nation to ransom must be proscribed by law;
- Lastly, what happens at the so-called National Command Centre must be subjected to more scrutiny and transparency than was the case for the 29 March 2008 elections. There was a lot of opaqueness in the manner in which the National Collation Centre executed its functions e.g. its clandestine closure without stakeholder knowledge, and accusations that the ZEC did not complete the verification process before announcing the presidential results.

APPENDIX 1

News and Events

Communiqué 2007 Extra-Ordinary SADC Summit of Heads of State and Government, 28th - 29th March 2007, Dar-es-Salaam

The Extra-Ordinary Summit of the Heads of State and Government of SADC met in Dar-es-Salaam, United Republic of Tanzania, 28th - 29th March 2007 to discuss the political, economic and security situation in the region, with special focus on the situations in Lesotho, Malawi and Zimbabwe.

The meeting was chaired by his Excellency President Jakaya Kikwete, Chairperson of the SADC Organ on Politics, Defence and Security Co-operation.

The Extra-Ordinary Summit was attended by following Heads of State and Government and Government representatives:

DRC HE President Joseph Kabila

Kingdom of Right Honourable Prime Minister Pakalitha Moslill
Lesotho

Malawi HE President Bingu wa Muthrika

Mozambique HE President Armando Emilio Guebuza

Namibia HE President Hifikepunye Pohamba

South Africa HE President Thabo Mbeki

Kingdom of Right Honourable Prime Minister Themba Dlamini
Swaziland

United Republic HE President Jakaya Mrisho Kikwete
of Tanzania

Zambia HE President Levy P Mwanawasa

Zimbabwe HE President Robert G Mugabe

Botswana HE Vice-President honourable Lt. Gen. Seretse Khama Ian Khama

Angola Honourable Joao Bernando Miranda Minister of External Relations

Madagascar HE Bruno Ranarivelo Ambassador to Mauritius

Mauritius HE Mahomed dossa High Commissioner to South Africa

ON THE POLITICAL SITUATION IN LESOTHO

The Extra-Ordinary Summit recalled that the Kingdom of Lesotho recently held successful, peaceful and democratic elections.

The extra-Ordinary Summit noted and appreciated a briefing by the Right Honourable Prime Minister Pakalitha Mosisili and the Executive Secretary arising out of the meeting of the Ministerial Double Troika on post electoral developments in Lesotho.

The Extra-Ordinary Summit decided to send a SADC delegation at Ministerial level to go and assess the situation as requested by the political parties.

ON THE POLITICAL SITUATION IN THE DRC

The Extra-Ordinary Summit recalled that SADC took an active part in ensuring the holding of free, fair and democratic elections in the DRC and congratulated the Government and people of the DRC for the successful outcome.

The Extra-Ordinary Summit noted and appreciated the briefing by HE President Joseph Kabila on the current political situation in the DRC.

The Extra-Ordinary Summit resolved to render unconditional support to the government of the DRC in its quest to restore order maintaining peace and stability and spearheading national reconstruction.

The Extra-Ordinary Summit reaffirmed the sovereign rights of the DRC to have a single national army and urged all armed groups to integrate into the national army or to be demobilised.

The Extra-Ordinary Summit reiterated that the rule of law in the DRC must be observed and respected by all parties in conformity with accepted international convention.

The Extra-Ordinary Summit expressed concern at the loss of life and urged all parties to respect the sanctity of human life and principles of human rights.

The Extra-Ordinary Summit expressed its support to the ongoing efforts for the economic reconstruction of the DRC.

POLITICAL SITUATION IN ZIMBABWE

The Extra-Ordinary Summit noted and appreciated the briefing by His Excellency President Robert G Mugabe on the current developments in Zimbabwe.

The Extra-Ordinary Summit recalled that free, fair and democratic presidential elections were held in 2002 in Zimbabwe.

The Extra Ordinary Summit reaffirmed its solidarity with the government and people of Zimbabwe.

The Extra-Ordinary Summit mandated His Excellency President Thabo Mbeki to continue to facilitate dialogue between the opposition and the government and report back to the troika on progress.

The Extra ordinary summit also encouraged enhanced diplomatic contacts which will assist with the resolution of the situation in Zimbabwe.

The Extra Ordinary Summit mandated the SADC Executive Secretary to undertake a study on the economic situation in Zimbabwe and propose measures on how SADC can assist Zimbabwe recover economically.

The Extra-Ordinary summit reiterated the appeal to Britain to honour its compensation obligations with regards to land reform at the Lancaster House.

The Extra Ordinary Summit appealed for the lifting of all forms of sanctions against Zimbabwe.

APPENDIX 2



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Zimbabwe: SADC's full communiqué on election impasse

By SADC Secretariat

SADC COMMUNIQUÉ

2008 FIRST EXTRA-ORDINARY SADC SUMMIT OF HEADS OF STATE AND GOVERNMENT

13 APRIL 2008

LUSAKA, ZAMBIA

1. The Extra-ordinary Summit of the Heads of State and Government or their representatives of SADC met in Lusaka, Zambia to discuss the political developments in Zimbabwe following the recent Presidential, Senatorial, National Assembly and Local Authorities elections' held on 29 March 2008.
2. The meeting was chaired by His Excellency, President Dr Levy Patrick Mwanawasa S.C, Chairperson of the Southern African Development Community (SADC) and President of the Republic of Zambia.
3. The Extra-ordinary Summit was attended by the following Heads of State and Government:

**Zambia H.E. President Dr. Levy P. Mwanawasa,
Chairperson of SADC**

**Angola H.E President José Eduardo dos Santos
Chairperson of Organ on Politics, Defence and Security Cooperation**

Botswana H.E. President Lt. Gen. Seretse Khama Ian Khama

DRC H.E. President Joseph Kabila

Mozambique H.E. President Armando Emilio Guebuza

Namibia H.E. President Hifikepunye Pohamba

South Africa H.E. President Thabo Mbeki

Malawi H.E. President Dr. Bingu wa Mutharika

Kingdom of Lesotho Hon. Deputy Prime Minister Lesao Lehohla

Mauritius Hon. James B. David, Minister for Local Government

Kingdom of Swaziland Hon. Charles S. Magongo, Minister for Public Service and Information

United Republic of Tanzania Hon. Seif A. Iddi, Deputy Minister for Foreign Affairs and International Cooperation

Zimbabwe Hon. Emmerson D. Mnangagwa, Minister of Rural Housing and Social Amenities

Madagascar H.E. Ambassador Dr. Dennis Andriamandroso

4. In his opening remarks, the SADC Chairperson welcomed their Excellencies, Heads of State and Government to Lusaka, Zambia and indicated that the purpose of the Extra-ordinary Summit was to discuss the recent events in Zimbabwe following the elections in Zimbabwe in an open, objective and honest manner. In this regard, SADC re-affirmed its commitment to assist the parties to deal with the current situation.

5. The Extra-ordinary Summit was held in line with SADC objectives to promote common political values and systems transmitted through institutions that are democratic, legitimate and effective to facilitate the consolidation of democracy, peace, security and stability.

6. The Summit welcomed and congratulated H.E. Lt. General Seretse Khama Ian Khama, President of Botswana on his assumption of office.

7. The Extra-ordinary Summit noted and appreciated the briefing by H.E President José Eduardo dos Santos, Chairperson of the Organ on Politics, Defense and Security Cooperation on the Report of the SADC Electoral Observer Mission deployed in Zimbabwe during the election.

8. The Summit noted that the Report of the Chairperson of the Organ, on the elections in Zimbabwe indicated that the electoral process was acceptable to all parties. Summit commended the Chairperson of the Organ for the manner in which the Observer Mission

was handled. At the time of holding the Extra-ordinary Summit, the results of the Presidential election had not been announced by the election authorities.

9. The Summit commended the people of Zimbabwe for the peaceful and orderly manner in which they conducted themselves before, during and after the elections.

10. The Summit commended the Government of Zimbabwe for ensuring that elections were conducted in a peaceful environment.

11. The Summit congratulated and thanked the SADC Facilitator, President Mbeki and his Facilitation Team, for the role they had played in helping to contribute to the successful holding of elections. Summit requested President Mbeki to continue in his role as Facilitator on Zimbabwe on the outstanding issues.

12. The Extra-ordinary Summit noted and appreciated the brief by the delegation of the Government of Zimbabwe on the elections held in Zimbabwe. The Government of Zimbabwe indicated that the elections were held in a free and peaceful environment. The Government expressed concerns at instances of inaccuracy of some figures relating to the House of Assembly, Senate and Presidential elections.

13. Member States, with the exception of Zimbabwe, held informal consultations with Presidential candidates, Mr. Morgan Tsvangirai of the Movement for Democratic Change (MDC) and independent candidate, Dr. Simba Makoni. Both, opposition leaders confirmed that the elections were held in a free, fair and peaceful environment. Whilst they do not have a problem with the election results of the Senatorial, Parliamentary and Local Authority elections, they expressed concerns on the delay in announcing the results as well as lack of their participation in the verification process of the Presidential results currently being conducted by the Zimbabwe Electoral Commission (ZEC).

14. The Summit urged the electoral authorities in Zimbabwe that verification and release of results are expeditiously done in accordance with the due process of law. Summit also urged all the parties in the electoral process in Zimbabwe to accept the results when they are announced. By due process of law, Summit understood to mean that:

(a) the verification and counting must be done in the presence of candidates and/or their agents, if they so wish, who must all sign the authenticity of such verification and counting.

(b) SADC offers to send its Election Observer Mission who would be present throughout such verification and counting.

15. If such verification and counting makes it necessary for the parties to go for a run-off, the Government is urged to ensure that the run-off elections are held in a secure environment. SADC offers to send an Election Observer Mission

16. The Summit appeals to the Zimbabwe Electoral Commission to ensure strict compliance with the rule of law and SADC Principles and Guidelines governing democratic elections.

17. The Summit expressed its deep appreciation for the gracious hospitality extended to them by the Government of Zambia.

**Done at Mulungushi International Conference Centre
Lusaka, Zambia**

13 April 2008

APPENDIX 3

TOTAL NUMBER OF LOCAL AUTHORITY SEATS PER POLITICAL PARTY PER PROVINCE

<i>Province</i>	<i>Party</i>	<i>Number of seats contested</i>	<i>Number of seats uncontested</i>	<i>Total number of seats won</i>
Bulawayo Metropolitan Province	MDC Tsvangirai	23	0	23
	Independent	0	0	0
	MDC	6	0	6
	ZANU PF	0	0	0
	PUMA	0	0	0
	UPP	0	0	0
Harare Metropolitan Province	MDC Tsvangirai	71	0	71
	Independent	0	0	0
	MDC	0	0	0
	ZANU PF	5	0	5
Manicaland Province	MDC Tsvangirai	163	1	164
	Independent	1	0	1
	MDC	3	0	3
	ZANU PF	77	13	100
	Independent	1	0	1
Masvingo Province	MDC Tsvangirai	93	2	95
	Independent	0	0	0
	MDC	2	1	3
	ZANU PF	78	56	134
	UPP	1	0	1
Matabeleland North Province	MDC Tsvangirai	58	0	58
	Independent	2	0	2
	MDC	63	5	68
	ZANU PF	25	31	56
	UPP	0	0	0
Matabeleland South Province	MDC Tsvangirai		1	
	Independent		0	
	MDC		0	
	ZANU PF		28	
Mashonaland Central Province	MDC Tsvangirai	42	3	45
	Independent	0	0	0
	MDC	0		0
	ZANU PF	110	77	187
Mashonaland East Province	MDC Tsvangirai	74	0	74
	Independent	0	0	0
	MDC	2	0	2
	ZANU PF	107	43	150
Mashonaland West Province	MDC Tsvangirai	91	1	92
	Independent	0	0	0

	MDC	2	1	3
	ZANU PF	53	81	134
Midlands	MDC Tsvangirai		1	
	Independent		0	
	MDC		0	
	ZANU PF		62	

APPENDIX 4

HOUSE OF ASSEMBLY CANDIDATES

BULAWAYO METROPOLITAN PROVINCE

<i>Constituency</i>	<i>Candidate</i>	<i>Party</i>	<i>Total Votes</i>
		FDU	74
		Independent	191
		Independent	63
		ZANU PF	908
	Ncube Japhet Gwante Ndabeni	MDC	3553
	Payne Arnold Carl	PUMA	162
	Sibanda Dorcas Staff	MDC Tsvangirai	3786
		% Poll	30.26
Bulawayo East	Khumalo Thabitha	MDC Tsvangirai	3587
	Makulumo Nacisio Elijah	ZANU PF	1031
	Matshazi Dumiso	FDU	147
	Moyo Stanley	UPP	80
	Ndhlovu Sakiwe	Independent	471
	Takaendisa Francis	Independent	114
	Toffa Yasimin	MDC	2525
		% Poll	32.51
Bulawayo South	Cross Edward Graham	MDC Tsvangirai	2764
	Kamambo Tobias	UPP	58
	Mpofu Jethro William	MDC	1605
	Ndiweni Marilyn Nobuhle	Independent	112
	Nleya Jimmy	ZANU PF	483
		% Poll	21.33%
Emakhandeni - Entumbane	Bancinyane Wilson	PUMA	130
	Dube Cornelius Raphael Essalph	MDC Tsvangirai	3886
	Mkwanda Judith	ZANU PF	965
	Moyo Mtheteli	UPP	57
	Nkomo Stephen	FDU	135
	Nyathi Paul Themba	MDC	2308
		% Poll	27.29
Lobengula Luveve	Moyo Merika	UPP	132
	Sibanda Alexias Nja Mackson	PUMA	96
	Dube Christopher Mdingwa	ZANU PF	1148
	Masuku Dingilwazi	ZANU PF	1923
	Nkomo Samuel Sipepa	MDC Tsvangirai	3850
		% Poll	26.34%
	Mdlongwa Esaph	MDC	3 178
	Moyo Getrude	ZANU PF	940
	Moyo Reggie	MDC Tsvangirai	3 325

	Mujuru Kidwell	Independent	697
	Phiri Simba	FDU	146
		% Poll	32.80
Magwegwe	Manga Mpendulo	UPP	198
	Ncube Fletcher Dulini	MDC	2434
	Ndlovu Bekezela	Independent	193
	Ndlovu Molly	ZANU P.F	785
	Sibanda Felix Magalela	MDC Tsvangirai	2979
		% Poll	25.30
Makokoba	Ncube Welshman	MDC	2475
	Dube Tshinga Judge	ZANU PF	1407
	Khuphe Thokozani	MDC Tsvangirai	4123
	Masunga Tevera	ZDP	41
	Sibanda Tonny	UPP	113
		% Poll	30.02
Nketa	Dube Sikhumbuzo Bongani	ZAPU FP	195
	Moyo Khisimusi	UPP	68
	Moyo Seiso	MDC Tsvangirai	4 371
	Mpofu Charles	Independent	1 473
	Ngwenya Coustin	ZANU PF	1 356
	Sternlord Ndlovu	MDC	2129
		% Poll	37.08
Nkulumane	Mahlangu Tamsanqa	MDC Tsvangirai	3976
	Moyo Lilian	UPP	160
	Ncube Ophar	ZANU PF	1163
	Sibanda Gibson Jama	MDC	2732
	Mabusa Doubt	Independent	418
		% Poll	31.08
Pelandaba – Mpopoma BY - ELECTION	Gwetu Milford	MDC	By-election
	Khumalo Samuel Sandla	MDC Tsvangirai	
	Mahachi Chamunorwa	ZDB	
	Mutukwa Fungai	Independent	
	Ndhlovu Samuel Mahlamvana	UPP	
	Ndlovu Sikhanyiso Duke	ZANU PF	
	Sibanda Job	Independent	
	Siwela Paul	FDU	
		% Poll	
Pumula	Mhlanga Albert	MDC Tsvangirai	3443
	Mhlophe Nkanyiso	MDC	2751
	Ncube Godfrey Malaba	ZANU PF	1220
	Sibanda Lovemore	FDU	126
	Sibanda Paul	UPP	-100
		% Poll	29.68

HARARE METROPOLITAN PROVINCE

<i>Constituency</i>	<i>Candidate</i>	<i>Party</i>	<i>Total Votes Cast</i>
Budiriro	Chimbiri Henry	MDC	971
	Dzinotyiweyi H Amos Murima	MDC Tsvangirai	11880
	Hokoyo Gladys Pluck	ZANU PF	2276
		% Poll	48.04%
Chitungwiza North	Kunaka Joyce	ZANU PF	2073
	Mhashu Fidelis	MDC (Tsvangirai)	7539
	Murapa Martin	UPP	47
	Shumba Tamiratarairo	MDC	734
		% Poll	37.40
Chitungwiza South	Chigumba C Chikavanga	ZANU PF	4597
	Gombera Costa	ZDP	32
	Manyepxa C Farai	Independent	110
	Mutore Rosemary	MDC	660
	Ngwindingwindi Foreward	ZPPDP	92
	Shoko Misheck	MDC Tsvangirai	6243
		% Poll	39.98
Dzivaresekwa	Masaiti Evelyn	MDC Tsvangirai	6374
	Mushoriwa Edwin	MDC	763
	Sipani Hungwe Omega	ZANU PF	2769
		% Poll	43.70
Epworth	Jembere Eliah	MDC Tsvangirai	6220
	Midzi Amos Benard Muvengwa	ZANU PF	4758
	Muzambwa Chitauo Elvis	Independent	317
	Chopamba Michael	Independent	59
	Chimhau Tonderai Victor	UPP	81
		% Poll	37.46
Glen Norah	Dzirutwe Gift Lovemore Tapiwa	MDC Tsvangirai	7030
	Maeresera Pedzisai Peter	ZANU PF	1139
	Mashumba Kudzanai	MDC	757
	Moyo Donvant	Independent	235
	Mubaiwa Jeremiah Reggies	ZPPDP	29
		% Poll	41.23
Glen View South	Mashonganyika Ida	ZANU PF	1273
	Madzore Paul	MDC Tsvangirai	9158
	Muzadzi Moreprecision	VP	43
		ZDP	34
	Kamupini Lovemore	Independent	243

