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Election Watch | Zimbabwe

January 2012

MEASURING THE ZIMBABWEAN ELECTORAL ENVIRONMENT ACCORDING TO THE SADC GUIDELINES GOVERNING DEMOCRATIC ELECTIONS

On the 17th of August 2004, the Southern African Development Community (SADC) leaders adopted the "[SADC Principles and Guidelines Governing Democratic Elections](#)." As a member of SADC, Zimbabwe was a signatory to these benchmark principles, and therefore it is entirely fitting that Zimbabwe's performance in relation to the future elections be measured against these principles and guidelines.

The Electoral Institute for the Sustainability of Democracy in Africa presents a brief [overview](#) of Zimbabwe's electoral system on their website.

SADC principles for conducting democratic elections:

	Divergence/Obstructive Legislation	Compliant
2.1.1 Full participation of citizens in the political process	• War veterans stormed the location at Vumba Mountains where the Zimbabwe Constitution Select Committee (COPAC) technical team has retreated for the drafting of the final document, demanding a halt in the constitutional drafting process • Citizenship of Zimbabwe Amendment Act, 2003 • Guardianship of Minors Act, 1961 • Broadcasting Services Act, 2001	☐ Yes ☒ No

2.1.2 Freedom of association	• Police defied a court order and disrupted an MDC-T rally at Komayanga business centre in Nkayi, Matebeleland North • Public Order and Security Act, 2002, amended 2007	☐ Yes ☒ No
2.1.3 Political tolerance	• A crackdown on Prime Minister Morgan Tsvangirai's supporters has followed the bombing of Zanu PF offices in Gweru • Police stormed Harvest House and arrested several MDC members working at the party's regalia shop; one of those arrested, Barnabas Mwanaka, was hospitalised after the police broke his right leg during the arrest	☐ Yes ☒ No
2.1.4 Regular intervals for elections as provided by the respective National Constitutions	N/A	☐ Yes ☐ No
2.1.5 Equal opportunity for all political parties to access the state media	• Obert Muganyura, the chief executive officer of Broadcasting Authority of Zimbabwe, ruled out licensing independent television stations, saying it was not a priority • Broadcasting Services Act, 2001	☐ Yes ☒ No
2.1.6 Equal opportunity to exercise the right to vote and be voted for	• COPAC co-chairperson, Douglas Mwonzora, confirmed that sharp differences remain between Zanu PF and the Movement for Democratic Change (MDC-T) over the issue of dual citizenship within the constitution-making exercise • The Hurungwe district coordinating committee (DCC) passed a resolution that Hurungwe East MP Sarah Mahoka (Zanu PF) must face a disciplinary hearing for hosting "an indigenisation function" that had no blessings of local leadership ahead of provincial elections. Mahoka is facing national political commissar Webster Shamu's wife, Constance Tsomondo, for the election of provincial women chairperson • Citizenship of Zimbabwe Amendment Act, 2003 • Guardianship of Minors Act, 1961	☐ Yes ☒ No
2.1.7 Independence of the Judiciary and impartiality of the electoral institutions	• High Court Justice Mathonsi, known for passing judgments considered unfavourable to the police, the Attorney General's office and other government authorities was unexpectedly transferred from Bulawayo to Harare • Magistrate Sandra Mupindu referred the defamation case against The Standard's Nevhanji Madanhire and Nqaba Matshazi to the Supreme Court, positing Section 96 of the constitution may be unconstitutional • The Electoral Amendment Bill mandates the Registrar-General's office to oversee the production of the voters' roll which undermines the independence of the ZEC	☐ Yes ☒ No
2.1.8 Voter education	• The language used in the Electoral Amendment Bill gives the Electoral Commission the discretion to decide on the inclusion of other players in the provision of voter education. This may make the partisan electoral commission exclude other stakeholders in providing voter education	☐ Yes ☒ No

2.1.9 Acceptance and respect of the election results by political parties proclaimed to have been free and fair by the competent National Electoral Authorities in accordance with the law of the land	• N/A	☐ Yes ☐ No
2.1.10 Challenge of the election results as provided for in the law of the land	• Where there is a tie in the run-off election, the EAB requires that the election of the President can be decided by an electoral college of MPs in Parliament. This provision usurps people's power to determine who is to occupy the highest office in the country and gives this power to a few MPs	☒ Yes ☐ No

