

## SADC PROTOCOL WATCH

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

**Issue 2: 17 September-17 October 2004**

PRINCIPLES & GUIDELINES	COMPLIANCE	INCIDENTS/DEVELOPMENTS <i>(During the time-period stated above)</i>
<b>Full Participation of citizens in the political process</b>	NO	<p>The government has assigned graduates from its notorious national youth service training programme to guard traditional leaders and chiefs in the Midlands, Matabeleland North and South provinces. The aim is clearly to coerce chiefs and headmen into ‘encouraging’ villagers to support Zanu PF and root out opposition supporters</p> <p>In Matabeleland South, chief Malaki Musuku of Matobo district, has ordered his subjects to join Zanu PF or face expulsion from the area. At a recent meeting he told his subjects that he and other traditional leaders had been empowered by Zanu PF to remove all MDC supporters from their areas. Masuku also warned that he was recording the names of all villagers who boycott Zanu PF meetings.</p> <p><b>6 October</b> – Justice Minister Patrick Chinamasa tables the NGO bill that will severely restrict the activities of NGOs operating in the areas of human rights and governance and bans civic society from carrying out voter education</p>
<b>Freedom of Association</b>	NO	<p><b>24 September</b> - An MDC meeting scheduled to take place in Mvurwi (Mashonaland Central) was disrupted by a group of ZANU PF youths.</p> <p><b>25 September</b> - The venue for an MDC meeting that was due to take place at Mupandira near Bindura was invaded by a mob of about 400 ZANU PF supporters in the presence of the police. The mob started throwing stones at the MDC members who fled when the police</p>

		failed to provide protection.
<b>Political Tolerance</b>	NO	<p><b>27 September</b> – MDC youth chair for Marondera East, Jimmy Jalifu, was thrown out of his rented accommodation following his detention by Zanu PF youth and police officers. His landlord feared the house would be destroyed if Jalifu remained. Jalifu has since been given accommodation by an MDC activist.</p> <p><b>28 September</b> - Five MDC members were evicted from their homes in Bindura by ZANU PF militia on the grounds that they had attended an MDC meeting on 26 September. The five are now being looked after at the homes of MDC activists in the area.</p> <p><b>28 September</b> - 46 Members of Women Of Zimbabwe Arise (WOZA) were arrested in Chegutu on their march from Bulawayo to Harare to present their petition to the government protesting against the proposed NGO Bill.</p> <p><b>29 September</b> – A further 8 members of WOZA arrested in Harare.</p> <p><b>29 September-</b> Willard Somerai, National Executive member for the Youth, was severely assaulted by two police officer (Chiremba and Magwaza) at Sanyati police station. He was bleeding through the mouth as the police continued to beat him. He was released on 14 October 2004 on bail.</p> <p><b>1 October</b> – Several MDC supporters were attacked by Zanu PF youth in Chipinge when they refused to attend a Zanu PF ‘restructuring meeting’. Two of the victims, Nyeredzi Simango and Denis Macheke, were hospitalized in Chiredzi after the attack.</p> <p><b>6 October</b> - 52 Members of Women Of Zimbabwe Arise ( WOZA) and three journalists who were covering the demonstrations against the NGO Bill were arrested outside Parliament.</p>

		<p><b>7 October</b> - 8 members of National Constitutional Assembly (NCA) were abducted at the main bus terminus in Harare after participating in a peaceful demonstration for a new constitution. They were abducted by members of the Central Intelligence Organisation (CIO) and subsequently handed over to the ZANU PF sponsored militia who took them to ZANU PF offices where they were severely assaulted. The 8 were later handed over to the police and were subsequently detained at Harare Central police station.</p> <p><b>7 October</b> - Five MDC members, including the Provincial Treasurer for Mashonaland West Godfrey Gumbo, (who is also the prospective candidate for Hurungwe West) were abducted by a group of about 15 ZANU PF sponsored war vets (led by an ex Hurungwe council employee only known as Chitiyo) at Zvipani shopping centre in Hurungwe West. The five were bundled into a blue Toyota Hilux, registration number 556-480, and were severely assaulted with sticks. They were rescued by an armed police officer who forced the ZANU PF group to drop the five out of the truck. A docket was opened by the police but no arrests have been made yet.</p> <p><b>8 October</b> - Police dispersed 400 MDC District officials who had assembled at Padare Business Centre in Zaka East on the grounds that the meeting had not been authorised under (POSA).</p> <p><b>9 October-</b> An MDC meeting scheduled for Cawdry Park was cancelled by the police on the grounds that the venue was not suitable for a meeting.</p> <p><b>12 October-</b> MDC held their meeting in Zaka East Constituency but before the meeting started, 15 MDC activists were arrested and according to the reasons given by the police, it was to protect them from ZANU PF youths who were also having their own meeting at a nearby venue discussing the distribution of seed, fertilizer and food organised by Tinos Rusere the MP for Zaka East. The ZANU PF meeting was not sanctioned by the police.</p> <p><b>14 October</b> - Police attacked, assaulted and chased a group of about 300 women who were at an all night prayer at the NCA offices in Harare at 12 mid-night. The women were</p>
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<b>Equal opportunity for all political parties to access the state media</b>	NO	<p><b>2 October</b> – Junior Information Minister, Jonathan Moyo, speaking at a public meeting in Mashonaland West, declared that the MDC would be denied access to the state media in the run up to parliamentary elections next year.</p> <p><b>14 October</b> – The state radio quoted Justice Minister Patrick Chinamasa as saying the opposition would not be allowed to “peddle hate and disunity” through the state media.</p>
<b>Constitutional and legal guarantees of freedom and rights of citizens</b>	NO	<p>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</p>
<b>Conducive environment for free, fair and peaceful elections</b>	NO	<p><b>3 October</b> - The Minister of Government, Public Works and National Housing Ignatius Chombo, speaking at the installation of Chief Zivengwa Murove in Mwenezi, warned that chiefs should make sure that no meetings were being held in their areas by other political</p>