		% Poll	38.70
Harare Central	Gwata William	CDP	81
	Mbanje Norman	ZIYA	97
	Makoni Marshall	Independent	373
	Zwizwai Murisi	MDC Tsvangirai	5944
	Nyandoro Estella	ZANU PF	1705
	Sagomba Evans	Independent	194
	Zimuto Maxwell	MDC	824
		% Poll	34.92%
Harare East	Biti Tendai Laxton	MDC Tsvangirai	8377
	Mangondo Noah Takawota Joni	ZANU PF	2587
		% Poll	35.94
Harare North	Kamutsungira Faith	UPP	226
	Makone Theresa Maonei	MDC Tsvangirai	6710
	Mukumbudzi Gladman	Independent	441
	Zvandasara Justice	ZANU PF	3135
		% Poll	40.10%
Harare South	Bunjira Ronia	MDC Tsvangirai	4389
	Nago Joram	MDC	819
	Nyanhongo Hubert Magadzire	ZANU PF	7111
		% Poll	49.90
Harare West	Chidzambwa Louis	ZANU PF	1605
	Majome Jessie Fungai	MDC (Tsvangirai)	7938
	Mushayi Miriam	MDC	1079
	Nyakuweka Forgiveness	Independent	366
		% Poll	39.85
Hatfield	Chivandira WSD Tito	Independent	589
	Chuma Kennedy Boaz	ZANU PF	1450
	Mashakada Tapiwa	MDC Tsvangirai	9375
	Ngirande Morgan	ZDP	54
		% Poll	39.48
Highfield East	Manyonda Dorcas	ZANU PF	1756
	Moyo Elinah	MDC	1233
	Mungofa Pearson Tachivei	MDC Tsvangirai	8216
	Mtembo Assan	ZDP	41
	Zidducheh Rufus	Independent	249
		ZPPDP	34
		% Poll	37.86
Highfield West	Chiyangwa Charles Tatenda	ZPPDP	74
	Hove Simon Ruvuke	MDC Tsvangirai	7532
	Kuchekwa Kizito	ZANU PF	1328
	Misihairambwi Mushonga Priscila	MDC	907
		% Poll	38.37
Kambuzuma	Chinyowa Samuel	ZANU PF	963
	Madzimure Willias	MDC Tsvangirai	4771

	Ndabambi Roseline Nyarai	MDC	431
		Independent	154
		% Poll	29.36
Kuwadzana	Deketeke Abraham	ZANU PF	2048
	Dizara Andrew	UPP	198
	Matibenga Lucia Gladys	MDC Tsvangirai	8763
	Mututwa Robert	ZDP	58
		% Poll	46.91
Kuwadzana East	Chamisa Nelson	MDC Tsvangirai	8381
	Madzima Dudzai	Independent	150
	Muvindi Ndaiveyi Zorodzai	UPP	85
	Zimowa P Kadzimba	ZANU PF	1388
		% Poll	41.20
Mabvuku/Tafara	Gwaze Gilbert	Independent	261
	Kara Ayob	ZANU PF	1901
	Madamombe Shephard	MDC Tsvangirai	7677
	Mandaza Kudzanai	MDC	968
	Mubawu Timothy	Independent	543
	Mutemaringa Kuraone	UPP	93
		% Poll	37.37
Mbare	Denga Piniel	MDC Tsvangirai	7520
	Madzegwara Godwin	ZDP	65
	Mhanda Wilfred	Independent	111
	Mupini Spiwe	MDC	1295
	Savanhu Tendai	ZANU PF	6121
		% Poll	48.10
Mt Pleasant	Chaora Paul Arthur Zvikomborero	CDP	152
	Midzi Alice Hilda	ZANU PF	1738
	Timba Jameson Zvidzai	MDC Tsvangirai	3875
	Steveson Lottie Getrude Dicky	MDC	1426
		% Poll	31.57
Mufakose	Mupariwa Paurina	MDC Tsvangirai	5731
	Kuretu Victor Panganai	ZANU PF	1252
	Mubaiwa Batsirai	MDC	696
		% Poll	35.77
Southerton	Chikunguru Tonderai	UPP	99
	Chimanikire Gift	MDC Tsvangirai	6093
	Gore Onismo	ZANU PF	1434
	Mushonga Linus Paul	MDC	900
		% Poll	37.28
St Mary's	Arumero Phillip	UPP	171
	Kumalo Marvellous	MDC Tsvangirai	6508
	Mashonganyika Muzvondiwa	ZPPDP	25
	Sibanda Edias	ZDP	39

	Sikhala Job	MDC	1183
	Pasipamire Christopher Musekiwa	ZANU PF	2464
		% Poll	37.04
Sunningdale	Chaibva Gabriel	MDC	834
	Chataika Edward Mungwari	ZANU PF	980
	Kachidza Blessing Ronald	UPP	87
	Machisa Thomas	ZANU PF	634
	Matienga Margaret	MDC Tsvangirai	7071
	Muchenje Trevour	VP	63
		% Poll	42.41
Warren Park	Goredema Luxmore Murambiwa Samuel	ZANU PF	1894
	Gwanzura Chenjerai	Independent	289
	Kachara Robert	ZPPDP	23
	Manjeya Elijah	MDC	1049
	Mudzuri Elias	MDC Tsvangirai	9652
	Semwayo Reketayi Mushiwokufa	ZANU	59
		% Poll	41.30
Zengeza East	Chambaira Goodrich	MDC	1322
	Gwekwete Wilfred Ngoni	ZANU PF	3042
	Musundire Alexio Leon	MDC Tsvangirai	7570
	Tivatyi Rainos	UPP	107
		% Poll	39.80
Zengeza West	Gwiyo Collen Cephas	MDC Tsvangirai	7987
	Mutambara Guseni Oliver Arthur	MDC	1045
	Nyaruwata Urayayi Patrick	ZANU PF	2666
	Maxwell Simbayi	UPP	105
Glenview North		% Poll	40.95%
	Mangwende Sabina	ZANU PF	627
	Munengami Fani	MDC Tsvangirai	7800
	Museza Facemore	ZDP	663
	Tangayindini Lenos Simango	MDC	617
	Kampin Lovemore	VP	34
		% Poll	38,13

MANICALAND PROVINCE

Constituency	Candidate	Party	
Buhera Central	Chapinga Daniel	Independent	2100
	Kumbirai Manyika Kangai	ZANU PF	7092
	Matimba Tangwara	MDC Tsvangirai	8763
		% Poll	55.55
Buhera North	Magarangoma Julius	MDC Tsvangirai	6835
	Mutomba William	ZANU PF	7511

		% Poll	53.28
Buhera South	Chinotimba Joseph	ZANU PF	7613
	Nemadziva Naison	MDC Tsvangirai	8833
		% Poll	56,38
Buhera West	Matinenga Eric	MDC Tsvangirai	8527
	Muzhingi Stanlake	Independent	290
	Zengeya Tapiwa	ZANU PF	6773
		% Poll	50.98
Chimanimani East	Tinarwo Mwazviwanza Naison	MDC Tsvangirai	6525
	Undenge Samuel	ZANU PF	6915
		% Poll	44,67
Chimanimani West	Karenyi Lynette	MDC Tsvangirai	8558
	Munacho Thomas Alvar Mutezo	ZANU PF	7108
		% Poll	55.97
Chipinga Central	Chitima Alice Mwaemura	ZANU PF	6377
	Sithole Samson	MDC Tsvangirai	5862
		% Poll	48.81
Chipinga East	Mhlanga Timothy Mapungwana	ZANU PF	4121
	Mlambo Mathias Matewu	MDC Tsvangirai	1738
		% Poll	42.05
Chipinga South	Dhliwayo Gideon	ZANU Ndonga	343
	Hobwana Helani Aaron	MDC	1974
	Makuyana Meki	MDC Tsvangirai	8428
	Porusingazi Enock	ZANU PF	5085
	Tafamba Alfred	PAFA	309
		% Poll	48.72
Chipinga West	Goko Gideon Chinosara	ZANU PF	4410
	Nyamudeza Sibonile	MDC Tsvangirai	6968
	Tuso Muromoyawo Daniel	MDC	956
		% Poll	48,67
Musikavanhu	Matanga Tobias Zephaniah	ZANU PF	3041
	Mutseyami Chapfiwa Prosper	MDC Tsvangirai	9766
	Vutuza Gondai Paul	ZANU Ndonga	413
		% Poll	59.16
Headlands	Chikafu Levison Batorava	Independent	1291
	Mutasa Didmus Noel Edwin	ZANU PF	7257
	Tsimba Fambirayi Reginald	MDC Tsvangirai	4235
		% Poll	46.20
Makoni Central	Chinamasa Patrick Antony	ZANU PF	4035
	Kusano Dunmore	Independent	1305
	Nyamande John	MDC Tsvangirai	7060
		% Poll	46.68
Makoni North	Mahere Chipo Sheila Rose	ZANU PF	3657
	Mangoma Elton Steers	MDC Tsvangirai	5055
	Nemayire Bongayi	ZANU PF	3482

		% Poll	44.29
Makoni South	Chipanga Tongesayi Shadreck	ZANU PF	5230
	Eliot Patson	MDC	1550
	Gurure Daniel	Independent	791
	Muchauraya Pishai	MDC Tsvangirai	6501
		% Poll	43.46
Makoni West	Chinyadza Webber	MDC Tsvangirai	6187
	Kawonza Justin George	Independent	414
	Made Joseph Mtakwese	ZANU PF	2585
	Madechiwe Collias	ZURD	112
	Nation Chiororo Madongorere	ZANU PF	2394
		% Poll	44.93
Mutare Central	Gonese Innocent Tinashe	MDC Tsvangirai	7284
	Mbengo Dorothy	Independent	117
	Munowenyu Brian Garikai Trinity	ZANU PF	2322
	Mutare Moses	ZPPDP	21
	Rusanga Gift	MDC	639
		% Poll	37.83
Dangamvura Chikanga	Binari Yard	ZANU PF	3654
	Maeresera Taziveyi Rajab	Independent	310
	Mutsekwa Giles Tariyafero	MDC Tsvangirai	9965
	Muza Nomore	MDC	1073
		% Poll	49.62
Mutare North	Chikumba Tafara	Independent	548
	Chiwara Gabriel	MDC Tsvangirai	7054
	Pemhenayi Charles Fungayi	ZANU PF	9158
		% Poll	51.70
Mutare South	Chiri Gideon Chamuka	Independent	362
	Gombakomba Sarah Faith	MDC	2089
	Kanzama Fred	ZANU PF	7606
	Saunyama Robert	MDC Tsvangirai	5705
		% Poll	47.82
Mutare West	Chikuturudzi Ruth	Independent	536
	Mudiwa Shuah	MDC Tsvangirai	7597
	Mushowe Christopher Chindoti	ZANU PF	7577
		% Poll	49.26
Mutasa Central	Makokowe Pius	MDC	1381
	Mangwende Eunice Tambudzai	Independent	357
	Muchinguri Oppah Charm Zvipange	ZANU PF	4746
	Saruwaka Trevor Jonesi Lovelace	MDC Tsvangirai	9228
		% Poll	53.30
Mutasa North	Chimhini David Antony	MDC Tsvangirai	9396
	Maposa Munyaradzi	MDC	1677
	Nyambuya Michael Reuben	ZANU PF	4882
		% Poll	48.20

Mutasa South	Dumbura Shellington	ZANU PF	3409
	Kagurabadza Misheck Tofamangwana	MDC Tsvangirai	8207
	Maunga Bangani	Independent	412
		% Poll	43.99
Nyanga North	Chibvura Nichodimus Antimalaria	ZANU PF	3931
	Mazambani David	Independent	637
	Mwonzora Douglas Togaraseyi	MDC Tsvangirai	8312
	Nyawupembe Siboniso Tarisayi	Independent	249
		% Poll	42.10
Nyanga South	Chimbetete Willard Manyowa	MDC Tsvangirai	8029
	Kadzima Paul	ZANU PF	5513
		% Poll	43.06

MASHONALAND CENTRAL PROVINCE

Constituency	Candidate	Party	
Bindura North	Mabika Peter	MDC Tsvangirai	5465
	Manyika Eliot Tapfumaneyi	ZANU PF	9093
	Dokotera Normington	UPP	346
	Yotamu Anderson	MDC	1277
		% Poll	48.39
Bindura South	Nyaunde Bednock	MDC Tsvangirai	6059
	Dengu Canisio	ZANU PF	5752
	Chioreso Lawrence	MDC	1129
		% Poll	43.25%
Guruve North	Mabaranga Cletus	ZANU PF	10807
	Mapfudzeni Marias	UPP	350
	Mupunga Andrew	MDC Tsvangirai	4421
		% Poll	49.59%
Guruve South	Chininga ET Chindori	ZANU PF	9284
	Mwapenya Tichaona	MDC Tsvangirai	4298
	Paganga Vakanai	UPP	350
		% Poll	45.84%
Mazowe Central	Muringai Martin Mathias	MDC	1094
	Mushonga Shepherd Lenard	MDC Tsvangirai	5573
	Chimutengwende Chenhamo CC	ZANU PF	4136
	Chinogurei Gedion	UPP	119
	Munongerwa Edson	ZPPDP	79
		% Poll	41.56%
Mazowe West	Mandaza Ibo Day Joseph	Independent	446
	Chirongwe Richard	ZANU PF	5148
	Kabodora Gilbert	MDC Tsvangirai	2410
		Poll	34.37%
Mazowe South	Chitenga Modern	MDC Tsvangirai	3599

	Zinyemba Margrate	ZANU PF	3086
	Chitengu Chritopher	MDC	1401
	Dendamera Edwin	UPP	178
		% Poll	31.81
Mazowe North	Chigonero Biggie Township	MDC Tsvangirai	2508
	Mhandu Cairo	ZANU PF	5466
	Gonye Michael Hatigare	Independent	13
	Simbai Clive	MDC	717
		% Poll	38.17
Mbire	Mazikani Paul Hebert	ZANU PF	9610
	McCormick Alan Ivor Cordner	MDC Tsvangirai	6137
		% Poll	46.85%
Mt Darwin South	Kasukuwere Saviour	ZANU PF	9105
	Tawodzera Maxwell	Independent	380
	Mugariri Joel	MDC Tsvangirai	2698
	Nyamunda Edmore	UPP	115
		% Poll	47.87%
Mt Darwin North	Mukwengwe Timothy	MDC Tsvangirai	3507
	Mafios Itai Dickson	ZANU PF	11046
		% Poll	47.87
Mt Darwin East	Mfuka Braine	UPP	267
	Famba Takuriramunashe	Independent	5040
	Tonde David Nepera	MDC Tsvangirai	2566
	Ndoro Betty	ZANU PF	12122
		% Poll	55.29%
Mt Darwin West	Mujuru joice Teurai Ropa	ZANU PF	13236
	Gora Madzudzo	MDC Tsvangirai	1792
	Shanya Joseph	MDC	887
		% Poll	53.94
Muzarabani North	Mushore Luke	ZANU PF	7691
	Dzambara Edwin	MDC	973
	Gunzvenzve Authur	MDC Tsvangirai	3913
		% Poll	48.29
Rushinga	Dokora Lazarus	ZANU PF	14264
	Ndaradzi Samuel	MDC Tsvangirai	3772
	Guveya Bobie	UPP	578
		% Poll	56.35%
Shamva North	Mubaya Cassius	UPP	105
	Goche Nicholas Tasunungurwa	ZANU PF	10385
	Chidavaenzi Isaac Shupiko	Independent	526
	Matibiri Anderson	MDC Tsvangirai	1354
	Katawara Sanudi	MDC	1173
		% Poll	48.42
Shamva South	Ziteya Samuel Kingstone	ZANU PF	8956
	Madiro Beauty Sevia	Independent	405

	Chikeya Jennuphar	MDC Tsvangirai	2669
		%Poll	46.61

MASHONALAND EAST PROVINCE

Constituency	Candidate	Party	
Chikomba Central	Chibizhe Norma Susan Makazviona Naume	ZANU PF	4698
	Jiri Moses	MDC Tsvangirai	6062
		% Poll	43.39
Chikomba West	Bimha Michael Chanaka	ZANU PF	9173
	Mutodza Antony	MDC Tsvangirai	4606
		% Poll	41.96
Chikomba East	Bango William	MDC Tsvangirai	4729
	Govo Tawanda	UPP	241
	Mbwembwe Edgar	ZANU PF	4759
		% Poll	42.57
Goromonzi West	Nyamupinga Biata Beatrice	ZANU PF	6193
	Makone Ian Muteto	MDC Tsvangirai	5931
		% Poll	42.17
Goromonzi South	Dongo Greenbete Zvanyanya	MDC Tsvangirai	6456
	Mbondiah Memory	Independent	395
	Mhlanga Spakamile Sallanny	MDC	1341
	Musoko Lloyd	Independent	149
	Njawe Gordon	ZANU PF	5305
		% Poll	44.49
Goromonzi North	Nyamuchengwa Godfrey	MDC Tsvangirai	4845
	Zhanda Paddy Tendayi	ZANU PF	5626
		% Poll	35.71
Marondera Central	Huni Richard	Independent	55
	Kay James Jaim Hamilton	MDC Tsvangirai	8022
	Marimo Abel	Independent	187
	Murwira Peter	ZANU PF	3170
	Nyika Kingdom	MDC	602
		% Poll	42.89
Marondera West	Chihota Constance	MDC	1580
	Guzha Edward	Independent	753
	Mucheche Petros	MDC Tsvangirai	2132
	Mutinhiri Ambrose	ZANU PF	4284
	Ndati Parthias	MDC Tsvangirai	922
		% Poll	40.67
Marondera East	Gahadzikwa Isaac	Independent	321
	Mutinhiri Tracy	ZANU PF	6514
	Muzungu Aaron	MDC	788
	Nkomo Sibonakaliso	MDC Tsvangirai	2268

		% Poll	37.33
Murehwa North	Mutize Golden	MDC Tsvangirai	6468
	Parirenyatwa David Pagwesese	ZANU PF	7104
	Joshua Siwela	Independent	319
		% Poll	44.63
Murehwa West	Ward Nezi	MDC Tsvangirai	7324
	Zemura Lilian	ZANU PF	6313
		% Poll	42.23
Murehwa South	Katemauswa Grescy	UPP	287
	Masunzambwa Mathias	MDC Tsvangirayi	3410
	Pasihomusha Matiza Biggie Joel	ZANU PF	9032
		% Poll	45.72
Mutoko East	Samakande Abel	MDC Tsvangirayi	5238
	Nyakudanga O.	ZANU PF	7328
		% Poll	47.92
Mutoko North	Chinomona Mabel Memory	ZANU PF	6922
	Mandaza Shupikayi Memory	MDC	1065
	Matty Kazingizi	MDC Tsvangirai	3163
	Simbarashe Hilary	Independent	3025
		% Poll	46.46%
Mutoko South	Gwatidzo Fungai	UPP	200
	Gweshe Silas	MDC Tsvangirai	2897
	Muchena Olivia Nyembezi	ZANU PF	10795
	Mushore Alois	MDC	762
		% Poll	54.24
Mudzi South	Kadera John	MDC	2735
	Kanomakuyu Milton	MDC Tsvangirayi	2735
	Mariwo Chamanga	UPP	182
	Navaya Eric	ZANU PF	8202
		% Poll	50.31
Mudzi North	Chokumanyara Enock	UPP	329
	Jombo Charowa Jimmy	MDC Tsvangirayi	6593
	Kachepa Newton	ZANU PF	8041
		% Poll	48.37
Mudzi West	Chengahomwe Simon	MDC Tsvangirayi	2408
	Dziike Oswell	MDC	953
	Gonye Wilson	UPP	163
	Katsande Aqualinah	ZANU PF	9407
		% Poll	51.22
Seke	Chiota Phineas Chivazve	ZANU PF	7337
	Mamombe Admore	MDC	1371
	Mazuru Mathias	MDC Tsvangirayi	4238
	Savanhu Barney Mapondera	Independent	295
		% Poll	44.95