Assessment of electoral processes

	Divergence/Obstructive Legislation	Compliant
Voter registration	• MDC-T National Executive member Charlton Hwende said the strategy to remove their members from the voters' roll by the Registrar General's office would not work because they were already demanding a new roll. Hwende said they would not participate in any election that did not use a 'credible' voters' roll • Citizenship of Zimbabwe Amendment Act, 2003 • Guardianship of Minors Act, 1961	☐ Yes ☒ No
Freedom of choice	• Access to Information and Protection of Privacy Act (AIPPA), 2002	☐ Yes ☒ No
Impediments to standing	N/A	☐ Yes ☐ No
Boundary delimitations	• Election Resource Center Director, Tawanda Chimhini, said language in the Electoral Amendment Bill that requires voters to cast ballots only where they are registered - and not at any polling station in a ward as currently - would leave rural voters vulnerable to intimidation	☐ Yes ☒ No
Use of public resources and political party financing	N/A	☐ Yes ☐ No
Code of conduct	• Reports of Lieutenant General Constantine Chiwenga regularly summoning Zanu PF Copac representatives for briefings on the constitutional reform process has stoked fears of interference. As recently as January, MDC-T spokesperson and COPAC co-chair, Douglas Mwonozora stated Chiwenga summoned Zanu PF officials Paul Mangwana and Walter Chidhakwa	☐ Yes ☒ No

Assessment of electoral environment

	Divergence/Obstructive Legislation	Compliant
Freedom from intimidation, fear and violence	• 50 MDC-T youths were arrested prior to the launch of the "Free Solomon Madzore Campaign" in Bulawayo • Sten Zvorwadza, spokesperson for the Restoration of Human Rights Zimbabwe (ROHR) was arrested after trying to report intimidation by known local Zanu PF leaders in Mbare • Fadzai December, Molly Chimhanda and Gilbert Mabusa of Media Monitoring Project of Zimbabwe will face trial for insulting or undermining the authority of President Mugabe • Sinikiwe Matore, the owner of Rosepet Bookshop in Victoria Falls was arrested after police raided her shop and confiscated 10 copies of Prime Minister Tsvangirai's book • MDC 99 leader, Job Sikhala has threatened to lead his party into "terrorist" attacks on polling stations if elections are held under contested conditions • More than 20 people were injured and admitted at Nkayi Hospital after the police beatings following an alleged assault of a police officer • Co-Minister of Home Affairs Theresa Makone said she will approach Mugabe and the Commissioner General Augustine Chihuri over the partisan conduct of the police, a day after police details raided the MDC Harvest headquarters and deployment of massive police units in Nkayi • Police in Lupane, Matabeleland North defied a High Court order by arresting two employees, Busani Ncube and Zansi Mabunda, of Bulawayo Agenda for holding a public meeting without police permission	☐ Yes ☒ No
Media freedom and access to information	• Prime Minister Morgan Tsvangirai denied charges by a state radio broadcaster that he bribed editors from private newspapers to run stories portraying him positively while attacking Zanu PF officials • Broadcasting Services Act, 2001	☐ Yes ☒ No
Role of civil society	• Dewa Mavhinga, regional coordinator for the Crisis in Zimbabwe Coalition said any plans to have elections without reforms should be totally rejected • Non-Governmental Organisations Bill, 2004 (not yet signed into law) • Read the Media Monitoring Project of Zimbabwe's press release concerning the arrest of their staff here • Private and Voluntary Organizations Act, 2007	☒ Yes ☐ No

Role of Security Sector	• Zimbabwe Republic Police acknowledged they have begun training programmes for officers ahead of possible 2012 elections • Reports of Lieutenant General Constantine Chiwenga regularly summoning Zanu PF COPAC representatives for briefings on the constitutional reform process has stoked fears of interference. As recently as January, MDC-T spokesperson and COPAC co-chair, Douglas Mwonzora states Chiwenga summoned Zanu PF officials Paul Mangwana and Walter Chidhakwa • President Mugabe's promotion of Major General Douglas Nyikayaramba, who once described Prime Minister Morgan Tsvangirai as a "national security threat" and called for Mr. Mugabe to be declared life president, has heightened tensions within the government of national unity	☐ Yes ☒ No
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SITO has replaced its monthly GNU Watch with this publication to monitor Zimbabwe's progress toward inevitable elections.