



Election Watch | Zimbabwe

March 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	• Citizenship of Zimbabwe Amendment Act, 2003 • Guardianship of Minors Act, 1961 • Broadcasting Services Act, 2001	☐ Yes ☒ No
2.1.2 Freedom of association	• The trials for Paul Siwela, John Gazi and Charles Thomas, who are being charged with treason for belonging to Mthwakazi Liberation Front (MLF) which is calling for a separate state of Mthwakazi from Zimbabwe, began on 19 March. The three were arrested early last year for allegedly distributing pamphlets calling for a separation of Matabeleland	☐ Yes ☒ No

	• A peace rally organised by Movement for Democratic Change (MDC-T) was banned by police in Lupane, Matabeleland North province • Public Order and Security Act, 2002, amended 2007	
2.1.3 Political tolerance	• Zimbabweans in Mashonaland Central's Muzarabani North district reported officials distributing grain only to Zanu PF supporters. Maize and seed being distributed through government's Grain Marketing Board is reported to have President Robert Mugabe's sticker pasted on the container plastic bags	☐ 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	• Zimpapers Talk Radio will begin broadcasting this month. The group, with deep ties to Zanu PF, also owns The Herald, The Sunday Mail, Chronicle, Manica Post, Sunday News, H Metro and B Hetro and Kwayedza • The Broadcasting Authority of Zimbabwe (BAZ) deferred the issuing of other commercial radio licences in a move some applicants believe is meant to ensure the airwaves remain under the influence of Zanu PF • Broadcasting Services Act, 2001	☐ Yes ☒ No
2.1.6 Equal opportunity to exercise the right to vote and be voted for	• 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	• Dewa Mavhinga of Crisis in Zimbabwe Coalition described Zimbabwe's judicial system as highly compromised due to interference from Zanu PF • 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	• Mugabe said elections would take place this year with or without a new constitution, a condition which is at variance with the stance adopted by the guarantors of the GPA, SADC and the African Union (AU) who have insisted that elections should only be held when the agreement has been implemented in full • Mugabe has vowed to block a new constitution that would prevent him from running for president, while also insisting he would not permit restructuring of the armed forces seen as the backbone of his three-decade stay in power	☐ 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
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Assessment of electoral processes

	Divergence/Obstructive Legislation	Compliant
Voter registration	- 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	A total of nearly 6,000 youths from Zanu PF's militia squads, who have been paid for unspecified jobs since 2008, were recently removed from the government payroll following a government ordered audit	☒ Yes ☐ No
Code of conduct	- Parliament has neither implemented the "Code of Conduct", nor registered the financial interests of its Members - Against regulations, Manicaland leaders said provincial chairperson Mike Madiro took ballot boxes for the District Coordinating Committee elections from Vhengerere polling station	☐ Yes ☒ No

Assessment of electoral environment

	Divergence/Obstructive Legislation	Compliant
Freedom from intimidation, fear and violence	- A report by Crisis in Zimbabwe Coalition stated a youth group linked to Zanu PF (Chipangano) has banned law-makers from the MDC-T from visiting their constituencies, creating no-go areas. Lawmakers Piniel Denga for Mbare and Southerton's Gift Chimankire, are the worst affected by Chipangano's activities in Harare - Approximately 200 MDC supporters that turned up for a rally in Sunningdale were attacked by the Chipangano group - Munyaradzi Gwisai and five other activists fined the activists \$500 each and ordered to carry out 420 hours of community service or face a year in jail for watching video footage of the mass uprisings in Egypt	☐ Yes ☒ No

	• Pride Mkono, president of the Zimbabwe National Students Union (Zinasu) stated that there was an upsurge of student victimisation by police after seven students were rounded up by police officers for celebrating a court verdict to fine and not send to jail activists convicted of conspiring to commit public violence by watching video footage of the mass uprisings in Egypt • Police raided the home of MDC-T chief of staff Abisha Nyanguwo	
Media freedom and access to information	• The Zimbabwe Media Commission (ZMC) has threatened to charge media houses in Zimbabwe a heavy penalty if they do not pay part of their profits to the media regulatory body by end of March • Prime Minister Morgan Tsvangirai accused the Daily News, a newspaper sympathetic to the MDC-T, of “raising political tensions” in the country through sensational reporting and deliberate distortions	☐ Yes ☒ No
Role of civil society	• The National Constitutional Assembly (NCA) and labour movements have snubbed the MDC-T’s Global Advocacy Campaign which is intended to ensure Zimbabwe has free and fair polls. Divisions are emerging among members of the Crisis Coalition in Zimbabwe over the issue, with some NGOs such as the NCA and Progressive Teachers Union of Zimbabwe (PTUZ) saying the party wants to use them to further its objectives although it refused to cooperate with them in the constitution- making exercise • MISA-Zimbabwe is appealing to principals in the inclusive government to acknowledge whether the current board of the Broadcasting Authority of Zimbabwe (BAZ) was legally constituted as some appointments in question were not done in terms of Section 4 of the Broadcasting Services Act and the Global Political Agreement	☐ Yes ☒ No
Role of Security Sector	N/A	☐ Yes ☐ No