Uzumba	Mudarikwa Simbaneuta	ZANU PF	13396
	Machinga Florence	MDC Tsvangirayi	2156
	Pairemanzi Simbarashe	MDC	814
		% Poll	50.61
Maramba-Pfungwe	Chimunhu Chengetenai	MDC Tsvangirayi	1947
	Masunika Dumisani	Independent	426
	Musvaire Washington	ZANU PF	14916
		% Poll	
Wedza North	Munjeyi Gibson	ZANU PF	6267
	Mutandwa Thomas	MDC Tsvangirayi	3586
		% Poll	41.13
Wedza South	Goto Rosemary	ZANU PF	4478
	Muzhingi Stella Fadziso	MDC Tsvangirayi	4188
	Mujeyi Edmond	Independent	647
		% Poll	40.55

MASHONALAND WEST PROVINCE

Constituency	Candidate	Party	Total Votes Cast
Chegutu East	Shamu Webster Kotiwani	ZANU PF	9222
	Makeleni Moreblessing	MDC	1218
	Konjana Gift Machoka	MDC Tsvangirai	2724
		% Poll	39.77
Chegutu West	Mafa John	ZANU PF	3713
	Matibe Takalani Prince	MDC Tsvangirai	6772
	Ngwenya Tagwireyi	MDC	750
		% Poll	40.26
Norton	Musumbu Edward	MDC Tsvangirai	6070
	Mutsvangwa Christopher Hatikure	ZANU PF	4516
	Gumede Lister	MDC	946
		% Poll	41.44
Mhondoro – Mubaira	Nguni Sylvester Robert	ZANU PF	6906
	Monera Christopher	MDC	1702
	Kaungwa Bright	MDC Tsvangirai	5076
		% Poll	44.18
Hurungwe North	Gudo Maireva	MDC	932
	Mukuwatsine Stanford	MDC Tsvangirai	2928
	Chanetsa Peter Tapera	ZANU PF	5639
		% Poll	37.23
Hurungwe Central	Beremauro Godfrey	ZANU PF	4997
	Haurobi Biggie H.	MDC Tsvangirai	1399
	Gumbo Godfrey Munhuwei	MDC	494
		% Poll	26.10%
Hurungwe East	Mahoka Sarah	ZANU PF.	9465

	Mugarisanwa Temba Chamunoda	MDC Tsvangirai	1573
		% Poll	36.35
Magunje	Ndambakuwa Franco	ZANU PF.	4587
	Mutsunge Timothy	MDC Tsvangirai	4264
	Mbonga Pundayi	UPP	294
	Murodza Augustine	MDC	1609
		% Poll	39.82
Hurungwe West	Boni Mary Stella	ZANU PF	4203
	Ngandini Edgar	UPP	413
	Chambati Tall Severino	MDC Tsvangirai	5582
		% Poll	37.67
Sanyati	Matore Edgar	MDC Tsvangirai	3346
	Chaderopa Fungai	ZANU PF.	6415
	Kadhlela John	Independent	210
	Dhliwayo Chikomborero	MDC	1002
		% Poll	47.38
Mhondoro – Ngezi	Mangwiro Rombo	MDC Tsvangirai	5689
	Matonga Bright	ZANU PF.	7191
		% Poll	48.03
Chakari	Chakabvapasi Moscow	MDC (Tsvangirai)	2595
	Ziyambi Zachariah Wurayayi	ZANU PF.	8543
		% Poll	46.95
Muzvezve	Haritatos Peter	ZANU PF.	7742
	Makosa Ketayi	MDC Tsvangirai	3906
		% Poll	45.13
Kadoma Central	Phiri Fani Phanuel	ZANU PF.	2738
	Matamisa Editor E.	MDC Tsvangirai	8180
		% Poll	37.22
Kariba	Mundiya Jairos	UPP	486
	Makiyi Elizabeth	MDC	1382
	Machacha Cleopas	MDC Tsvangirai	7090
	Mackenzie Isaac	ZANU PF.	5502
		% Poll	44.66
Mhangura	Kagoti Clever	MDC	713
	Mombeshora Douglas T.	ZANU PF	11042
	Zungura David	MDC Tsvangirai	1647
		% Poll	43.50
Makonde	Paradza Kindness	Independent	2928
	Mhlani Sibangilizwe	MDC	709
	Kapesa Risipa	ZANU PF.	6526
	Karemba Jefat	MDC Tsvangirai	1254
		% Poll	38.57
Chinhoyi	Fombo Enock	UPP	115
	Mgijima Sibongile Philda	MDC	846
	Garadhi Stewart	MDC Tsvangirai	6995

	Chimuka Bowas	Independent	263
	Sikanyika Robert	ZANU PF.	3512
		% Poll	39.94
Zvimba North	Mudimu Ernest	MDC Tsvangirai	1701
	Chombo Ignatius M.C.	ZANU PF.	6784
	Magama Shelton	MDC	944
		% Poll	35.60
Zvimba East	Mutsvangwa Joseph	MDC Tsvangirai	3554
	Zhuwao Patrick	ZANU PF.	5197
		% Poll	32.32
Zvimba West	Danda Knox Solomon	MDC Tsvangirai	3801
	Samukange Nelson Tapera C	ZANU PF	7281
		% Poll	41.48
Zvimba South	Chinanzvavana Concilia	MDC Tsvangirai	2907
	Chidakwa Kufakunesu Walter	ZANU (PF)	6752
		% Poll	35.87

MASVINGO PROVINCE

Constituency	Candidate	Party	
	Mutsauri Walter	ZANU PF	5373
Bikita East	Marima Edmore	MDC Tsvangirai	7784
	Makaza Matthew	Independent	444
		% Poll	46.76
	Gumbere Luka	Independent	299
Bikita South	Makonya Wilson	ZANU PF	5284
	Varandeni Jani	MDC Tsvangirai	6916
		% Poll	42.18%
	Musakwa Elia	ZANU PF	7029
Bikita West	Shoko Heya	MDC Tsvangirai	7048
		% Poll	46.52%
	Tafamba Onilia	PAFA	336
Chiredzi North	Ndava Ronald	ZANU PF	18413
	Mutambu John	MDC Tsvangirai	2679
		% Poll	58.03
	Baloyi Ailess	ZANU PF	5147
Chiredzi South	Zanamwe Nehemiah Samuel	MDC	1271
	Chirove Joseph	MDC Tsvangirai	2205
		% Poll	33.49
	Musareva Earnest	PAFA	67
	Samson Aliginia	ZANU PF	4542
	Mungwadzi Godfrey	Independent	619
Chiredzi West	Mashiri Robson	MDC	565
	Mare Moses	MDC Tsvangirai	6259

		% Poll	36.43%
Chiredzi East	Mafamu Dennis	PAFA	159
	Sithole Abraham	ZANU PF	5593
	Chingombe Samson	MDC	1122
	Chirhomo Walter	MDC Tsvangirai	2267
		% Poll	34.69
Chivi Central	Mangwana Munyaradzi Paul	ZANU PF	8228
	Mukwidzi Tinashe	Independent	452
	Chivhanga Henry	MDC Tsvangirai	6471
		% Poll	48.62
Chivi North	Huruba Tranos	ZANU PF	6567
	Tabe Ropafadzo	Independent	309
	Makokisi Solomon	MDC	1201
	Chiondegwa Bernard	MDC Tsvangirai	4678
		% Poll	46,87
Chivi South	Zivurawa Sabelo	Independent	379
	Dzingirayi Ivane	ZANU PF	7778
	Zivuku Benson	UPP	408
	Chengeta Steven	MDC Tsvangirai	4234
		% Poll	38.91
Gutu Central	Matuke Lovemore	ZANU PF	4767
	Chirume Oliver	MDC Tsvangirai	6398
		% Poll	45.30
Gutu East	Chikwama Bertha	ZANU PF	4688
	Revai Tichaona	Independent	277
	Makamure Ransome	MDC Tsvangirai	6306
	Magumise Johnson	Independent	231
		% Poll	47.07
Gutu North	Machinya Frank	ZANU PF	4343
	Maramwidze Edmore Hamandishe	MDC Tsvangirai	5045
		% Poll	43.64%
Gutu South	Mahofa Shuvai Ben	ZANU PF	3559
	Muchovo Benaya	MDC	1570
	Mukonoweshuro Eliphas	MDC Tsvangirai	5757
	Marandure Jacob	Independent	334
		% Poll	43.33
Gutu West	Mandebvu Noel Tarirai	ZANU PF	5054
	Masanganise Mutero Johane	ZANU PF	2384
	Manguma Stanley	MDC Tsvangirai	4082
		% Poll	49.49
Masvingo Central	Magogo Andrew	Independent	1255
	Mhere Edmond	ZANU PF	4790
	Mukwazhe Munodei Kisinoti	ZDP	289
	Chitando Jeffereson	MDC Tsvangirai	4905

	Mutume Mike	UPP	250
		% Poll	41.72
Masvingo North	Mudenge Isack Stanislaus	ZANU PF	4799
	Chidoda Alois Makamure	UPP	333
	Sitemere Wilstaff	MDC Tsvangirai	4450
	Govo Simbarashe	Independent	760
		% Poll	44.41%
Masvingo South	Chinoda Willington	Independent	500
	Mzembi Walter	ZANU PF	6365
	Matongo Lovemore	MDC Tsvangirai	3707
		% Poll	39.43
Masvingo Urban	Mudzumwe Jobert	MDC	440
	Omar Joosbi	ZANU PF	4135
	Muzenda Ray	Independent	390
	Masekesa Lucia	MDC Tsvangirai	544
	Matutu Tongai	MDC Tsvangirai	9162
	Tavarera Tinashe	UPP	151
		% Poll	44.34
Masvingo West	Mbudzi Kudzai Sevias	Independent	917
	Mbetu Jabulani	ZANU PF	4122
	Maradza Tachiona	MDC Tsvangirai	4513
	Shava Jephias	UPP	136
		% Poll	43.66
Mwenenzi East	Bhasikiti Kudakwashe	ZANU PF	9698
	Murambwe Ananias	MDC Tsvangirai	2477
	Chidlamakonho Tavengwa	Independent	588
		% Poll	42.44
Mwenenzi West	Masukume Neddie Pilot Sacks	ZANU PF	12636
	Tedeous Douglas	MDC	1577
		% Poll	42.54
Zaka West	Chekero Moses	PAFA	347
	Muzenda Wellington	Independent	307
	Makonese Faith Ruvimbo	ZANU PF	4030
	Dumbu Festus	MDC Tsvangirai	4734
		% Poll	42.97
Zaka Central	Rufurwokuda News	Independent	289
	Mahora Leonard	MDC	1255
	Mudzuri Harison	MDC Tsvangirai	5972
	Tachiona Nyaradzo	ZANU PF	4974
		% Poll	44.26
Zaka East	Bataisai Zivai	PAFA	327
	Mukanduri Samson Tapera	ZANU PF	4953
	Chikwanda Jestiyas Shadreck	MDC Tsvangirai	4053
		% Poll	41.26%
Zaka North	Chivore Boniface	ZANU PF	4873

	Mudavanhu Ernest	MDC Tsvangirai	7313
	Mazorodze Shepherd	Independent	490
		% Poll	43.49

MATABELELAND NORTH PROVINCE

Constituency	Candidate	Party	
Binga North	Mudimba Joe	ZANU PF	2946
	Sibanda Nene Patrick	MDC Tsvangirai	16335
		% Poll	59,01
Binga South	Gabhuza Joel Gabbuza	MDC	9818
	Mudenda Andrew Muzuwane	ZANU PF	1766
	Tshuma Sikhumbuzo	Independent	2136
		% Poll	49,66
Bubi	Goosen Alex Peter	MDC	3755
	Jourbert David Andrew	MDC Tsvangirai	2334
	Sibanda Clifford Cameroon	ZANU PF	7413
		% Poll	41.92
Umguza	Masuku Edmond Lulindo	MDC	2120
	Mbayiwa Conelius	MDC Tsvangirai	2846
	Mbayiwa Mark	Independent	555
	Mpofu Obert Moses	ZANU PF	7065
	Ngulube C Masotsha	UPP	226
		% Poll	38,60
Hwange East	Mapfuwa Spiwe	ZANU PF	3320
	Moyo Valleta	MDC	2387
	Sansole Tose Wesley	MDC Tsvangirai	5140
		% Poll	49,93
Hwange Central	Dube Reeds	ZANU PF	1396
	Morgan Komichi	MDC Tsvangirai	1556
	Sansole Jealous	MDC	1276
	Tshuma Brian	MDC Tsvangirai	3226
		% Poll	41.05
Hwange West	Dube Grace	ZANU PF	2840
	Mabhena Gift	MDC Tsvangirai	6318
	Sibindi Thembikosi	MDC	3561
		% Poll	50,04
Lupane East	Mguni Njabuliso	MDC	5424

	Mhlanga Kenneth Khiwa	MDC Tsvangirai	1352
	Ndlovu Girls	ZANU PF	3368
		% Poll	40,11
Lupane West	Khumalo Martin	ZANU PF	3311
	Ncube Vigilance	MDC	3044
	Ndlovu Sylvester	MDC Tsvangirai	2005
		% Poll	37.09
Nkayi North	Mlilo Thembinkosi	MDC Tsvangirai	1075
	Moyo Talent	MDC	4234
	Ncube Mhlonipheki	FDU	687
	Nyoni Sithembiso G.G.	ZANU PF	4634
	Sigawuke Siqongweni	UPP	172
		% Poll	41.87
Nkayi South	Bhebhe Abednico	MDC	5958
	Mguni Tshata	ZANU PF	3198
	Sithole Agrippa	MDC Tsvangirai	1478
		% Poll	38,75
Tsholotsho North	Dube Alice	ZANU PF	2085
	Moyo Jonathan Nathaniel	Independent	3532
	Ncube Mgezelwa Robert	MDC	3305
		% Poll	32,45
Tsholotsho South	Dube Maxwell	MDC	5651
	Sibanda Zenzo	ZANU PF	3328
		% Poll	29,86

MATABELELAND SOUTH PROVINCE

Constituency	Candidate	Party	
Beitbridge East	Kembo C.D Mohadi	ZANU PF	4741
	Muranwa Siphuma	MDC Tsvangirai	2194
	Ncube Lovemore	MDC	1111
		% Poll	28.35
Beitbridge West	Metrine Mudau	ZANU PF	4239
	Mukwena Petros Tukishi	MDC	1278
	Tshili Enos Chibi	MDC Tsvangirai	1520
		% Poll	32.14
Gwanda Central	Bhebhe Mtokozi Donald	MDC Tsvangirai	1354
	Dube Patric	MDC	4323
	Margarine Khumalo	ZANU PF	3340
	Magomatema Sibanda	Independent	657
	Ncube Gift	PUMA	94

		% Poll	40.77%
Gwanda South BY-ELECTION	Makwati Glory Joseph Tlou	MDC	By- Election
	Mdlongwa Nephath	MDC	
	Mliilo Orders Shakespeare	ZANU PF	
		% Poll	
Gwanda North	Matutu Leonard	ZANU PF	3273
	MnkandlaThandeko	MDC	3645
	Sibanda Beki	MDC Tsvangirai	2509
		% Poll	41.61
Insiza North	Dube Leslie	MDC Tsvangirai	1595
	Langa Andrew	ZANU PF	6733
	Moyo Qhubani	MDC	2361
		% Poll	45.65
Insiza South	Hove Patrick	ZANU PF	4006
	Moyo Petros	PUMA	179
	Ncube Siyabonga	MDC	5252
	Tshuma Robert	MDC Tsvangirai	890
		% Poll	41.14
Matobo North	Dube Kotsho L.	ZANU PF	3102
	Moyo Lovemore	MDC Tsvangirai	3503
	Ndlovu Albert	MDC	1566
	Sibanda Marvellous	Independent	432
		% Poll	37.32%
Matobo South	Ndebele Gabriel	MDC Tsvangirai	3226
	Nkomo Nicholas	ZANU PF	2858
	Sibanda Clemency	MDC	1452
		% Poll	32.42
Umzingwane	Damasane Sipambekile E Abigal	ZANU PF	4357
	Khumalo Nomalanga Mzilikazi	MDC	5739
	Moyo Sibusiwe	MDC Tsvangirai	1689
		% Poll	36.20
Bulilima East	Mpofu Norman	MDC	3180
	Ndlovu Mathias Siqhoza	ZANU PF	3104
	Themba Ndlovu Phikeleli	MDC Tsvangirai	2181
		% Poll	23.61
Bulilima West	Ndlovu Moses	MDC	396
	Ndlovu Ready	MDC Tsvangirai	1658
	Nleya Lungisani	ZANU PF	3359
		% Poll	32.40
Mangwe	Moyo Mkhosi Edward Tshotsho	MDC	3928
	Ncube Luke Daniel	MDC Tsvangirai	2294
	Ncube Mafesi Rolendi	ZANU PF	2627
		% Poll	26.74

MIDLANDS PROVINCE

Constituency	Candidate	Party	
Chirumhanzu-Zibagwe	Dzingisai Thomas Michael	MDC Tsvangirai	894
	Fika Edward	MDC	406
	Masendeke Mudavanhu F	MDC Tsvangirai	1548
	Munangagwa Emmerson D	ZANU PF	9645
		% Poll	50.72
Chirumhanzu	Chimahwinya Anthon Urayai	MDC Tsvangirai	4219
	Hotera Svondo Michael	MDC Tsvangirai	1319
	Maramba Phares Hakuna	ZANU PF	4613
	Munhende George	MDC	1021
		% Poll	41.99%
Gokwe-Nembudziya	Buka Flora	ZANU PF	8650
	Mahachi Josphat	MDC	704
	Mbiriza Kizito	MDC	5396
	Muguti Noel	MDC Tsvangirai	1071
		% Poll	55.37
Gokwe-Chireya	Kanyayi Kenneth	Independent	786
	Masiyiwa Chemist	MDC	1160
	Sango Ronias	MDC Tsvangirai	3983
	Sindi Cephas	ZANU PF	10166
		% Poll	56.22
Gokwe-Kabuyuni	Chikomba Leonard	ZANU PF	7156
	Muguti Costin	MDC Tsvangirai	7234
		% Poll	49.86
Gokwe-Gumunyu	Magaya Farai	MDC	1502
	Chemhere Lovemore	MDC Tsvangirai	3649
	Mushoriwa Ephrem	ZANU PF	6594
		% Poll	50.15
Gokwe	Ganyani Linet	MDC Tsvangirai	4533
	Mangami Dorothy	ZANU PF	5570
	Penduka Limmu	MDC	1273
		% Poll	47.86
Gokwe Sengwa	Siachingoma Bernard	MDC	1196
	Mteto Cowboy	MDC Tsvangirai	3835
	Sai Shaddy	ZANU PF	7063
		% Poll	47.57
Gokwe Sesame	Maposhere Darcus	ZANU PF	8849
	Mangena Cliffet	MDC Tsvangirai	8281
		% Poll	51.07%
Gokwe Kana	Gwatiringa Boniface	MDC	1456
	Muteto Freeman	MDC Tsvangirai	4898
	Ngwenya Busy	ZANU PF	5837
		% Poll	42.12

