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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; • The MDC-T pushed for a Diaspora vote so that all Zimbabweans may participate in forthcoming elections. In the newly drafted Bill of Rights, Clause 4.24 (1) (a) and (b), it is mandated that, "...every citizen of Zimbabwe has the right to free, fair and regular elections for any elective public office established in terms of this constitution or any other law and to make political choices freely," leaving the issue of Diaspora voting undetermined, as arguably the phrase "every citizen of Zimbabwe," could include Zimbabweans abroad.	☐ Yes ☒ No

2.1.2 Freedom of association	• Public Order and Security Act, 2002, amended 2007.	☐ Yes ☒ No
2.1.3 Political tolerance	• President Robert Mugabe has recommended to the ZANU PF Central Committee that the District Coordinating Committees (DCCs) be disbanded; • Welshamn Ncube, industry minister and leader of the smaller MDC faction, called ZANU PF leaders and their supporters “pigs” and “naturally violent”.	☐ 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	• 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; • Smaller political parties, such as the MDC-99, have not been included in constitutional reform talks, which has diminished the visibility and viability for their electoral equality.	☐ Yes ☒ No
2.1.7 Independence of the Judiciary and impartiality of the electoral institutions	• The Supreme Court ruled that Mugabe must call for by-elections, a positive sign of judicial independence.	☒ 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; • A campaign called X1G, aimed at educating and encouraging youths to register to vote and cast ballots, has begun tackling the issue of underrepresentation of youth generations .	☐ 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; • ZimPride, an election awareness group, has urged youth populations to participate in forthcoming elections, emphasizing voter registration as vital to the democratic process; • MDC-T legislators objected to a provision within the Electoral Amendment Bill which says voter registration should be based on a particular polling station. Instead, they prefer a system allowing people to vote in any station where they are registered. The Bill was rejected by Parliament.	☐ Yes ☒ No
Freedom of choice	• Access to Information and Protection of Privacy Act (AIPPA), 2002 • Future Vice Presidents will be directly elected by the people under the new draft constitution, rather than by appointments made from within the government, as current procedures stipulate.	☐ Yes ☒ No
Impediments to standing	N/A	☐ Yes ☐ No
Boundary delimitations	• Section 7.7 of the new draft Constitution provides that the ZEC draw up new boundary delimitations every ten years following each census; • 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; • ZANU PF and the MDC-T cannot agree on whether the voter's roll should be specific to polling stations or to wards.	☐ Yes ☒ No
Use of public resources and political party financing	• Finance Minister Tendai Biti (MDC-T) has announced that \$100 million has been earmarked by the government for the next general election; • Mugabe insists there is no money to hold the overdue by-elections; • 550 4x4 vehicles were purchased by the ZANU PF at a cost of \$14 million in preparation for the elections. The vehicles were dispatched to provincial executives throughout the country. The source of the funds is unknown.	☐ Yes ☒ No
Code of conduct	• The National Executive resolved that all MDC-T members and officials who were implicated in violence should be brought before the national disciplinary committee without regard to their status within the party; • 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	• ZANU PF members were told by the party's administration secretary Didymus Mutasa on 7 July that no members were allowed to engage in, or speculate on, any talks of succession as long as Mugabe remains in office; • While in Tokyo on 20 July, Prime Minister Tsvangirai called for international support of the SADC and regional efforts to stabilize the pre-election situation in Zimbabwe. He also called for free and fair elections free from intimidation, in reference to potential ZANU PF violence.	☐ Yes ☒ No
Media freedom and access to information	• Article 4.19 of the draft Constitution states, "...every citizen or resident, including the media, has the right to any information held by the State, international and non-governmental agencies at every level, in so far as required for the execution or protection of a right in the interests of public accountability;" • Star FM, Zimbabwe's first commercial radio station, continues to act as little more than a platform for ZANU PF propaganda; • The Media Monitoring Project of Zimbabwe stated that despite a provision in the unity government agreement compelling public newspapers and broadcasters to maintain balance, the outlets were still leaning towards ZANU PF; • Information Minister Webster Shamu summoned news editors to his office to admonish them about articles criticising the President and investigations into allegedly corrupt business deals; • Two officials from the MDC-T were arrested for distributing the party newsletter. Masvingo Provincial Secretary for Elections Phillip Manyanye, and Gutu district chairperson Fabian Mamombe were detained and held in cells at the Mpandwana Police station; • Photojournalist Aaron Ufumeli was arrested on 17 July while covering a demonstration against arbitrary arrests of women. He was released soon after, but his camera was kept until 10 A.M. the next day, and was only returned to him after he had deleted the photographs from the demonstration; • Journalist Thomas Madhuku was arrested on 23 July on charges of tampering with the country's voter registration and practicing journalism with an expired license.	☐ Yes ☒ No
Role of civil society	• Simpson Mtambanengwe, chairperson of the Zimbabwe Election Commission (ZEC), has said he is completely unaware of any potential election date, expressing frustration with the slow moving constitutional referendum process; • SADC has expressed escalating agitation with the Zimbabwean government as they continue to stall drafting political reforms which must be put into effect prior to elections;	☐ Yes ☒ No

	• Nine Women and Men of Zimbabwe Arise (WOZA) members (Vigilant Lunga, Violet Dube, Theresa Phiri, Catherin Dhliwayo, Eunice Moyo, Mpikhelelo Moyo, Sibongile Lumbile, Miriam Ngcebetsha, and Ottilia Dube) were arrested in Bulawayo on 2 July for painting protest messages on the streets pushing for the draft constitution to be released, separation of powers, and the firing of police commissioner Chihuri; • The nine WOZA protestors who were arrested were denied food while being detained, and denied bail for four days. Two of the arrested members, Miriam Ngcebetsha and Ottilia Dube were missing while detained, as members of the groups went door to door at every police station looking for them. Following this incident, the MDC-T followed in WOZA's footsteps and called for Police Commissioner August Chihuri to resign; • A pro-MDC-T rally in Zvimba West was violently disrupted by ZANU PF youth supporters; eight MDC-T members were injured and two vehicles were destroyed.	
Role of Security Sector	• Tsvangirai has promised that members of the military who have become active in politics, namely those making public statements about the upcoming elections, will be forced to retire if he wins the presidency; • Police have charged Abel Chikimo, executive director of the Zimbabwe Human Rights NGO Forum, with supposedly running the organization illegally; • Army commander Major General Douglas Nyikayaramba announced that current Marondera West MP and former Brigadier Ambrose Mutinhiri, would act as Robert Mugabe's successor; • Soldiers from a battalion at Tsanzaguru outside Rusape have been deployed on a campaigning trip under the guise of a military exercise.	☐ Yes ☒ No