

Election Watch | Zimbabwe

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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	• Police disrupted a rally called by the Harare provincial leadership of MDC-T in Kambuzuma in Harare claiming they were looking for people who had attacked a police officer; • Public Order and Security Act, 2002, amended 2007.	☐ Yes ☒ No

2.1.3 Political tolerance	• Six Great Zimbabwe University students were arrested for taking part in a demonstration against authorities for blocking them from holding Student Representative Council elections. The six are Amos Mutema, Brian Chimwai, Simbarashe Muparure, Maxwell Hlongwani, Christopher Chuma and Terrence Moyo; • Six traditional leaders in Lupane East constituency of Matabeleland have been accused of working with Zanu PF district structures, in a scheme to deny donated food and other local resources to MDC supporters.	☐ 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	• United Nations High Commissioner for Human Rights Navanethem Pillay said the Zimbabwe Media Commission (ZMC) was more concerned with controlling and censoring the media than promoting freedom of expression. Click here for the full text of her address on Zimbabwe; • 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	• A hearing date has been set by the Supreme Court in the case in which President Robert Mugabe is appealing against holding of by-elections in three vacant parliamentary constituencies in the Matabeleland region;	☒ 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	• Citizenship of Zimbabwe Amendment Act, 2003; • Guardianship of Minors Act, 1961.	☐ Yes ☒ No
Freedom of choice	• Zanu PF has had to suspend district elections in five provinces after fights erupted over accusations of vote rigging, the imposition of candidates and intimidation; • 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	• The Comptroller and Auditor General revealed that the Zimbabwe Broadcasting Corporation (ZBC) made a loss of about US\$4 million in 2009. The ZBC has failed to produce audited statements, flouted the corporate governance framework for state enterprises and also made some acquisitions without going to tender as required;	☐ Yes ☒ No
Code of conduct	• Parliament has neither implemented the "Code of Conduct", nor registered the financial interests of its Members.	☐ Yes ☒ No

Assessment of electoral environment

	Divergence/Obstructive Legislation	Compliant
Freedom from intimidation, fear and violence	• A training workshop organised by the Bulawayo Progressive Residents Association (BPRA) was disrupted by police, who demanded to know who had cleared the gathering and why governance issues were included in the programme; • On 26 May, in Mudzi district, Mashonaland East, approximately 300 Zanu PF supporters led by Ward 3 councillor David Chimukoko attacked 70 MDC-T activists at a rally at Chimukoko Business centre; • Cephas Magura, Chairperson for Ward 1 Mudzi North, died after having been severely assaulted at Chimukoko Business Centre. He was hit in the head by a stone and assaulted by a group of Zanu PF youths; • Grain intended to benefit hunger-stricken villagers of Mutare district in Manicaland province, has been diverted by Zanu PF officials. The Mutare District administrator, Simon Sigauke, last week confirmed that grain meant for an ongoing grain loan scheme had run out before the intended beneficiaries had received their monthly allocations.	☐ Yes ☒ No

Media freedom and access to information	• Civil organisations have described government's move to establish a Tonga community radio station in Binga as a political gimmick aimed at bolstering Zanu PF's propaganda in the MDC dominated area ahead of the anticipated elections later this year; • One of the applicants who lost the bid to operate a private radio station, Vox Media Productions Private Limited, launched a High Court application to force Broadcasting Authority of Zimbabwe (BAZ) chairman, Tafataona Mahoso, to submit transcripts of interviews the board had with all the applicants; • Petroc Trelawny of the BBC was arrested by immigration officials after he appeared at the opening night of a festival run by the Bulawayo Music Academy.	☐ Yes ☒ No
Role of civil society	• Civil society groups have warned that the failure of the House of Assembly and the Senate to pass the Human Rights Commission Bill and the Electoral Amendment Bill will hinder progress toward laying the foundations needed before the next elections are held; • Violence is on the increase and most of it is politically motivated, a recent survey by the Combined Harare Residents Association has found.	☐ Yes ☒ No
Role of Security Sector	• In an interview, Justice and Legal Affairs Minister Patrick Chinamasa said that by making political statements, generals were merely pointing out the way they wanted the country to be ruled.	☐ Yes ☐ No