Gokwe Mapfungautsi	Mudzingwa Walter	Independent	501
	Mupukuta Lovemore	ZANU PF	8005
	Mutsananguri Owen	MDC	1590
	Nyoni Misheck	MDC Tsvangirai	4814
	Ruhwaya Admire	Independent	489
		% Poll	46.74
Zhombe	Ncube Daniel Mackenzie	ZANU PF	5122
	Nyathi John Edson	MDC	2289
	Tazviona Rodger	MDC Tsvangirai	5445
		% Poll	40.55
Silobela	Chidhakwa Givemore	Independent	527
	Ndebele Thomas Themba	Independent	935
	Sibanda Charles	MDC	679
	Sibanda Godwin	MDC Tsvangirai	642
	Sululu Anadi	MDC Tsvangirai	4624
	Tapfuma Douglas	ZANU PF	4137
		% Poll	40%
Redcliff BY-ELECTION	Chinhara Aaron	MDC	BY- ELECTION
	Makaha Ignatius	ZDP	
	Malinga Mate Abedinigo	MDC	
	Moyo Anastasia	Independent	
	Muza Isheunesu	ZANU PF	
	Sengweni Tapera	MDC Tsvangirai	
		% Poll	
Mbizo	Chikwinya Settlement	MDC Tsvangirai	6006
	Gore Peter Remi	Independent	418
	Madziva Innocent	MDC	889
	Zhavairo Tafireyi Onesimo	ZANU PF	2454
		% Poll	38.38%
Kwekwe Central	Chebundo Blessing	MDC Tsvangirai	5081
	Chinamasa Million	Independent	51
	Kagwende Petros	MDC	664
	Matambanadzo Masango	ZANU PF	2501
	Nyarota Jethro Munhundiripo	Independent	286
		% Poll	35.89
Vungu	Gasela Renson	MDC	2160
	Madubeko Josephat	ZANU PF	4287
	Moyo Mark	MDC Tsvangirai	2518
	Sabola David	MDC Tsvangirai	1023
		% Poll	37.1
Mkoba	Chibaya Amos	MDC Tsvangirai	8590
	Machana Phillemon	Independent	373
	Mlambo Lyson	MDC	619
	Mudavanhu Anatolia Pfumbudzayi	ZANU PF	2334
	Nhidza Edson	Independent	158

		% Poll	37.93
Gweru Urban	Makombe Josiah	MDC Tsvangirai	2024
	Mukahlera Timothy Lancaster	MDC	687
	Rutsvara Rodrick	MDC Tsvangirai	4302
	Size Enos	ZANU PF	2836
		% Poll	33.82
Chiwundura	Chakara Perpetua	Independent	589
	Chivamba Kizito	ZANU PF	5864
	Marimazhira Therersa	MDC Tsvangirai	614
	Mutendeudzwa Sailas	MDC	816
	Zvidvai Sesel	MDC Tsvangirai	5320
		% Poll	41.30
Mberengwa East	Hlongwane Makhosini	ZANU PF	7292
	Shumba Tandiwe	MDC	616
	Shumba Tariro	MDC Tsvangirai	1251
		% Poll	42.04%
Mberengwa West	Gumbo Joram Macdonald	ZANU PF	5508
	Dube Gwatipedza	MDC Tsvangirai	2912
	Silape Calvin Trust	Independent	315
		Poll%	39.27%
Mberengwa North	Mangena Jabulani	ZANU PF	9722
	Hove Mfandaizda	MDC Tsvangirai	2352
		% Poll	46.85
Mberengwa South	Hove Mugeza	MDC Tsvangirai	1309
	Mlilo Sam	MDC	885
	Shirichena Ellina	ZANU PF	8291
		% Poll	37.36%
Shurugwi North	Marisi Mabasa Francis	MDC	1006
	Mchenje Sipiwe Muchaneta	MDC Tsvangirai	2052
	Mhaka Amon	MDC Tsvangirai	2012
	Nhema Chenayimoyo Distan Francis	ZANU PF	6453
		% Poll	44.56%
Shurugwi South	Mbengo Fenesi Frank	Independent	1946
	Muzondiwa Manners	MDC	754
	Ndhlovu Anastancia	ZANU PF	5068
	Ngugama Batsiranayi	MDC Tsvangirai	553
	Tembo Cosmas	MDC Tsvangirai	1977
		% Poll	47.55
Zvishavane Runde	Mavima Lawrence David	ZANU PF	9690
	Mudzingwa Denias	MDC	1415
	Nyoni Michael	MDC Tsvangirai	2010
		% Poll	45.28
Zvishavane Ngezi	Matshalaga Obert	ZANU PF	4632
	Mbalekwa Meeting Pearson	MDC Tsvangirai	3133

	Timveos Michael Costas	MDC Tsvangirai	3786
		% Poll	39.03%

APPENDIX 5

ZIMBABWE CATHOLIC BISHOPS' CONFERENCE

A Pastoral Letter On

Elections 2008:

Only When Power Stands under God's Blessing Can It Be Trusted

(Published on 16 December 2007)

1. Introduction

Dear Brothers and Sisters in Christ. Peace be with you. In August 2004 we published a pastoral letter in which we shared with you some Christian insights with regard to a credible electoral process for a responsible and accountable leadership. We want in the current pastoral letter to continue in the same vein to offer guidance to all peace loving Zimbabweans as we come towards combined elections in 2008. The Church's obligation to teach about moral values that should shape our lives, including our public lives, is central to its mission.

Past elections have been marred by controversy and violence. This time, we urge Government and all the contesting parties, to create a social, political and economic climate that enhances moral integrity. We urge those responsible for organizing the elections to establish a credible electoral process, whose outcome will be free and fair and with local and international recognition. The Church looks beyond political parties and derives its ethos from the eternal Kingdom of God, a kingdom of love, truth, justice, freedom and peace. The Church therefore aims to build the foundations here on earth of that Eternal Kingdom.

Individual Christians can make their own decisions as to which party comes closest to the Christian ethos. They have a right to join any party of their choice. Christians should become more involved in political life, running for office, working within political parties and communicating concerns to the elected officials. Voting should be guided more by one's moral convictions than by one's attachment to a political party or interest group. Christian voters should use the Christian Social Teaching to examine the views of the candidates on pertinent issues and should consider the candidates' integrity and their past or potential performance.

The Church respects each individual decision and this reality is evident in all our congregations composed of members belonging to all existing parties. However, within the party of their choice, Christians must act as salt, leaven and light. There must be "a firm commitment to justice and solidarity by each member of the people of God. Catholic professionals and teachers, businessmen and civil servants, lawyers and politicians are especially expected to bear witness to goodness, truth, justice and love of God in their

daily lives” (*Church in Africa*, Nos. 105 and 108). We recognize that the responsibility to make choices in political life rests with each individual in light of a properly formed conscience, and that participation goes well beyond casting a vote in a particular election.

2. Electoral System

In ‘The Zimbabwe We Want’ the Ecumenical Church Bodies stated that the electoral system is one of the pillars of the parliamentary democratic representative process. Elections and their management have become one of the key criteria for evaluating the extent to which a country has adopted the ethos and practice of democracy.

2.1 Electoral Process and Institutions

The electoral process provides an opportunity for the choice and installation of governments and the transfer of power in peaceful circumstances. In other words an electoral system is the vehicle that gives expression to the will of the people.

One of the most important electoral bodies is the Electoral Commission. It is vital that the Electoral Commission inspires confidence and protects the integrity of the process in the delivery of free and fair elections. The body must be impartial and not amenable to political or other pressure. Such a body must be the main custodian of the electoral process-the election campaign, access to media and media coverage.

Concerning the media we want to reiterate what we said in our August 2004 Pastoral Letter that both State and Independent media should fulfill their educative and informative roles in society. Press freedom is to be safeguarded in the interest of promoting the common good and promoting the human rights enshrined in the national constitution. The media should serve all sections of the society. All parties should have access to media coverage to explain their programmes.

We are concerned about the environment and atmosphere that prevails before, during and after elections. We therefore wish to recapitulate some of the important points from the 2004 pastoral letter, as later summarized by our Justice and Peace Commission for easier understanding, in *Responsible and Accountable Leadership*.

2.2 Before Elections

The environment before elections is critical and must be conducive to free and fair elections. People should be afforded ample time to register as voters at their own pace. There should be clearly designated registration offices, where it is easy for all to register. Long queues discourage some people from registering.

Political parties should not be provocative in their campaigns. All campaigns, therefore, should be peaceful and respectful of other parties, while challenging their stand and opinions on various issues. All Political parties should be free to campaign and have equal access to State resources in the form of media coverage, police protection, financial

subsidies, etc. Civil servants, in particular, are not party cadres and must render the all important and impartial civil service throughout the elections to ensure free and fair elections.

People should be free to attend party meetings of their choice. To promote informed choices, all those organizations concerned with civic education should team up to educate people about elections and encourage open-minded citizens. It is healthy for citizens to hold different political opinions and engage in rational disputation, while all the time respecting each other's dignity. Human dignity has its rooting in the dignity of God and must not be violated. We therefore call for tolerance among members of different political persuasions.

2.3 During Elections

As your Shepherds, we encourage you to vote in an atmosphere of peace. To neglect your duty to vote is to be irresponsible for you leave others to decide your future for you. Remember, it is good people who allow bad governments to get into power. Participation in political life in the light of fundamental moral principles is an essential duty of every Christian and all people of good will.

We appeal to the relevant authorities to make sure the electoral process is efficient and user friendly. Long queues discourage potential voters from voting. Monitors and observers help to create a free, fair and peaceful atmosphere. Zimbabwe should be proud to invite both local and international observers to witness to democracy in action.

2.4 After Elections

Be magnanimous in victory and gracious in defeat. Losing candidates and parties in a free and fair election do not find it difficult to accept defeat. Good losers are also peacemakers. Good losers also command respect. Losing parties become the opposition which can make use of their vote in Parliament to challenge government policies and performance through constructive criticism. Both opposition and government should have one common aim, which is the realization of the common good of the society.

All citizens and various institutions and organizations should, in the spirit of social solidarity help government and opposition parties by making their own contributions in national reconciliation and restoration. After elections, all citizens should join forces to build the Zimbabwe we all want. We appeal to all citizens to adopt a spirit of oneness and solidarity. Lack of solidarity increases the gap between the rich and the poor in the society. Pope John Paul II taught that, "Solidarity helps to see the "other..." not as some kind of instrument... to be exploited.... and then discarded, but as our neighbour to be made a sharer with ourselves in the banquet of life to which all are equally invited by God" (*Sollicitudo Rei Socialis*, 39).

3. Conclusion

We your Bishops have written this letter to you when our country is preparing for elections in 2008. As a nation we all belong to one family of God, who loves and cares for each one of us. Let us turn to him in fervent prayer as we prepare for the forthcoming elections and rebuild our nation. The psalmist reminds us: "If the Lord does not build the house in vain do its builders labour; if the Lord does not watch over the city in vain does the watchman keep vigil" (Ps 127, 1).

Let us use this time to pray for our nation privately and in our congregations. In our Parish Churches we share the story of world conversion and world unity, of persecution and new life, of triumphs and defeats, of saints and sinners. It is in our Parish Churches too that God's people have been baptized with parental hopes and joys, here they have been married with hopes for their own family and here, they have been buried with the promise of eternal peace. Let us converge at our Parish Churches in prayer as we prepare for the forthcoming elections. May the leaders we choose lead us in Godly ways. Jesus said, "I came so that they may have life and have it to the full" (Jn.10:10), and that includes Zimbabwe. As we choose our leaders, and they in turn govern us and engage the world, may the exercise constitute a win for Jesus, leading to love not hatred, life not death, justice not oppression, peace not violence, and prosperity not poverty. This is voting wisely that, like the biblical three wise men, we always choose, in each election, those leaders who enjoy God's blessing and will lead us in the direction that takes us to Jesus and to national well-being. Only when power stands under God's blessing can it be trusted.

We, therefore, invite all Christians to pray for our leaders and would be leaders in all sections of our society so that they may adopt Christlike leadership that is God fearing and respects human dignity. Every situation is an opportunity to observe and realize the intention of the Lord Jesus Christ when he says, "You shall love the lord, your God, with all your heart and all your soul, and with your entire mind. This is the greatest and first commandment. The second is like it: You shall love your neighbour as yourself," (Mt.22:37-39). May the electoral process of 2008 bring us a national rebirth and help us to grow in the love of God and neighbour, as Zimbabwe regains its rightful place among the nations of the world.

**Merry Christmas and A Happy New Year.
God Bless You All.**

+Robert C. Ndlovu, Archbishop of Harare	ZCBC President)
+Angel Floro, Bishop of Gokwe	(ZCBC Vice President)
+Alexio Churu Muchabaiwa, Bishop of Mutare	(ZCBC Secretary/Treasurer)
+Michael D. Bhasera, Bishop of Masvingo	
+Martin Munyanyi, Bishop of Gweru	
+Dieter B. Scholz SJ, Bishop of Chinhoyi	
+Albert Serrano, Bishop of Hwange	
+Patrick M. Mutume, Auxiliary Bishop of Mutare	
Very Rev. Monsignor Martin Schupp, Apostolic Administrator of Bulawayo	

APPENDIX 6

Press Statement
Number 01/08
8 February 2008

CONCERNS FOR URGENT ATTENTION ON THE FORTHCOMING HARMONISED ELECTIONS

We, the Catholic Commission for Justice and Peace in Zimbabwe (CCJPZ) inspired by the Social Teachings of the Church, and also advocating the upholding of the dignity of all people in our country note with grave concern the following:

- a) The prevailing electoral environment is not conducive to free and fair elections in that, the voter registration process and requirements are cumbersome and thereby limiting full participation of all citizens. In some areas voter registration was not adequately done. We are aware of the amendments made, but in reality the situation is still the same as it was before the amendments.
- b) That there has been inadequate preparation and voter education on the electoral process in the new harmonized elections such that confusion continues to exist today as to the manner in which such elections will be conducted. We would like to remind the relevant authorities and the citizens that elections are a process and not a once off event.
- c) That, the elections are going to be held in March 2008, there is not enough time for various political parties to roll out their campaign programs. That the known month of election which is March, which was compromised by the talks that were taking place in South Africa, parties and people would need more time to prepare.
- d) That with only one and half months to the election the public still remains unclear on the delineated boundaries of their constituencies, wards, the contesting candidates and the parties which will contest.
- e) The appointment and composition of the electoral body, the Zimbabwe Electoral Commission (ZEC) is illegal after the amendment. We strongly recommend that the old ZEC be dissolved with immediate effect and a new one be appointed in terms of the new law.

- f) That over three million eligible voters living in the Diaspora are disenfranchised yet they contribute significantly to the country's economic and social development.
- g) Those legislative enactments e.g. The Public Order and Security Act (POSA), The Access to Information and Protection of Privacy Act (AIPPA) continue to be an obstacle to the freedoms required for the preparation and conduct of a free and fair election even after the many much diluted amendments.
- h) That contrary to the past elections, ethical responsibility on the part of the public media demands that political parties and candidates be accorded adequate and equal space to its resources. The public media should be open in good time for all players and all should conduct their business in good faith.

We appeal to all the relevant authorities and other stakeholders to adhere to the SADC Principles and Guidelines Governing the Holding of Democratic Elections in letter and in spirit.

ENDS! 8 February 2008

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The Catholic Commission for Justice and Peace in Zimbabwe (CCJPZ) is a Commission of the Zimbabwe Catholic Bishops' Conference. It was established in 1972 in response to the Holy Father's call to Bishops' Conferences throughout the world to establish such commissions. The CCJPZ is affiliated to the Pontifical Commission for Justice and Peace in the Vatican and has active contacts with sister Commissions in other countries as well as other development, justice and human rights organizations outside the church. The Commission's aim is to spread the Gospel message of liberation, hope and to exercise the Church's preferential option of the poor. In conveying the social teachings of the church, particular emphasis is placed on situating these teachings in the local context.

APPENDIX 7

PRESS STATEMENT No 2/08

Harmonised Joint Elections March 29, 2008

Press Release March 28 2008

The Catholic Commission for Justice and Peace in Zimbabwe (CCJPZ) notes that nearly six million Zimbabweans will be, for the first time in their political history, holding complex and simultaneous presidential, legislative (House of Assembly and Senate), and local government elections and all on the same day (March 29, 2008) and under new regulations. The new rules are partly in conformity with the 2004 SADC Principles and Guidelines Governing Democratic Elections - to which Zimbabwe is a signatory – as well as a product of the SADC-mediated talks between the ruling ZANU-PF and opposition MDC. On February 8, 2008 the CCJPZ issued a press statement raising “concerns for urgent attention on the forthcoming harmonised elections.” Regrettably, little has been done to address those concerns and, since then, more grave concerns have surfaced.

As in 2005, the CCJPZ recognizes and welcomes the considerable progress made in improving the political and electoral playing ground. This has contributed significantly to the relaxed electoral terrain and a far less repressive campaign climate than in other elections since 2000. We particularly welcome the following:

- The amendments (albeit limited) to contentious statutes notably the Public Order and Security Act (POSA), Access to Information and Protection of Privacy Act (AIPPA), the Electoral Act and the Broadcasting Services Act (BSA) that received bi-partisan support in December 2007. The spirit of the SADC talks led by President Thabo Mbeki helped in partially dissolving the chronic suspicion and distrust between the ruling ZANU-PF and the opposition MDC and has contributed to the improved political climate.
- Pronouncements by various political leaders exhorting their supporters to refrain from violent political campaigns and the considerable extent to which these calls have been observed. As a consequence, throughout the country, the political atmosphere for the upcoming elections has been significantly more

conducive than at any time in the post-2000 period. All political parties and candidates have largely been able to campaign freely, communicate their political messages without undue hindrances and their supporters have tolerated each other remarkably well. This is as things should be. The police force has by and large conducted itself in a professional manner with senior police officers assuring voters that they will adopt a “zero tolerance” approach to political violence. Most contestants have expressed satisfaction with the conduct of the police.

- The consolidation of electoral agencies and functions in the Zimbabwe Electoral Commission (ZEC) unlike in 2005 when several electoral bodies existed, with overlapping functions and causing unnecessary confusion among all stakeholders.
- The extension of the voter inspection exercise from the initial 1-7 February to 15 February 2008.
- The significant improvement in media coverage in the last two weeks of campaigning though this should have been done much earlier to ensure a level playing field.

