

SADC PROTOCOL WATCH

‘MONTHLY UP-DATE’ – assessing the extent to which the Zimbabwe Government is failing to comply with the SADC Protocol on elections.

Issue 1: 17 August – 17 September

PRINCIPLES & GUIDELINES	COMPLIANCE	INCIDENTS/DEVELOPMENTS (During the time-period stated above)
Full Participation of citizens in the political process	NO	<p>20 August - the government gazetted a draft NGO bill containing provisions that will severely curtail the activities of those NGO's operating in the areas of governance and human rights</p> <p>11 September - After an MDC rally in Harare to celebrate the party's 5th anniversary, Zanu PF youth militia violently attacked MDC activists as they travelled home from the rally. Two activists, Jabusile Shumba (Vice-President of Zimbabwe National Students Union) and Brighton Makunike (Chair of MDC University of Zimbabwe branch) were handed over to the police by members of the militia. The police proceeded to assault the MDC activists for wearing MDC regalia.</p>
Freedom of Association	NO	12 MDC rallies have been banned by police
Political Tolerance	NO	<p>1 September - members of the Zanu PF youth militia attack the home of MDC Secretary for Local Government, Joubert Mudzumwe. His two sons, Silent (17) and Maxwell (16) were brutally attacked. The police made no arrests.</p> <p>7 September – police raid MDC offices in Bulawayo on the spurious pretext of looking for ‘subversive material’.</p> <p>15 September – Theresa Makone, aspiring MDC candidate for Hwedza, was arrested and charged for allegedly damaging a government truck at a recent MDC meeting. She denies the charge.</p> <p>19 September – Chief Eliah Murape threatened with death by Zanu PF militia for attending MDC meetings.</p>

Equal opportunity for all political parties to access the state media	NO	<p>10 September - an MDC MP attempted to place an advert in the government controlled <i>Chronicle</i> to promote a 'report back' meeting in his constituency. The paper refused to print the advert. In the presidential elections in 2002, 97% of television and radio coverage of the political campaign time was given to Zanu PF. The MDC, other political parties and civic groups received 3% of the coverage.</p> <p>20 September - The state broadcaster announced that it will not accord MDC airtime. The ZBC claimed that it was not covering the MDC because the party had pulled out of the elections for 2005. If the party was participating it would be accorded time during a defined election period. Zanu PF is accorded airtime on ZBC daily, inside and outside any election period.</p>
Constitutional and legal guarantees of freedom and rights of citizens	NO	There has been no move to repeal those aspects of the Public Order and Security Act and the Access to Information and Protection of Privacy Act that place severe limitations on citizens' basic civil and political rights – e.g. freedom of speech, assembly and association and the right to receive and impart information
Conducive environment for free, fair and peaceful elections	NO	The militia remains in place and continues to torture and maim people. Chiefs continue to write people's names when they go to vote thus intimidation.
Non-discrimination in the voters' registration	NO	The draft Zimbabwe Electoral Commission Bill, gazetted on Friday 10 September, will mean that the exercise of voter registration will remain in the hands of the office of the Registrar General; an office which has a proven track-record of manipulating the voter registration process in the interests of the ruling party.
Existence of an up-dated and accessible voters' roll	NO	Opposition parties continue to be denied access to electronic copies of the voters' roll as well complete copies of the hard copy version. Studies that have been carried out on parts of the roll that have been made available reveal serious anomalies, indicating a deeply flawed and inaccurate voters' roll.
Establish impartial, all-inclusive, competent and accountable national electoral bodies	NO	<p>Mugabe will appoint the chair of the proposed Zimbabwe Electoral Commission whilst the other four members will be chosen from a list provided by a Parliamentary committee dominated by Zanu PF.</p> <p>The majority of the individuals appointed to the Delimitation Commission by Mugabe on 14 September, have long and close ties with Zanu PF and have a history of acting in an overtly partisan manner.</p>
Ensure that adequate security is provided to all parties participating in elections	NO	The police and other state security agents continue to be partisan and deny MDC members their right to protection under the rule of the law.
Independence of the judiciary	NO	
Safeguard the human and civil liberties of all citizens, including the freedom of movement, assembly, association, expression and campaigning	NO	<p>1 September - police broke up a peaceful demonstration organised by the National Constitutional Assembly against the proposed NGO Bill. Many demonstrators were beaten and 41 arrested.</p> <p>8 September – MDC MP Nelson Chamisa arrested for allegedly holding an illegal meeting in his constituency</p>
Counting of votes at polling	NO	Although the government has announced plans to ensure that votes are counted at polling stations no law has

stations		been enacted to implement this.
Voter Education	NO	
Polling stations should be in neutral places	NO	No law has been passed to ensure polling stations are in neutral places.
Regular intervals as provided for by the respective National Constitutions	YES	The constitution provides for parliamentary and presidential elections every 5 years and 6 years respectively.
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	NO	The state continues to use food as a political weapon against its opponents.