While welcoming the above positive developments, CCJPZ however expresses grave concern at the following:

- The apparent impotence of designated electoral institutions to do their job with confidence, autonomy and impartiality. This is with particular reference to the Electoral Court and ZEC. In mid-March, the Electoral Court turned down an application by one of the opposition faction seeking an order compelling election authorities to: (a) disclose information pertaining to the number of ballot papers printed for the elections; (b) order ZEC to disclose the identity of the firm contracted to print ballot papers; (c) allow inspection and auditing of ballot papers; and (d) order ZEC to increase the number of polling stations in urban areas. The Electoral Court claimed it had no jurisdiction to hear the matters when in fact it was created to adjudicate on electoral matters. Fair minded Zimbabweans found this judgement baffling.
- We also highlight the reluctance of ZEC to clarify the inconsistencies in the Electoral Act regarding circumstances surrounding a Presidential run-off. Section 110 (3) of the Electoral Act allows for a run-off within 21 days if none of the candidates emerges with clear majority of the total number of valid votes cast while as Section 3 (1) of the second schedule of the same Act says the candidate with a plurality of votes – and not necessarily a majority of the votes – should be declared the winner.
- As many observers have noted, this inconsistency has great potential to not only cause confusion but bitter disputes if none of the candidates achieves at least 51% of the valid votes cast. This confusion can easily be avoided by a prompt and decisive interpretation that guides all stakeholders.
- The breach of procedural consensus on aspects of the administration of elections. Particularly worrisome is the role of the so-called National

Command Centre, an agency which does not appear in the governing electoral law, and which not only operates in an opaque way but is staffed largely by military officers. The place of the Command Centre is especially critical given the controversial announcement by ZEC, and which some players contend is illegal, to have the results of the presidential election announced at the Command Centre. The law prescribes counting of ballot papers for candidates in each of the elections to be done at the polling stations and the results displayed on the door of the polling station as public notices. CCJP is gravely concerned at this vitiation of the law and which has the effect of casting doubt on the results.

- We are also acutely concerned at the unilateral amendment under the controversial Presidential Powers (Temporary Measures) Act of the Electoral Act which had the effect of abolishing a new electoral provision enacted in January as one of the fruits of the SADC negotiations and which excluded police from being present in polling stations. Under the Statutory Instrument, “police officers on duty” are now allowed to be present in a polling station to assist illiterate and disabled voters.
- Electoral Act failed to clearly distinguish between functions of the ZEC and of the Registrar General’s office. The former is meant to maintain the voters roll but the latter retains responsibility for registration giving rise to a “recipe for confusion.” The Electoral Act should have transferred management of all electoral processes to the ZEC, including management of the voters roll.
- Mobile voter registration exercises, voter education, and inspection of voters roll were all characterised by logistical problems. Many voters and communities were not aware of voter registration or inspection exercises.
- Even in the last two weeks of campaigning, Government and the ruling party continued to retain tight control of television and radio, which they sometimes used to threaten and insult political opponents. CCJPZ noted the bias, inequality and unfairness of the reporting of elections in favour of the ruling party.
- The controversial Media and Information Commission (MIC) was also to have been reconstituted and renamed Zimbabwe Media Council but there appeared to be little time for this. Similarly, ZEC which was given the added responsibility of delimiting parliamentary constituency and council ward boundaries did not finalise its work until 17 January 2008. Only one copy of the report was presented in Parliament and the legislature adjourned before it could debate the report. This whole fast-tracked process generated accusations – valid or not - of gerrymandering electoral districts by ZEC on behalf of ZANU-PF.
- Declarations by various security chiefs – the Commissioner-General of Police, the Commander of the Defence Forces and the Commissioner of Prisons – to the effect that they would not recognise the election of any one other than the incumbent as president of the country. Such inflammatory statements raise

tensions and have the clear effect of intimidating the voting public. In a democracy, it is not the function of security forces to veto the will of the people and CCJPZ regrets that ZEC was unable or unwilling to sanction such conduct.

- Reported abuse of state resources manifested in alleged politically motivated distribution of food aid in the midst of widespread scarcities. We also noted the manipulation of traditional and community leaders for partisan purposes and the patronage uses of farming inputs and equipment under the guise of the farm mechanisation programme.
- There was late and inadequate voter education. The law allows the monopolisation of voter education in the ZEC except for activities by NGOs sanctioned by ZEC. Many voters might fail to cast their ballots because of the redrawing of constituency and ward boundaries and new voting procedures, including ward-based voting. Efforts by other civic bodies to complement ZEC's work were frustrated which barred these organisation –including the Zimbabwe Election Support Network – from carrying out voter education. As a result, we fear the chaos that is likely on voting day with confusion reigning, many spoilt papers and widespread disenfranchisement. We are afraid that many eligible voters lack information about where and how to cast their ballots in four-tier elections and under rules different from previous elections.
- The inexplicable variance in the allocation of polling stations between urban and rural constituencies. The skewed distribution has resulted in far fewer voting stations in urban compared to rural areas. Polling stations in urban areas will be responsible for more than three times the number of registered voters as polling stations in the rural areas.
- CCJPZ is also disturbed by reports attributed to ZEC that it may take several days before the election results are announced because of the difficulties of tabulating and tallying the results.
- The state of the voters roll, the alleged printing of 600 000 postal votes and an order to print 9 million ballot papers when the total number of registered voters according to ZEC was 5,9 million people raises eyebrows on the motive.

In conclusion, the token amendments to the electoral laws and the grave issues that the Commission has raised renders the poll not being able to express the will of the electorate. We are however hopeful that all voters that are registered should be allowed to cast their ballots. We urge all to remain calm after the poll announcement and peacefully manage any disputes. ENDS!

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APPENDIX 8

PRESS STATEMENT No 3/08

INTERIM REPORT BY ON THE 29 MARCH 2008 HARMONIZED ELECTIONS IN ZIMBABWE

Introduction

Since independence in 1980, the Zimbabwe Catholic Bishops' Conference (ZCBC) through the Catholic Commission for Justice and Peace in Zimbabwe (CCJPZ) has observed local, parliamentary and presidential elections in Zimbabwe. This is part of the Church's contribution to the search for genuine and sustainable peace that is anchored in justice. It is in this spirit that the ZCBC applied and was granted permission by the Ministry of Justice, Legal and Parliamentary Affairs and the Zimbabwe Electoral Commission (ZEC) to observe the 29 March 2008 elections to elect the President, members of the House of Assembly, Senators and local councillors. In carrying out its work, CCJP under ZCBC was guided by the *SADC Principles and Guidelines Governing the Holding Democratic Elections*. As a signatory, Zimbabwe should adhere to the following principles in the conduct of democratic elections:

- Full participation of the citizens in the political process;
- Freedom of association;
- Regular intervals for elections as provided by the respective National Constitutions;
- Equal opportunity for all political parties to access the state media;
- Equal opportunity to exercise the right to vote and be voted for;
- Independence of the Judiciary and impartiality of the electoral institutions; and
- Voter education.

CCJPZ has issued two pre-election press statements in which it highlighted some deficiencies in the electoral preparations. This Interim Report is a follow up to those statements and covers the period up to initial announcement of results.

Immediate Pre-Election Period

CCJPZ under ZCBC was accredited on 4 March 2008 and was therefore able to observe the immediate pre-election period, the polling itself and the period immediately thereafter including announcement of first results.

We observed that despite significant improvements in the fortnight preceding elections in access to the public media by political parties and candidates, the ruling party continued to enjoy much more and better coverage than other parties. This was especially the case with the public print media where up to polling day (29 March) ZANU-PF continued to get more and positive coverage whereas the opposition parties and candidates were subjected to negative coverage. There were also reports by one of the presidential candidates that the state print media refused to flight its advertisements for unexplained reasons. This vitiates the principle of equal opportunity to access to the state media.

It was also disquieting to note that on the eve of voting day (28 March) all the security forces chiefs addressed a joint press conference at which they threatened to crush post-election protests by the opposition. In the context of and combined with a heavy display of force by the military on 27 March 2008 in Harare streets and previous statements by some service chiefs that they would not recognise “puppets” and “agents” of the West if they were elected to the presidency, this had the effect of intimidating potential voters to vote in a particular way or to discourage them from voting.

Irregularities on the electoral roll were also discovered on the eve of polling with as many suspicious names in some constituencies. For instance, about 8 000 residents were on the roll for one Harare ward that turned out to be a large, empty field. This raises serious concerns about the credibility of the voters register. The state of the voters roll is a perennial problem that however seems to be a low priority area on the part of Government. A related and equally persistent problem is the failure by the election authorities to comply with the law in respect of providing contesting opposition parties and candidates an electronic copy of the electoral register.

CCJPZ regrets the selective invitations to foreign observers. Invitations were restricted to what Government regarded as “friendly” countries and organisations. Some European countries were not invited to observe the elections except for the countries represented in Zimbabwe whose staffs were accredited to observe the polls. This was also the case with the so called “unfriendly” journalists and media houses from but this ban also extended to even some ‘undesirable’ media from SADC, e.g. e-TV from South Africa. This discrimination is very damaging for a country that wants to project a good image of itself in the international community as it gives the impression that the Government has something to hide.

Reports from our observers indicate ballot boxes (transparent and not wooden) were despatched in time at all polling stations. Other polling materials were in place by the time of voting.

Polling Day

It is gratifying that at all but a few polling stations, polling began at the stipulated time of 0700 am. However, at a few polling stations, voting was delayed.

Our observers noted that voting proceeded smoothly in most rural areas where by mid-day, most voters had cast their votes. However, in the urban areas (especially in Harare and Bulawayo) there were not enough polling stations resulting in long queues with impatient voters complaining that the process was taking too long. In both major cities, impatient voters could have left before casting their vote, hence getting disenfranchised while the clock could have disenfranchised others.

The CCJPZ is again disturbed that thousands of potential voters were not able to exercise their right to vote as they were turned away for a variety of reasons, the main ones being not in possession of the right identity documentation and/or being in the wrong ward. Other eligible voters were turned away because they were of foreign parentage and were asked to produce certificates of citizen renunciation even when this is not a legal requirement.

The above observation is directly related to the inadequate voter education conducted by ZEC. This is a demonstration of its limited capacity to do an effective and continuous voter and civic education campaign and emphasises the need for ZEC to share this vital function with other civic organisations.

Overall, voting in the 29 March 2008 elections proceeded very peacefully though there was an unconfirmed report of shooting in one of the constituencies in Mashonaland Central and bombing of a house in Bulawayo Province.

Counting, Tabulation and Announcement of Results

CCJPZ observers noted with satisfaction that all polling stations observed the SADC guideline to count the ballot cast at the polling station. Almost all stations posted their results at the polling station for any interested stakeholders to check. This was one of the most transparent procedures to be adopted in this four-tier election and this is highly commendable. There were however a few polling stations that are said not to have complied with this for reasons that are not yet clear especially in Mashonaland West.

The most disturbing development since the end of voting has been the delay in announcing the results. Most people expected the results to be announced at the National Command Centre the day following voting but not a single result was announced on 30 March 2008. It was not until mid-night that ZEC announced that results would be announced beginning 6:00 am on 31 March 2008. However, when the announcement of results started, the pace was excruciatingly slow. Forty five hours after polling closed, only 38 House of Assembly results out of 209 had been announced and none of the other three elections, especially the Senate and Presidential.

Both the delay and the slow pace in announcing the results gave rise to speculation and apprehensions that raised tempers and tensions and hence the potential for violence. In future, this is a matter that demands to be rectified as it can result in needless violence and deaths.

Conclusion

It is CCJPZ's observation that the 29 March 2008 four-tier elections were complex and ZEC made an effort to conduct the elections as efficiently as it could with the limited resources at its possession. However, there were serious doubts expressed about its impartiality and its ability to discharge its constitutional mandate to conduct free and fair elections whose results all contestants can accept. It still has a long way to go in dispelling perceptions that it is biased towards the incumbent president and his party and therefore that it lacks the required autonomy to be an effective and objective referee and manager of national elections. END! Harare 31 March 2008

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PRESS STATEMENT No.4/08

Deep Concern over Inordinate Delays in Releasing Results of Presidential Election

It is now more than a full week since the historic harmonised elections took place on 29 March 2008 but there has been near deafening silence about the outcome of the flagship election, the presidential contest. The results of the House of Assembly and Senate elections were also released at a painfully slow pace. This has understandably generated a hive of rumours, speculation, fears and nervousness among the stakeholders, and in the nation and international community. At the centre of the mystery is the Zimbabwe Electoral Commission (ZEC), a constitutional body mandated to conduct elections and referendums “efficiently, freely, fairly, transparently and in accordance with the law.” It is the CCJPZ’s understanding that this mandate includes but is not restricted to ensuring that the results of the elections are made public to the contesting parties and to the nation as a whole as expeditiously as possible, that is, within reasonable time.

The rumours and nervous speculation swirling around the presidential election results and the mystery surrounding ZEC’s reluctance to speedily release those results has the effect of producing unnecessary suspicions that ZEC is being manipulated to produce results at variance with the verdict of the people. This is unfortunate if only because there does not appear to be any compelling reason for the inordinate delay in releasing the results. This delay is stretching the patience of the people to the limit to the point where ZEC appears to be abusing the legendary patience of the Zimbabwe people.

We have previously noted with considerable satisfaction that ZEC managed to conduct what to many objective observers has been one of the most free and fair elections since independence though there were still many flaws and lapses. The integrity of the election body is now seriously under threat because of its disinclination to quickly make the results public and allay the fears and suspicions of the nation. If ZEC has the public interest and is not driven by partisan interests, then it surely should release the results without any further equivocation. The inordinate delay is a recipe for distrust, political tension and even instability. ZEC must not only act impartially and honestly, it must be seen to be respecting these cardinal values. So far, and with respect to the snail’s pace at which the results were announced and the apparent reluctance to release the presidential election results, ZEC is failing the test. The autonomy and professionalism of the

Zimbabwe Electoral Commission have been seriously eroded and deeply compromised, reinforcing accusations of embedded partisanship and bias. In the event of a re-run of the presidential election, Zimbabweans and the international community now have grave doubts about the fairness and impartiality of ZEC to conduct the poll.

The CCJPZ joins the domestic and international community in urging ZEC, in the interest of peace and the search for justice, to urgently release and publicise the results of the presidential election held on March 29, 2008. Many Zimbabweans are anxiously waiting for these results; and they deserve and have a right to know. CCJPZ will continue to observe the post election period countrywide and produce reports. END! 7 April 2008

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Press Statement
No 5/08

GRAVE CONCERN OVER POST 29 MARCH 2008 POLITICAL SITUATION IN
ZIMBABWE

The Catholic Commission for Justice and Peace (CCJPZ) would like to emphatically register its profound concern over the fast deteriorating political and security situation in Zimbabwe since the watershed 29 March 2008 elections. Elections should be an occasion for the governed to choose, as freely and fairly as possible, who will govern them. After all, that is what the liberation struggle was all about i.e. to have and enjoy the freedom to choose their rulers.

The CCJPZ issued two pre-election statements in which it urged people to go out and vote and for the Zimbabwe Electoral Commission (ZEC) to conduct itself with professionalism as per its constitutional obligation to conduct elections “efficiently, freely, fairly, transparently and in accordance with the law.” We have since issued two post-election statements one of which warned against the inordinate delay in releasing results of the presidential election. More than four weeks after March 29, the results are still a secret only known to ZEC.

Credible witness reports reaching the CCJPZ and those appearing in the media are deeply disturbing. There are country-wide reports of systematic violence in the form of assaults, murders, torture, abductions, intimidation and wanton destruction of property against innocent civilians whose alleged crime is to have voted “wrongly.” Many people have become internally displaced hence unable to vote should there be a run-off. The peaceful environment that existed prior to the elections has suddenly disappeared to be replaced by a climate of fear and despondency perpetrated by regular and irregular forces that control the means of violence. The execution of duty by the police in apprehending perpetrators has been unsatisfactory and smacks of political partisanship.

Surely, had this situation existed before the March 29 elections, it would not have been possible to conduct credible elections. It is in this light that we firmly believe the prevailing situation is **NOT** conducive to holding free and fair elections. Should the presidential election results indicate the need for a run-off election, we humbly submit that such a run-off cannot be held under the present circumstances. The population is now too traumatised that a run-off election will only serve to deepen this sad state of affairs.

Further, due to the wide displacement of people on the ground that constituted polling agents of both political parties and also poll observers for different organizations, fielding

of adequate numbers for each polling station will not be possible putting the outcome into question.

Regrettably, the conduct of ZEC has seriously eroded its credibility as a neutral and non-partisan electoral umpire. All fair-minded Zimbabweans have lost faith and confidence in ZEC which can no longer be trusted to superintend a run-off.

In this regard CCJPZ strongly recommends that any run-off should be under the observation of both SADC and AU while the United Nations plays a supervisory role. These are the only neutral and impartial bodies that can preside over the run-off to the satisfaction of all stakeholders and guarantee the legitimacy of the poll results. END!
30 April 2008

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APPENDIX 11

**HARMONIZED ELECTIONS IN ZIMBABWE 2008
PRE-ELECTION PERIOD AND POLLING DAY**

**A REPORT BY THE ARCHDIOCESE OF HARARE,
CATHOLIC COMMISSION FOR JUSTICE AND PEACE**



Introduction

The Catholic Commission for Justice and Peace in the Archdiocese of Harare, observed, together with other diocesan commissions, the harmonized elections under the Zimbabwe Catholic Bishops Conference (ZCBC). This report seeks to reveal what transpired in two stages of the election period thus the pre-election and polling day stages in the Archdiocese of Harare.

We are grateful to our 200 observers (124 accredited 76 non-accredited) inclusive of the 8 mobile priests who have assisted us in the gathering of the information that we will expose in this report. Without their work this report would not have been possible. I would like to thank the Executive Committee of CCJP Archdiocese of Harare in particular for their continued support in these election processes.

Trainings

The Archdiocese of Harare, like all other dioceses, took up the task of training 200 observers who were drawn from the 9 deaneries. A total of eight one-day trainings were held in Harare, Marondera, Chivhu, Bindura and Murehwa. The trainings were conducted by six members of the Executive Committee of CCJP Harare. The trained observers signed a contract with the CCJP office that was standing in for the ZCBC. They filled in a code of conduct and indemnity forms of which a copy remained with the person concerned and one was taken for filing in the office.

Scheduling the reporting

During the training each participant was given pre-election, polling day, and post-election forms for filling accordingly. It was instructed that the pre-election and polling day forms were to be handed back to the office on the 30th of March 2008 through the mobile priests who were linking with the observers in their deaneries. It was also made known that the CCJP Harare office were to be open from the day before polling day and the actual polling day. This was to make communication flow without delay and being in constant link with the observers on the ground. For quick responses the contact of the mobile priest in the area was availed for the observers to give feedback, share, and request whatever assistance was needed to accord them their work.

Outcome

Pre-election

In view of the electoral processes, the pre-election period starts on the day of pronouncing the day for elections. However, since the training for observers was carried out at different times, it was only logical to start the observation from the training day onwards till the 28th of March 2008. These forms together with the polling day forms

were brought by the observers and by the mobile priests to the information center at the Archdiocesan offices.

The questionnaire was designed in such a way that observers responded with a yes or no answer. However, there was room for the observers to furnish as much information as was deemed relevant. The table below shows the results of 152 observers in the pre-election periods that have so far been received. It was also noted that not all the observers responded to all the questions hence the analysis below is depended on the outcome of those who responded.

Table 1: Observations of pre-elections 2008 in the Archdiocese of Harare (n=152 observers)

Question	Number of observers	Yes [%]	No [%]
Where people forced by any political party to attend rallies and buy political cards?	136	33	67
Were there any reports of political harassment and intimidation?	133	41	59
Were any political parties denied/ refused to hold rallies and rally was disrupted by supporters of other political parties?	131	26	74
Were any threats of violence, denial of food handouts because of supporting a particular party made during the campaign period?	126	31	69
Were any political parties denied or prevented from campaigning in some areas?	126	17	83
Were there any political motivated arrests, deaths, beatings etc. of party members related to the campaign?	123	18	82
Were parties or voters intimidated by bribes, evictions, vote buying by contestant's e.g. food handouts, fertilizer, seeds, tractors, wheelbarrows, ploughs, etc.	131	53	47
Did civil servants engage themselves in political activities e.g. campaign during normal working hours?	124	23	77
Were traditional leaders (chiefs, headmen, village heads) actively participating in any political campaign?	119	35	65

4.1.1 General observations

The atmosphere of the pre-election period was as has already been publicly acknowledged in other reports, marked with a deep sense of peace and serene. Different political parties were able to go about their campaigns free, holding their rallies without any interference. In some instances it was actually observed that at some areas there was one venue booked for the ruling party's rally and soon after the MDC – Tsvangirai faction was to hold its on rally. This was done smoothly without making any show or disturbances.

However, it is intriguing to note that the percentages showing gross irregularities were high. For instance, the traditional leaders are being used in the campaign strategy as a tool for ZANU PF. The issue of using bribes and vote buying tactics are alarming, thus at 53%. The voters are still being politically intimidated and harassed, there are not respected as people with choice and freedom of association.

4.1.2 Specific observations

An overview of the information compiled by the observers on the ground shows that the ruling party was using certain tactics to win people for their rallies and to make people vote for ZANU PF:

Where people forced by any political party to attend rallies and buy political cards?

- “Dzivarasekwa, Harare, on the 22nd of March people were bussed from Mbare Musika and left their markets to attend the rally in Dzivarasekwa and also those from the surrounding areas, they were told they would be allocated residential stand but unfortunately that did not happen. It was a way to make them come and attend the rally.”
- “I was forced to buy a political card so that I could acquire a stand and a passport without any hassles. This took place in Eastlea since last year in Nov. 2007 up to date.”
- “Old people were asked to get ZANU PF cards so that they have access to cooking oil, paraffin and maize meal at Cherutombo shops.”
- “In February 2008 ZANU PF youths forced vendors to attend a rally at Nyameni shopping centre. Furayi and Mutemi villagers were forced to attend ZANU PF rallies so that they would have access to maize meal at GMB Ngezi.”
- “10/03/08 ZANU PF chairman Mr. Ngirazi was forcing people to vote for ZANU PF Chivezhe Kraal.”
- “25/03/08 Murehwa growth point-vendors were forced to close down their markets and attend a ZANU PF rally.”

Were any threats of violence, denial of food handouts because of supporting a particular party made during the campaign period?

As much as it is widely shared that the pre-election period was marked with peaceful campaigning processes, it is with great concern that some incidents of threats were reported. This is captured in the following observers reporting:

- “Chinyika-ZANU PF promised to go to war if they lost the election
- Headman Furayi was stripped of his powers by Chief Murambwa and Bright Matonga for refusing to support ZANU PF.”
- “15/03/08 Rujeko/Cherima shopping centre-ZANU PF youths raided and looted street vegetable vendors alleging that they had joined an opposition rally.”
- “13/03/08-ZANU PF candidate promised jobs in the Air Force to youths with 3-5 O'levels if they voted for ZANU PF.”
- “08/03/08 Mt Pleasant-Munyaradzi a ZANU PF supporter beat up a kombi driver and conductor for displaying MDC posters on their kombi.”
- “Cde Webster Shamu at Musinami: driver of vehicle NO AAM 5671 at Bulawayo Ngezi turn off time daily. At Neuso Business centre headman Chivhima Chamu chased Mr Matimbe and Mushiri for supporting MDC. Headman Mapfuko chased Anyway Machona and Joramu Machona”
- “Village headman Sithole of Rapid farm was visiting the villagers on a door to door system urging them to vote for ZANU PF if not eviction will definitely occur to anyone who does not oblige.”
- “The village headman in conjunction with the ZANU PF youths was making the villagers go to attend the political parties of ZANU PF's campaign rallies being held in the area.”
- “27/03/08-28/03/08-Mhondoro/Ngezi-People of Murambwa, Chizinga, Mamina and Kaponda were shown video clips of people being beheaded and killed. They were told that the same would happen to them if ZANU PF lost. This was done by Bright Matonga.”

It is with sadness that we acknowledge such incidences of perpetuating violence and intimidation in a concerted effort to sway the will of the people. Campaigning period should be a process of educating people what the manifesto of the party is; how they will tackle the socio-economic challenges that the nation is facing. And not how they plan to beat, maim and kill people when they lose. There was less will to educate people on the issues of bread and butter, particularly on the ruling party side.

4.2. Polling Day

It was observed that the polling day was indeed marked with great sense of freedom to exercise ones will. People went out early hours of the morning to vote. There was peace. The polling officers were exercising their duty with efficiency and in a professional manner. There was a spirit of treating people with respect and dignity even from the police manning the polling stations.

The following table shows what the different observers responded to some of the issues that rose in the voting process.

4.2.1. Polling Day

Table 2: Observation on polling day, 29th of March 2008, in the Archdiocese of Harare (n = 140 observers)

Question	Number of observers	Yes [%]	No [%]
Was there necessary staff present?	138	99	1
Were there unauthorized people present?	133	6	94
If yes, were they allowed to stay?	133	3	97
Were the security forces present?	123	99	1
Were political party agents present?	138	100	0
Were there any controversies about who should be allowed into the polling station?	130	6	94
Were all the arrangements for voting at the station in order?	133	94	6
Were all the materials, e.g. ballot boxes, ink, voter roll etc. available at the starting time?	103	94	6
Was the voting accessible to all?	132	76	24
Were the ballot boxes opened and verified as empty in the presence of all party agents and monitors?	131	95	5
Were there any political party supporters making slogans, signing within 500 m of the polling station?	132	12	88

4.2.2 Specific observations

All seemed well for the polling day with the logistical preparations in place; the representation of the polling official, observers, party agents and the relevant officials present. The nation was geared for a process of allowing people to exercise their will and indicate their choice of leadership.

However, there were still some challenges here and there of some party supporters who still wanted to campaign on the day of deciding. It was too late and too risky as the police was out to disperse them. The following realities took place at some polling stations as reported by our observers:

Accessibility of voting to all

- “There were people whose names were not in the voters roll although they had registered. This observer is one of them and she had to produce the certificate as a registered voter to be able to vote although others were turned away.”
- “135 were turned away for being aliens; wrong wards, bring only the drivers license, names not appearing on voters roll.”
- “Some were not in the register despite the fact that the names had been verified earlier in the voters roll most people were turned away for various reasons e.g. wrong ward, alien and not appearing on the voters' roll.”
- “The voting was conducted peacefully.”
- “People with voting slips with dates after the 14th February 2008 were not allowed to vote.”

Were the ballot boxes opened and verified as empty in the presence of all party agents and monitors?

It was observed that almost all polling stations manned by ZCBC observers the ballot boxes were verified. Our analysis indicates that 95% of these polling stations verified the ballot boxes. The 5% remaining questionable is worrisome; what happened there one wonders.

Were there any political party supporters making slogans, singing within 500m of the polling station?

- “ZANU PF Mai Rose Goto at 750 Goto Polling Station and 250 Dendenyore campaigning at the station with the polling station.”
- “There were supporters of ZANU PF, who were wearing party T-shirts and were passing within the radius on a tractor.”
- “ZANU PF agent was making slogan using sign of fist. No report was given.”
- “Two ZANU PF supporters wearing white T-shirt of ZANU PF. They were ordered to go and remove peacefully by the ZRP officers.”
- “There were some posters of ZANU PF Presidential candidates in the morning places at main entrance.”

Conclusion

The question to be considered is whether the elections were free and fair? By what standards do we judge the elections to be free and fair? We have the SADC guidelines for free and fair elections.

- Full participation of the citizens in the political process;
- Freedom of association;
- Regular intervals for elections as provided by the respective National Constitution;
- Equal opportunity for all political parties to access the state media;
- Equal opportunity to exercise the right to vote and be voted for;
- Independence of the Judiciary and impartiality of the electoral institutions and
- Voter education.

The Zimbabwean Catholic bishops have spoken on credible election processes in their pastoral letter: *Elections 2008: Only when Power stands under God's blessing can it be Trusted (December 2007)*. In view to what our bishops have said looking at the electoral process they underlined the importance of the Electoral Commission: "it is vital that the Electoral commission inspires confidence and protects the integrity of the process in the delivery of free and fair elections". One wonders whether the Zimbabwe Electoral Commission has lived up to that expectation.

The pre-election period was a period marked with voter registration/inspection. This was a very vital stage for the electorate to be part of the election process. Hence the Electoral Commission afforded people ample time to participate in the voter inspection period even considering an extension of the stage.

The campaign by the various political parties did have a respect for the people, there were peaceful and respectful of other contesting parties in as far as they were seeking for attention from the same community members. However, there is still need to award more media coverage time to opposition parties and have police protection accorded to all campaigning parties. Not that the police and or other civil servants are manipulated by a few. In the same pastoral letter as quoted above, the Zimbabwe Catholic Bishops encouraged that: "civil servants ... are not party cadres and must render the all important and impartial civil service throughout the elections to ensure free and fair elections." With the reality on the ground we are found still wanting in most of these areas. The analysis Table 1 above: sheds some light in making a decision on the freeness of the elections. Yes people freely participated. The issue of fairness is still very much debatable and a highly contested area.

There has been a rise in the number of people who were turned away due to various reasons. People were not well educated on the new ward demarcations. Voter education

in general was not widely spread to all the areas and in particular the issue of the identification documents to be used was not clear to many voters.

People who complained that their names were not found in the voter's roll even when they had inspected the voter's roll during the exercise. Others discovered that their names were no longer in the ward they used to participate in previous voting exercise and had to commute to the new wards.

Up to date we have no final results of the presidential race. Is that fair? Is it fair to keep the electorate guessing in particular when it is in disregard of the will and choice of the people?

The historic elections were free to all who were eligible to vote however they were not fair.

APPENDIX 12

DIOCESE OF GOKWE

INTRODUCTION

The suffering of the people of Zimbabwe and of our districts and Diocese gave great significance to the preparations for the 2008 harmonized elections. All people looked to the 29th of March with great hope and a new understanding of the miseries that we are going through in Zimbabwe. That we have crisis of leadership in the country was already admitted and publicized by the Bishops in their Easter Pastoral Letter of 2007. The pastoral letter also highlighted the endemic ‘bad governance, corruption, crisis of governance and crisis of moral leadership’, which has led to the deterioration of life, service delivery systems affecting all sectors of life in Zimbabwe. All people thinking of solutions have always looked up to a new constitution and new leadership. Without any other means to correct this slide towards destruction, the 2008 harmonized elections was the only chance and hope. Some preferred to call it the dawn of a new independence, hence one of the contesting presidential candidate’s symbols of the rising sun.

PREPARATION FOR THE 2008 HARMONISED ELECTIONS – ZCBC PASTORAL LETTER

The Local Church prepared the public through a pastoral letter on the 2008 elections. The Bishops invited all contesting parties to avoid violence in the run up to the elections, to respect diversity of opinion, to be tolerant towards each other, and encouraged all people to get registered and exercise their rights by voting.

CCJP WORKSHOPS ON ELECTIONS

The Justice and Peace Commission prepared for this election by conducting a National Training of Trainers workshop in Bulawayo for people who would teach others to observe the elections. From this meeting a letter was published which analyzed the electoral environment before elections. The Commission members present agreed that the playing field was not level, that the SADC principles and guidelines governing democratic elections were not being adhered to and that the Voters’ roll was in shambles.

DIOCESAN WORKSHOPS ON THE TRAINING OF OBSERVERS

The diocese of Gokwe received funding from the National Office to conduct workshops at each of our four zones to conduct elections to train people who would observe the 2008 harmonized elections. The dates of the workshops were scheduled thus:

21 February Nembudzia Zone
28 February Mutimutema Zone
4 March Kana Zone
6 March Gokwe Zone

Each zone comprises 4 Missions and the members of attendance are attached at the end of this report. The names of observers who selected from these workshops and the polling stations where they observed are also given in this report.

CIVIC SOCIETY'S PREPARATIONS

A) PRE-ELECTION PERIOD

1. THE VOTERS REGISTRATION EXERCISE

The Voters Registration Exercise started by giving people National Identity Documents last year in August. The process generally achieved its intended objectives. People who otherwise had difficulties travelling to town to get IDs easily accessed them in their neighbourhoods. In some privileged places it took long because the ruling party suspected that it had many members there and so decided to get them all registered.

The Registration of Voters, which followed after the IDs giving exercise, reached many parts of Gokwe. A reasonable number of people responded and got registered as voters in the coming harmonized elections.

However, it still gave longer opportunities to places which had strong Zanu PF support like Chireya centre where the registration took over a month long. The exercise also lacked adequate resources. In Mushame, under Chief Chireya, after serving people for a few days, the officers announced that they had run out of paper. The people expected that the Officers would do something to get more stationery before the exercise closed, but this was not done and many people were turned away, denying them an opportunity to cast their votes.

THE CONSTITUENCY DELIMITATION EXERCISE

The delimitation exercise was done by ZANU PF, one interested and benefiting party in the election to the exclusion of others. Civil society and other contesting parties were kept in the dark over their boundaries. The logic used was to dilute opposition party influence by combining places where the opposition had a strong support base with those centres closer and more easily accessible to the people, in some places the opposite effect was achieved, that is, making a community belonging to a constituency far from their dwelling places. On the voting day some people were shocked to be told that they would not be able to cast their vote at their usual centres only a few kilometres away but would have to walk several kilometres. For this reason they failed to go and cast their vote. In addition, the increase of constituencies also gave ZANU PF more opportunities of getting parliamentary seats as they trebled rural constituencies where they use intimidation tactics and vote buying commodities such as sugar and maize.

THE CAMPAIGNS

This year's campaign period was characterized by a reduction in violence and party clashes. The Pre-election reports from observers show that there was a great improvement in the following issues cited:

- People were not force marched or driven to rallies by the youth Militia or the police or the army. A ZANU PF rally took place at Gokwe centre, and those not intending to join were not compelled to do so.
- No reports of people being forced to buy party cards, or being searched from them, or having road blocks mounted by Youth Militia to search people for party cards.
- There were no Youth Militia operating bases as happened in 2005, 2002 and 2000, from where the Youths toy-toyed into the villages.
- Rallies were conducted in a more tolerant atmosphere, including in places that are traditionally inaccessible to the opposition.

However, old habits and customs die hard, still many areas of concern, such as the following were noted:

The Chiefs, Headsmen and Kraal heads still abused their traditional roles by:

- Calling people to party meetings which they addressed in their capacity as chiefs, village heads etc.
- Making ruling party slogans at ZANU PF meetings and at their own meetings and at the own meetings compelling everybody to do the same, against their will.
- Threatening people who do not vote for ZANU PF with evictions, beatings and war.
- In some villages, people who are known to belong to the opposition had their names written down by kraal heads and ruling party leaders – for the purposes of identifying them and dealing with them later, denying them food handouts and, above all, as a threat.
- Some suffering families could get registered under Concern World Wide Food program because they were known or alleged to belong to the opposition.
- Some people were denied food handouts by ruling party officials at their campaign meetings and other ordinary meetings which always ended up having a political party agenda.
- A lot of vote buying and bribery has been reported. Many headmen received scorch carts, ploughs, wheelbarrows in order to support the ruling party and to support its campaign efforts.
- In Gokwe – Kubuyani constituency, Chikomba used tons of sugar sold at three times less than the usual price to buy voters.
- An MDC rally scheduled for Gokwe town failed to take place because ruling party agents objected to Tsvangirayi conducting a rally where Mugabe had conducted his before. They therefore decided to play a pseudo soccer game at the very time the rally was to begin. The partisan police obliged them, ('to avoid clashes', they said), thereby cancelling the MDC rally.

VOTER EDUCATION

The harmonized elections experience was new for Zimbabwe. A lot preparation had to go into this so very important exercise our nation for many reasons. Voter Education has always been done in the past and most people who saw the Voter Education officials expected them to say the same things that they have said in the past such as: Having to go and inspect the Voters' Roll to see if one's name is included. The required documents to take along on the day of voting, such as the national identity document or passport, etc.

However, this year people needed adequate information pertaining to the following;

1. The delimitation of constituencies and how it would affect the voter
2. That on the same day of elections there would be four candidates to be voted for.
3. That it is no longer acceptable to use a driver's licence but a national ID and passport only.

What took place was that when the exercise started, the officers involved were hardly cognizant of all that was going to take place on the voting. For example, at Zumba Primary School, where a group of Catholic Women were gathered for their meeting, two gentlemen involved in the exercise approached and asked for an opportunity to address them. After the usual empty rhetoric of the previous years, one of the listeners inquired about how the voting would be done, whether there would be 4 ballot boxes. The poor fellows said that they were not yet furnished with those details yet. So they also did not know what was going to happen. They had gone into the exercise without adequate information.

The other impending factor to the effectiveness of the exercise was that they were allocated places that they were to visit without any car. The experience of our observers is that they spent their time milling around shopping centres and never visited places far from their lodgings.

Some of them confessed that some headsmen openly opposed the information that they passed to people, such as the fact that when people go to vote, they can trust that no one would ever know who they have cast their vote for. Therefore the exercise was far from being effective.

THE VOTING EXERCISE

Citing of polling stations

The distances from one polling station to another were generally convenient for most parts of Gokwe (with the exception of Nkayi North constituency, where the distances between Sivomo and Nesigwe polling stations of 17km was too far and disconcerting for those who would be voters.

However,

- A high number of people were turned away because their names did not appear in the voters register although some of them even produced receipts that they had got themselves registered.
- Some kraal heads still appeared with exercise books to take down the names of people who had come to vote. At Machakata Primary School, some kraal head's secretaries were arrested by the police after being discovered that they were taking down names of people who went in and out of the polling station.
- The number of spoiled papers was worrisome. At a polling station called Hongoro in Chireya, half of the entire votes being cast were spoiled. The confusion emanated from the inability of some voters to differentiate the two MDC factions which use the hand symbol. Voters put their X on both, resulting in spoiled votes.

WERE THE ELECTIONS FREE AND FAIR

The following irregularities raise concern of the entire election process;

- Lack of transparency and reasonable speed in allowing the public to access the Voters Roll for inspection and registration.
- Lack of sufficient material and preparedness in registering voters; the case of Mashame where people were turned away because the officers ran out of stationery.
- The threats and intimidation of voters during campaigns by traditional healers affected voters in the rural areas. The fact that 'war planes' flew low over the villages a day before the elections intimidated the people. The intimidations and threats of war that the people have always been subjected to remain a shadow of fear which haunt the people in every election.
- Vote buying and bribery by ZANU PF, using national resources is there for all to see; Scorch carts, ploughs, wheel barrows were distributed at rallies, and buses belonging to District now ply to our routes – all for the sake of votes.
- Voter Education was highly inadequate, lacking in resources and depth, it did not sufficiently inform people about their constituency boundaries, and none of the teams had adequate travelling means. Without completing the job, the Educators were called back from where they were deployed as they were suspected to be decampaigning Mugabe. This accounts for the high number of spoiled votes in the rural areas which the ruling party was only happy to capitalize upon. At the end the only voter education the people ever received were from the headsmen and chiefs.
- Chiefs like Chireya and many kraal heads threatened people if they would not vote for the ruling party.
- Some ruling party councillors and headsmen who were not agents of contesting candidates kept threatening and intimidating presence at the polling stations.

- The use of government vehicles, (all council vehicles and hospital ambulances were at work on Mugabe's star rally at Gokwe Town) by the ruling party in its campaign created high advantages of them, it also made people think that to go for ruling party rallies is to fulfil a national duty.

Not with standing, we give credit and take note of the following positive developments in this year's election;

- An improvement towards peace during the campaign period.
- Political parties' rallies were held with little or no incidents of violence.
- People continued to move freely and could be seen wearing different party regalia with little or no harassment from those belonging to others parties, which were never done in the past elections.
- Freedom of Association and assembling were quite apparent in many areas of our district.

The processes of the day of elections were fairly satisfactory.

THE COUNTING OF VOTES;

Most of our accredited observers were allowed into the polling stations and they attended the counting of votes. At all polling stations this was done to the satisfaction of observer groups and contestants through their representatives. Our dissatisfaction lies in the fact that we spent a week waiting for the announcements of results, whose counting was already done at the polling stations throughout the country. The long delay is again an indication of the usual manipulation of processes and systems so that we end up with highly disputed results and decisions. The table below shows the results of the House of Assembly as revealed in Gokwe and as reported in the National paper.

HOUSE OF ASSEMBLY RESULTS GOKWE

	ZANU PF	MDC TSVA	MDC AM	IN	UPP	IND
GOKWE NEMBUDZIYA	8,650	5,396	1,071	704		
GOKWE CHIREYA	10,166	3,983	1,160	786		
GOKWE GUMUNYU	6,594	3,649	1,502			
GOKWE	5,570	4,533	1,275			
GOKWE SENGWA	7,063	3,835	1,196			
GOKWE SASAME	8,849	8,281	0			
GOKWE MAPFUNGAUTSI	8,005	4,814	1,490	501		489
GOKWE KABUYUNI	7,156	7,234	0			
GOKWE KANA	5,837	4,898	1,456			

FACTORS ACCOUNTING FOR THE RESULTS IN GOKWE

1. Voter Education
2. Intimidation and Harassment

3. Opposition access to the Gokwe electorate
4. The role of traditional leaders in the processes in Gokwe

GOKWE PRE-ELECTION PERIOD

1. THE VOTERS REGISTRATION EXERCISE

The Voter Registration Exercise started by giving new National Identity Documents last year in August. The process generally achieved its intended objectives. People who had difficulties travelling to town to get IDs easily accessed them in their neighbourhoods. In some privileged places it took long, because the ruling party then suspected that it had many members there and so decided to get them all registered.

The Registration of Voters, which followed after the IDs giving exercise, reached many parts of Gokwe. A reasonable number of people responded and got registered as voters.

However, it still gave longer opportunities to places which had strong ZANU PF support like Chireya centre where it was over a month. The exercise also lacked adequate resources. In Mashame, under chief Chireya, after serving a few people for a few days, the officers announced that they had run out of paper. The people expected that the Officers would do something to get more stationery before the exercise closed but this was not done and many people were denied a chance to get registered and cast their vote.

2. THE COSTITUENCY DELIMITATION EXERCISE

The reports from our observers do not show serious confusion to people on the voting day as far as their wards and polling stations were concerned. Apparently, many people who went to vote did not get lost as far as their wards are concerned. However, the intention of the exercise, apart from increasing ZANU PF chances from rural constituencies, was to dilute opposition influences by putting together places where the opposition has some influence together with those where the ruling party commands support. This logic paid substantially for ZANU PF.

3. THE CAMPAIGNS

This year's campaign period has been characterized by a reduced atmosphere of violence. The Pre-Election reports from observers show that generally the atmosphere differed significantly from the other years on the following issues:

- People were not forced or driven to rallies by Youth Militia or the Police, people were not driven by soldiers or the Police to the ZANU PF rally that took place at Gokwe Centre.
- No one reported any case of people being forced to buy party cards, or being searched for them, or having roads being barricaded for this purpose.
- In many areas there are indications of a reduction in the intimidation and victimization during and after elections.
- Rallies were conducted in a more tolerant atmosphere, including in places that are traditionally inaccessible to the opposition.

However, as old customs and inclinations die hard, the following were noted:

- The Chiefs, Headsmen and Kraal-heads still abused their traditional roles by calling people for party meetings, making ruling party slogans and threatening people with evictions from their places of residents, should they vote the opposition.
- In the Villages, people who are known to be belonging to the MDC had their names written down by the Kraal Heads and ruling party leaders for future references.
- Some suffering families could not be registered under Concern World Wide Food Program because of alleged or known political affiliation to the opposition.
- Denials of Food Handouts were made by the same and by ruling party officials at their campaigns and other non campaign meetings.
- Many campaign bribes were given to people. Many Headsmen received scorch carts and ploughs in order to support the ruling party in its campaign efforts.
- In Gokwe Kabuyuni constituency, Chikomba used lots of sugar, sold at a price three times less than usual, to buy voters.
- An MDC rally scheduled for Gokwe centre failed to take place because ruling party agents objected to Tsvangirayi conducting a rally where their president had conducted him before. They therefore decided to play a pseudo-soccer game at the very time the rally was to begin. The Police obliged them, thereby cancel the MDC rally.

THE VOTING EXERCISE

Citing of polling stations;

The distances from one polling station to another was generally convenient for people in Gokwe (**except Nkayi North constituency at Sivomo and Nesigwe which were 17 km apart**). In fact the impression created from the number of people who voted at each polling station is that they were rather too many. Some of them attracted only 29 people in total and the polling officers spent the whole day seated. The opening times were equally well adhered to. Observers who were properly accredited were allowed to observe the processes and they satisfied themselves that it was according to standards.

However, of concern were the following:

A surprisingly high number of voters were turned away without voting for a variety of reasons. The numbers of spoiled papers were worryingly high. One serious incident cites almost half of the entire votes cast being spoiled. The confusion emanated from the inability of some voters to differentiate the two factions of the MDC which use the same hand symbol. People put their X on both, resulting in spoiled papers.

WERE THE ELECTIONS FREE AND FAIR?

Some of our observers cite the following anomalies:

- Lack of transparency and speed in giving the Voters' Roll for inspection to the public.
- The threats and intimidation of the voters during campaign meetings, **(coupled with the historical which remain a shadow)** affected the voters.
- Vote buying by ZANU PF was rife, this is there for all to see; ploughs, cotton sprays and food handouts.
- Voter Education was inadequate.
- Chiefs like Chireya forced people to vote for the ruling party.
- Some ruling party councillors and campaign agents kept a threatening presence at the voting points
- The use of government vehicles by the former ruling party created high advantages which others lacked.

However, we give credit to the following factors:

- a) An improvement towards peace during the campaign period.
- b) Parties campaigned with little or no difficulties in many areas.
- c) Freedom of Association, Assembly, Speech and Movement were to a great extent respected.
- d) The processes of the day of election were equally well handled.

POST ELECTION

We would have happily said the elections were free and fair, but, that we spent two days waiting for the results in an indication of greater problems that make us hesitant to commit ourselves to a regrettable conclusion.

Why take so much time with the results?

Why take for granted that people have been waiting for this moment for such a miserably long time? The outcome may already be distorted.

APPENDIX 13

CCJP MANICALAND REPORT HARMONIZED ELECTIONS (29/03/2008)

Through the analysis of the reports submitted by individual CCJP observers deployed throughout the province, the indication is that the pre-election period of the 2008 harmonized elections was quite different from the previous elections in terms of political violence, intimidation, killings, arson cases and other undesirable activities.

The scenario that prevailed was more peaceful than the previous elections a clear indication of political tolerance and maturity by many people in the province. This is also a positive development in the work of the civic groups and the call by the church to the public to desist from political violence.

Given the above positive aspect of the 2008 harmonized elections, it is very important to echo the sentiments, assessment and observations by the CCJP observers throughout the province that the structures in place did not permit the pre-election period the freeness and the fairness that these elections deserved. The legal framework that has been passed alongside the amendment number 18 is an obstacle to the desired free and fair election. Apart from this the unlimited powers of the ruling party and government to disrespect the rule of law and the human rights did not promote or create room for the International Standard for Free and Fair Elections to prevail let alone the SADC guidelines.

The composition and the set up of the board that was tasked to handle the elections do not show the neutrality and the independency it is supposed to be. This board is more partial than impartial given that the President who is also in the race to be the next President has appointed its chairman and vice. The President determines the salary and the term of office of the board.

-This board was supposed to conduct a program of voter education 90 days before polling day but this was never done and the fact that the said election was more complex than any of the previous election. This logically means that the electorate did not have adequate time to prepare for these elections let alone to find time to choose their leaders in time.

-The boundaries of the constituencies were not clear and the allocation of the polling stations were not congruent to the voters in particular areas for example more polling stations were found in rural areas that in urban areas where there were more voters.

-The board's monitoring mechanism of the media news was not properly done because there were inflammatory languages broadcasted both on print and television by some candidates against other candidates that could be a cause of violent actions by some sections of the community.

Other legal frameworks that discards the freeness and the fairness of the elections include, the POSA that gives a subject assessment and judgement by the Regulating Authority (RA) on public meetings and political rallies to banish or to stop it if he so deems to with the pretext that it can degenerate into political violence. This alone has

been giving tremendous advantage to the ruling party that has never been blocked by the (RA) hold their rallies.

Other parties were subject to scrutiny and at times not given the protection or allowed to hold their meetings.

The Political Parties (Finance) Act gives advantage to the ruling party that has the monopoly of receiving gifts and financial donations from other foreign donors for example tractors from China that were given and distributed to the farmers. For other political parties once they receive these donations they are supposed to hand them over to the state to become state property because candidates or political parties are not supposed to receive foreign donation.

On the same note other political parties which may wish to join the political race for the first time will not receive money to carry out their campaigning activities because the provision only states that funding can be done to parties which had contested in the previous election and got 5% of the votes. New political parties therefore have no funding facility in this country and this is not a fair situation.

Postal voting under the current election legal framework gives privilege to only those who are on duty as a member of a disciplined force or as an electoral officer or monitor and their spouses and those persons absent from Zimbabwe in the service of the Government of Zimbabwe and their spouses. This alone denies the right of those citizens who work outside to exercise their right to vote even though they contribute immensely to the development of this country. Those who are given this right to vote by post generally are the ruling party's electorate.

Other structures observed by the observers include:

- The massive usage/ abuse of public facilities which was being done by the ruling party that include the use of police and army vehicles to ferry supporters to political rallies. This did not only put the ruling party on the upper hand but also inflicted an atmosphere of terror to those who do not subscribe to the ruling party.

- In most of the parts of Manicaland especially in rural areas relief (food, maize etc) was being given only to those who support the ruling party and was being given after the production of a party card or when the chief had confirmed that the person supports the ruling party. The act itself is a sign of buying votes or a way of victimizing those who do not prescribe to the ruling party which is not only human right violation but also negligence by the government to carry out its duty to deliver quality service and basic needs to the citizens.

By and large, the atmosphere that prevailed during the pre-election period has been characterized by gross disrespect of the rule of law and human rights violations even though the situation was relatively calm and peaceful as compared to the previous election periods. However the same situation basically entails that the 2008 harmonized elections were not held in a free and fair playing field given the reports by the observers deployed in Manicaland.

The polling day had its own characteristics and the events portrayed yet another unique scenario. Calmness and absence of violence throughout the province characterized the day.

However observers noted a high voter turn off where most of the voters especially those in urban areas could not find their names in the voter's roll. Some of the voters could not identify their wards where their names were. This resulted in many people failing to cast their vote because of frustrations and that they could not find their names in the voters' roll.

Unique incidences were being observed where some voters were voting in some stations and when the postal votes came the same people, who would have voted, appeared also as postal voters. These cases were very difficult to handle because the so-called chief presiding officers could not handle these cases in many polling stations. This meant that there were many people who voted more than once.

Given the complexity of the election and also the lack of adequate voter education, there were more spoiled ballot papers and this meant that votes of most of the citizens did not count. Most of the voters could not cast their votes simply because they were not in the voters' roll and that they could not find the ward in which they were to cast their votes. Conclusively, the 2008 harmonized elections were held in relatively calm and violent free environment but these elections were not free and fair.

Post election Period

*Is it true there is an operation called.... Wakavhotera Papi? (Where did you vote?) Why do we seem to be in love with Operations whose terms denote violence? **Here is our experience in Manicaland.***

The coordinator was out at a farm called Meikles near Africa University on 14 April 2008. This portion of the farm is now owned by a war- vet called Muniya. He instructed ZANU PF youth to burn 60 houses of people he accuses to have voted for MDC. These have been his farm workers ever since he invaded the farm. Apparently the Polling station was won by MDC. A total of 277 plus people are outside at the moment...most of whom are non Zimbabweans and the rest have known that place as home for more than twenty years now. These people have been asked to leave...If this kind of atmosphere continues when we are going to have a recount...then we don't see how this election can be declared free and fair.

Getrude Chimange. (CCJP Coordinator...Manicaland)

APPENDIX 14

Diocese of Chinhoyi

Pre-Election Report 2008

1. Political Environment

The political environment was peaceful during this particular period. Different political parties could be seen driving cars and campaigning freely. The wearing of opposition party regalia was evidently observable in most places of the Diocese.

2. Political Rallies

Rallies were held in some places of the Diocese. Three star rallies were conducted at Chinhoyi grounds. These rallies were conducted by Zanu PF 19/03/2008, MDC 20/03/2008 and Simba Makoni 24/03/2008. The different parties conducted themselves well and did not engage in provocative activities, such as barking insults and shouting hate language. However, posters belonging to other parties were removed and replaced mostly at night, especially a day before the rallies. On the 27th of March MDC campaign team was harassed, intimidated and denied access to hold rally in Murombedzi – Zvimba.

3. Vote Buying Techniques

The ruling Zanu PF was seen engaging in activities, which amounted to intimidation and vote buying. The most important of these activities included, giving tractors, ploughs, scotch carts, planters and vehicles to party members. The Village Heads were involved in the selection of beneficiaries, to ensure that non-supporters were excluded from the list of beneficiaries. It was not established if the implements were bought with funds raised for campaigning or government funds. A week before elections the Presidential candidate for Zanu PF was seen distributing a fleet of buses.

4. Food Hand Out

The Grain Marketing Board distributed mealie-meal through Zanu PF Councillors to ensure only supporters could lay their hands on this precious commodity which is in short supply nationwide. The beneficiaries were few resulting in most of the mealie-meal finding its way on the black market stalls.

5. Use of State Resources

Candidates belonging to the ruling Zanu PF were seen using government and local authority vehicles including some employees and time for carrying out their campaign activities. This abuse was widespread with local government and council vehicles. For example Chinhoyi' City Council vehicles, the blue Engineering Department Mitsubishi truck and the Mayor of Chinhoyi's truck. They had removed the number plates. DDF,

GMB and ZESA trucks ferried Zanu PF supporters to the rally held by its Presidential candidate on 19/03/2008.

6. Voter Education

Deployment of voter educators was done in two phases. The first phase 1 – 14 February 2008 was intended to encourage voter registration and inspection of the voter register by voters. The second phase 25 February to 9th March 2008 was for educating voters on the harmonized election. The educators focused on explaining the colours of the four ballot papers and the documents required for the purpose of voter identification. Given, the complicated nature of the harmonized election, 4 ballot papers and 4 boxes for the first time, voters needed more time to learn and to understand the process. The two week window provided for voter education was far from adequate, considering the distances to be covered and the poor transport network. The situation was made worse by the fact that, most of the voter educators had to walk to get the people. In short voter education wasn't done properly.

7. Media

There was no equal time allocated to opposition parties as compared to the ruling party. Zanu PF was given more time on the T.V., radio and so forth. Few rallies of the opposition were captured. Two weeks before Election Day when the international observers started to arrive in the country we witnessed a slight change on the T.V. Some adverts of opposition parties started to feature. By and large there was no equal time given to opposition parties.

8. Violence and Intimidation

- On the 29th of February Grace Chirume who resides at C23 Alaska Mine was harassed by Zanu PF supporters who are Bruce Nyakudya, Boylen Chirwa and Tandiwe Makiwa all residents of Alaska Mine. Grace was being accused of attending MDC meeting which was held at House No. N23. Grace in order to save her life she fled to House No. A30.
- A Nurse Aid (Tandiwe) at Alaska clinic was harassing patients telling them to vote for Zanu PF.
- On the 20th of March around 8.00p.m a woman who resides at Alaska Mine House No. N5 was beaten by 3 men wearing Zanu PF regalia with faces covered with masks.
- At Lions Den on the 5th of March, Wellington Mahera, Vheremu Shave and Muzhuli were intimidated and denied mealie-meal because they belonged to MDC.
- At Mhangura Mine Mr. T. Kivha was harassed and his field was sprayed paraquat which is normally used to burn grass. The house of his son was burnt also because he was a supporter of MDC. This happened at Ward 1 at Chinyerere farm.

- On 22/03/08 at Pondosora Village 5 Ward 1 Mhangura, the Headman Chamangwanani instructed Zanu PF members to beat MDC members and they were beaten by D.J. Mapurisa, Gwara, Dube and Mbumura all are Zanu PF members.

During Election Report

The atmosphere was generally peacefully on the polling day.

Polling Stations

- Most polling stations opened at exactly 7.00 am on the polling day.
- In some polling stations one or two political agents were present. And some political agents were denied the right to be in the polling station.
- At some polling stations they were unauthorized people loitering near the polling stations.
- There was order in most polling stations.

Electorate

- Some were not allowed to vote because they did not have required documents
- Some did not register but they wanted to vote.
- Some were aliens but for the past elections they were voting.
- Some were allowed to vote despite the fact that they were not in the voter's register and these people were written down in another book. This process was very suspicious.
- Zanu PF supporters were seen 30m away from the polling station in Karoi ward 8. They were in a Nissan Hard Body pick up truck registration no. ABA 8044 and was labelled on both doors "Mashonaland West Province, Zanu PF DCC". They parked their car for about 20 minutes waving their fists to the electorate who were passing by. Nobody in authority approached them.

Postal Votes

- The whole process was very suspicious because the postal votes were being brought in to different polling stations and we did not know where exactly where they were coming from or whether they were on the voters register.
- Let me illustrate by example. In Karoi our observer saw some ballot papers from another polling station (GMB Karoi) to Karoi Government High School. These papers had no official stamp and the Command Centre just instructed that the ballot papers be stamped. The presiding officer's name Mrs. R – one of the Government High Government Schools in the diocese.

Counting of Votes

- Firstly, I would like to thank some Presiding Officers for being transparent during the counting process and for displaying the results for the public to see.
- In some polling stations observers were not allowed to be inside. **There was transparent during the counting period e.g. in Chinhoyi Constituency at Chikonohono Primary School Ward 6.**

Comments

1.1 Factors which made names not to be found easily or not all are as follows:

- The person might have changed her maiden name soon after being married – then the surname which appears on the I.D. would differ from the one on the voter's roll, since the person would have registered before the marriage.
- The officer who was checking the names from the voter's roll was using the alphabetical order to check names as was the sequence on the voter's roll, but some of the names could be overlooked since they were listed in a way of forenames first then surnames.

1.2 I think there was no transparency to those who are assisted those who could not write. Presiding officer, police officer and polling officer were the only ones to assist but I feel and think that observers must be part and parcel of the group to assist.

APPENDIX 15

DIOCESE OF HWANGE 2008 HAMONISED ELECTIONS

REPORT

PREAMBLE

This report is an attempt to give an assessment of the way the periods before, during and after the 2008 harmonized elections was like in the Diocese of Hwange, as far as the issues of elections preparations and campaign were concerned. We were able to field in at least 140 long term and short term observers throughout the whole Diocese. The Diocese of Hwange covers the three districts of Binga, Lupane and Hwange itself. In keeping with international standards for free and fair elections, we set out to monitor the following issues:

1. Existence of an independent Electoral Commission
2. Delimitation exercise
3. Intensive, impartial and broad voter education
4. Sufficient dissemination of information for the sake of the electorate
5. Sufficient time for Voter registration with issuance of registration slips
6. That the voter's role is updated that it is available and accessible on request to all stakeholders.
7. That there be equal access to media coverage
8. That there be a transparent and well publicized postal voting system
9. That there is political tolerance conducive for free and fair elections.
10. Those both international and local observers are invited and accredited timely.
11. That the polling process facilitates secrecy of ballot

We also were concerned with issues of the free campaigns and freedom of choice as far as political party affiliations are concerned. We were also on the lookout for issues of intimidation, harassment, as issues that would militate against conducting of free and fair elections. We were guided by the spirit of the Social Teaching of the Church which lays emphasis on respect for the dignity of the individual, and that of upholding the common good among other principles.

The following are our observations:

PRE-ELECTION

Delimitation Exercise

Reports from our observers indicate that the delimitation exercise was not very well done in some areas. For example Binga district was divided into South and North. The sitting MP was originally from Tinde which falls under Binga District administratively. The delimitation exercise cut off Tinde from Binga South and it fell under Hwange East. That

literally meant that the opposition candidate aspiring to be an MP would not get votes from his home area.

Voter Registration

This exercise was not well publicized. It was neither intensive nor extensive. The rural population did not get much in terms of publicity since most of it was done through television and radio. Most of the areas in the Diocese get neither ZTV nor ZBC radio transmissions. Some registration centres ran out of registration materials, which meant that those who came after this scenario were unable to register. One example is the Hwange Government registration centre in Hwange Town. On the last day of the exercise after 5pm, there were still people trying to register. These found that the registration book which makes it possible to issue voting slips was finished.

Voter Education

This too was done mostly through radio, television and newspaper, thereby disenfranchising the rural population for the same reasons stated above. The process of casting out one's vote in this type of election was not explained to the rural population in most areas that we covered. Nor were the different ballot colours for various candidates and parties known.

Campaigning

Campaigning parties and individuals were free to put on their party regalia and to make their campaigns freely without interference compared to past years. There was a certain amount of political tolerance.

There were instances where police interfered with rallies or those who wanted to hold those rallies were blocked from doing so. There were other instances whereby the political parties were less tolerant to each other to the extent of preventing one part from displaying their campaign posters. We have cases where ZANU PF denied MDC activists from publicizing their posters.

In some instances the opposition was denied venues and chances to hold their rallies.

In some wards maize could be procured only after one had produced a ZANU PF card.

Privatization of the common good

Of importance in this section is noted the active involvement and participation of traditional leaders (chiefs, village heads) in mobilizing the electorate to vote for ZANU PF. Chiefs are a common good. They should not be privatized since they represent a society of people of various organizations and political affiliation. In this election, some chiefs were privatized and carried out the agenda of a single political party. Some chiefs even drove in their vehicles with the posters of President Robert Mugabe stuck on their cars during campaigns. Some of the chiefs even transported people to rallies in their own trucks. In some areas they also wrote down people's names, promised them ploughs and then gave them ZANU PF party cards. Some headmen were also urging people to vote ZANU PF while others were campaigning for the same party side by side with councillors. In some cases the register of attendance at a ZANU PF rally was prepared by village heads.

Government vehicles were also used to ferry people to rallies of ZANU PF Party. Some agricultural materials such as ploughs were given only to ZANU PF supporters in some areas.

Politicization of food

Food was given discriminately in some places. This scenario has continued to the period after the elections. Some of the people who have no ZANU PF party cards do not received food that the government freely gives to the people. Even to by the maize sold by GMB people would be forced to produce a ZANU PF party card.

Harassment and threat

There were cases of intimidation in some parts of the Diocese. Some councilors intimidated people with threats that they will be killed soon after elections if they did not vote for ZANU PF. On some other occasion an MDC candidate was threatened by members of the CID and ordered to withdraw from contesting. We have reports of cases whereby ZANU PF supporters stopped MDC activists from displaying their campaign posters. In certain companies some employees were threatened by ZANU PF officials that they would lose their jobs if they stuck to supporting MDC.

People forced to attend rallies

Generally people were not forced to attend rallies in a number of places. However, in certain areas they were forced to attend ZANU PF meetings, regardless of whether they were members of the party or not. In some instances people were summoned on the pretext that maize was being sold by the GMB, yet it was a strategy of forcing people to attend a rally.

ELECTION DAY

This Day was rather uneventful. Voters proceeded peacefully to cast their vote. We did not witness major irregularities in many stations. However in some areas there were shortages of election materials and in some other cases materials were missing. The election officials were exceptionally commendable for the job they did so well. They showed a high degree of maturity and professionalism as far as public relations and handling of their work was concerned.

The police force also exhibited a high degree of professionalism. They were more than ready to assist individuals whose names would not have appeared in a particular ward/station. They would quickly radio phone the next station to find out if the individuals appeared there.

The observers carried out their duties professionally without interruptions. There was a spirit of cooperation and tolerance between the observers and the election officials. Voting was conducted with a lot of transparency and neutrality. The spirit was that of non-partisanship.

All information was quickly relayed to the command centre through the police radios. However, the verification of names was marked with many delays in terms of getting responses from the command centre to the various polling stations around the diocese. Some people could not vote because their statuses had not yet been confirmed even at the close of stations at 19:00 hrs.

We noted that there were many voters turned away for various reasons, e.g., being in the wrong ward or constituency, being aliens, not registered, no identification particulars, or using expired passport. This gives a big question mark as far as voter education is concerned.

POST ELECTION PERIOD

Soon after people accepted the results of the polls there was no report of any grumbling or dissatisfactions from any political party. However later on, in Hwange town there were reports of MDC activists who were arrested for allegedly singing derogatory songs in celebrating their triumph. Some cases were taken up in court and MDC members were released upon paying a fine.

The delay of announcement of the results brought a lot of anxiety among the people. Within the past one month we have been receiving refugees who running away from political violence, intimidation and threats from the ZANU PF war veterans who say that people have voted wrongly. Some homes have been burnt in Lupane District; some schools had been closed up by war veterans in Hwange District, but later reopened thanks to the police. Soldiers' bases and youth militia are being revived across the Diocese. The war veterans constantly threaten the people that they will all die if the do not vote ZANU PF.

The Diocese of Hwange was heavily affected by the gukurahundi massacres, and the people are still paralyzed by that experience 25 years after independence. Currently the war veterans are telling the people that what happened during gukurahundi was nothing compared to what they will do now should the people fail to vote ZANU PF. The chiefs have been calling meetings to try and drill it into the minds of the people that there is only one party to be voted for, and that the people belong to the party.

Our main challenges

Our main challenges in this election have been that of logistics, namely communication and travelling. This has made it difficult for us to deliver to as well as collect the observation forms from our observers. Some places are without telephone. Our commission also does not have a vehicle. This makes the whole issue of coordination and supervision very difficult. Our office is run by voluntary staff only, and this too has its own difficulty especially if duties clash.

CONCLUSION

The 2008 Harmonized elections have come and gone. The pre-election period was marked with a number of irregularities with respect to the international laws that govern the country. The voting process itself was commendable. The period after has brought in a lot of fear and helplessness among the people. We are still monitoring this period.

APPENDIX 16

DIOCESE OF MASVINGO

Election Report for the 2008 Harmonised Elections

We observed elections under Zimbabwe Catholic Bishops' Conference (ZCBC). We had long term observers who observed the pre-election period, actual Election Day proceedings and post election period. The Supervisors made a summary of the reports from their observers. This report is therefore a summary of the Supervisors' reports covering the whole Diocese. Our Supervisors were Priests. These included the following Rev. Fathers: Fr. Marimazhira, Fr. Madzivire, Fr. Chimombe, Fr. Gudo, Fr. Mutuzu, Fr. Kufakunesu, Fr. Kupfuwa, Fr. Mutombwa and Fr. Tauyanago. For our report to be comprehensive we also networked with IMBISA where we had seconded ninety eight of our CCJP observers being supervised by the following Rev. Fathers: Fr. Nyandoro, Fr. Zvoruvanga, Fr. Mandaza, Fr. Muzenda, Fr. Mukaro, Fr. Wezana, Fr. Mahefu, Fr. Dakwa and Fr. Chibaya.

We would like to thank the Rev. Fathers for their unwavering commitments and support during the whole process. This gave the whole process a true Catholic face.

PRE-ELECTION:

The pre-election period was reported to be very peaceful throughout. There were no reports of any incidents of violence or intimidation except on two separate and unrelated instances. An MDC youth was killed at Chivi Growth Point. However further investigations indicated that this was after a fist fight with a ZANU (PF) youth over a girlfriend at a beer drink. We therefore could not classify this as a politically motivated incident. The other incident reported during the period was a warning (intimidation) made by Minister Mudenge that if people voted for MDC they would be beaten up. This is reported to have been said at a Rally at Mazambara in Zimuto area.

Save for these, the pre-election period was very peaceful and free of any incidents. This therefore indicated that campaigning was free for all. Freedom of movement was observed. There was no police harassment right up to Election Day. Our accredited and unaccredited observers were able to collect information freely and fairly.

ELECTION DAY:

Our Supervisor i.e. the Rev. Fathers (Priests) were able to move around the polling stations because the National Office had provided us with fuel for the purpose.

Reports from the observers indicate that the process was done peacefully. There was free movement. There was convenient and necessary security at all polling stations. Our observers were allowed into the polling stations and were there from start to finish. Our observers phoned in the results from their polling stations. However, those in rural areas who had no phones were only able to give the supervisors information a day after.

We received one incident of a man in Mucheke who indicated that his ballot paper on presidential candidates was already marked. However, thorough research and investigation by all present indicated that the gentleman had put his “x” on the wrong candidate so he wanted a second chance. He was however given a new ballot paper and a report was made in writing about this incident. Otherwise the polling day was generally peaceful and incident free.

POST ELECTION PERIOD:

For almost a week the environment was quiet and peaceful. However on Saturday 5th May 2008 we received information from one of our observers that violence had started in Zimuto area. MDC youths and agents had been beaten up and had been admitted at Masvingo General Hospital.

On 7th April 2008 we also received information that Mr. Navaya a ZANU (PF) activist in Zimuto had been beaten up and left for dead by MDC youths.

On 13th April 2008 we also received information that homes had been burnt in Chiguhune area of Gutu. People were displaced.

On 17th April 2008 we received information that homes had been burnt in the Matsai and Benzi areas of Zaka by ZANU (PF) youths. However on 19th April 2008 we also received information that MDC youths in three open truck pick-ups had moved around Benzi area beating up ZANU (PF) activists as retaliation.

In the same period we also received information that one person had been beaten to death in the Morgenster area and six had been injured.

These are just a few of the many incidents of violence which have characterised the post election period. These indicate that violence is being perpetrated by both ZANU (PF) and MDC.

BASES:

Bases have also been established in Gutu, Zaka, Bikita and Chivi by ZANU (PF). However the police have been vigilant and have disbanded these bases.

ARREST:

At the recounts about forty Presiding Officers were arrested for various electoral crimes. One dehumanising and humiliating experience was the arrest and detention of Sr. Anna Jaravaza who was locked up in a holding cell for two days. The Human Rights Lawyers assisted the arrested Presiding Officers.

SHORTCOMINGS:

1. We had problems on accreditation especially on those observers we had seconded to IMBISA. We hope that in future IMBISA will move on time to provide the necessary paperwork.
2. We had problems with observers who felt that we had paid them far less than the other organisations.
3. Our payments were not standard. Mutare Diocese and Bulawayo Arch Diocese paid their observers more than Masvingo Diocese could pay. Could we standardise these in future.

CONCLUSION:

We would like to thank Bishop Bhasera most sincerely for allowing the Priests to participate in this National process. It was very encouraging to us the laity. For the first time the elections were really a Catholic family affair, with a true Catholic face and input.

Compiled by:

Fr. T. Madusise: Spiritual Advisor & Mr. G. Muzenda: Diocesan Chairman

APPENDIX 17

ELECTION REPORT GWERU DIOCESE

POSITIVE ELEMENTS

1. Time

7am – 7pm. Time allocated was sufficient to allow voters to exercise their right to vote. Voting ended at a good time.

2. Environment

The environment at many polling stations was peaceful and conducive for voting. There was no violence, harassment or interferences at Polling Stations.

3. Polling Stations

Polling stations were sufficient for people to go and vote without spending much time in queues. Polling stations were near such that it was easy for the people to cast their votes without walking distances.

4. Security

At least two ZRP officers were at every polling station giving enough security to voters and polling agents. Police Officers were alert until the end of the voting process.

5. Security

Security was not tight. The number of polling officers was not enough considering the time the exercise ended.

6. Personnel

Sufficient polling officers who were polite, understanding and co-operative were deployed at all polling stations. At every polling station, there were eleven officers which made the exercise manageable. Deployed party and non-party agents were disciplined.

7. Facilities

Enough furniture and stationery was available for the exercise. At most all polling stations had sufficient sanitary facilities provided for the voting exercise. Electricity and gas lamps were supplied to boost the lighting system at night.

8. Voting Process

The process of voting was done professionally from the beginning to the end. Preference was given to the elderly, disabled and the blind. Voters formed organized queues and maturely followed instructions of Presiding Officers.

9. Vote Counting and Verification

Presiding officers conducted vote counting in a mature and professional manner. While agents were present, verification of results was done by three people in view of all agents followed by audible announcement and pasting of results.

10. Post Election Situation

Isolated incidents of violence and intimidation were reported especially at Toyo Township and at Muyambo Business Centre. Civilians were not allowed to gather in groups of more than five people. Party supporters of MDC were beaten for rejoicing over results. ZRP Officers and army officers were deployed in town, locations and at all main roads. Generally, the environment after the election and announcement of the results from the National Office no longer peaceful.

Negative Elements

1. Voters' Roll

The voters' roll was not up to standard. Some voter's names were found in wards where they do not belong. Due to this confusion some voters gave up voting and did not exercise their right to vote.

2. Conduct of Party Supporters

Some party members of the MDC were campaigning on the day of voting which can cause clashes between other party supporters. Near Mpumelelo Polling Station, some people were drinking beer within the stipulated distance and having caucus meetings near the polling station.

3. Location

Polling stations should not be located near beer halls. In Mkoba 14, polling station was only 20 metres from a bottle store making it an un-conducive atmosphere for voting.

4. Facilities

Sanitary facilities were lacking at some polling stations. Voting agents were sharing toilets with bottle store patrons. At some stations e.g. Twin Peaks, temporary toilets were built but not good enough to be used by polling officials.

APPENDIX 18

THE 2008 HARMONIZED ELECTION REPORT: ARCHDIOCESE OF BULAWAYO

1. Preamble

The much talked about elections came with many noticeable hitches in terms of organized violence and intimidation tactics. The environment was relatively conducive expect maybe for the media coverage during the initial stages of the campaign period. The state media was biased in favour of the ruling party. Maybe the relatively quite environment could be attributed to the SADC brokered talks: political tolerance had been cultivated. Most of the people showed a high sense of maturity as they were able to go about their political business. On the other hand, the incoming of Dr. Simba Makoni and Dr Dumiso Dabengwa of Mavambo Kusile Dawn Project also exposed the vulnerability of the ruling party and that people could openly criticize its negative policies. The report shall however focus on the actual polling day events and the subsequent period leading to the partial announcements of the results. It shall also attempt to qualify its verdict on whether the elections were free and fair in the Archdiocese of Bulawayo by looking at the following issues, situation on the ground on the day voting, the electoral process itself as observed, the area covered by our observers, the highlights of the day, announcements of the election results, international observers

2. Situation on the ground on 29 March 2008

The environment was very peaceful and calm on the actual day. What also assisted was the fact that the government declared 29/03/08 to be a public holiday. The day appeared to be as if was Christmas Day. If ever there was any significant disturbance, it could have been in the rural areas unknown to us.

3. Observers on the Ground

The diocese fielded 109 observers 16 of these were deployed in the rural areas. Of the 16 observers only 2 were not accredited. They covered St Luke's, Lupane, Mbanga Tusinde Nkayi, Regina Mundi and St Paul's Lupane, Magama Tsholotsho and Ekusileni Filabusi. The rest of the 93 were deployed in Bulawayo urban constituencies. More observers could have been recruited for the rural areas. Only three observers were not accredited.

4. The Electoral Process

The content of the Zimbabwe Electoral laws were not followed to the letter:

- Making public the Delimitation Report on boundaries at ward constituency and senatorial level.
- Equitable access to the public media for campaign purposes.
- Free movement in all areas for campaign purposes
- Aggressive campaign on voter education to focus on the need for voter registration the need to assess political manifestos, the need to cast one's vote and how to physically cast one's vote.
- Designing better means for encouraging voter registration and inspection.
- Observing and promoting the Code of Conduct for contesting political parties and or independents especially the use of hate language.

The environment was relatively free and fair for the populace to express their opinion.

The capacity for ZEC to carry out the exercise did not match its resource base and trained personnel to run the show. It could have been better if they had roped in Zimbabwe Election Support Network (ZESN) to assist in both the voter education and a further decentralization of the accreditation centres to provincial capitals. ZESN had offered to assist. Bulawayo failed to accredit 3 observers due to logistical problems related to bus fares and communication.

SHORT COMINGS OF THE ELECTORAL PROCESS

A lot of people were turned away from the polling stations because of being in the wrong wards due to lack of education as seen by a simple survey done on 16 polling stations in 8 different constituency the findings were as follows:

<u>Constituency</u>	<u>Polling Station</u>	<u>No. Turned Away</u>
Mpopoma	Phelandaba Hall	11
Entumbabe/Emakhandeni	Manyewu	42