		<p>parties other than ZANU PF.</p> <p><b>9 October</b> - The Zimbabwe Defense Forces Chief General Constantine Chiwenga told a gathering at prize giving day that the army would not support any change of government that is 'foreign driven'.</p>
<b>Non-discrimination in the voters' registration</b>	NO	<p><b>5 October</b> - Martin Chivizhe a Zimbabwean who intended to register as a voter, was asked to produce a letter of recommendation from a ZANU PF chairperson.</p> <p>The draft Zimbabwe Electoral Commission Bill, tabled in parliament on 6 October, 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.</p>
<b>Existence of an up-dated and accessible voters' roll</b>	NO	<p>The voters' roll remains inaccurate with thousands of 'ghost voters' on the roll.</p>
<b>Establish impartial, all-inclusive, competent and accountable national electoral bodies</b>	NO	<p><b>6 October</b> – Justice Minister, Patrick Chinamasa, tabled the Zimbabwe Electoral Commission Bill in parliament. In accordance with provisions contained in the Bill, Mugabe will appoint the chair of the proposed 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>
<b>Ensure that adequate security is provided to all parties participating in elections</b>	NO	<p>The police and other state security agents continue to be partisan and deny MDC members equal protection under the law.</p> <p><b>25 September</b> - Police moved door to door during the night and arrested 27 MDC members including the candidate for Kadoma West, Trainer Ruzvidzo. The members were arrested on allegations that they had held an illegal meeting in the constituency.</p> <p><b>25 September</b> - 17 MDC supporters were arrested by police from their respective homes during the night. Eight of them, Emmanuel Mudhaniso, Tongai Gapara, Peter Sithole, Peter</p>

		<p>Mabhuya, Lameck Gatura, Denson Chamazonda, Melford Sithole, and Morgan Gwature were all detained at Enock Porusingazi's offices at Checheche business centre. Enock Porusingazi is the ZANU PF provincial youth chair for the area. They were severely assaulted by ZANU PF supporters who, included Catherine Chirimambowa, Morris Mukwe, and a person identified only as 'Mapfumo'. Dennis Matsheza, one of the MDC supporters, received an axe wound to his right leg.</p> <p>Those detained at Chisumbanje police station included Dennis Matsheza, James N Simango, Zekius Sithole, Zondai Sithole, Issac Mazungu, Jelous Matsheza, Forget Mashenga Spencer Mlambo, and Powerman Mukwakwami. The eight were fined \$25 000,00 each by the police whilst those who were detained at Porusingazi appeared in court and were released on a bail of \$30 000,00 each.</p> <p><b>13 October</b> - Two MDC youths, Vusa Butani and Garikai Gomba, who were putting up posters in relation to the treason trial verdict of MDC President Morgan Tsvangirai, were arrested and brutally assaulted by both the police and members of the notorious ZANU PF youth militia before being detained at Harare Central police station. They were released the next day after paying a fine of \$25 000,00 each.</p>
<b>Independence of the judiciary</b>	NO	
<b>Safeguard the human and civil liberties of all citizens, including the freedom of movement, assembly, association, expression and campaigning</b>	NO	<p><b>23 September</b> – Zimbabwe Independent Editor Vincent Kahiya, the General Manager Raphael Kumalo and reporter Augustine Mukaro were arrested for revealing that the High Court Judge President Paddington Garwe had sought to convict Morgan Tsvangirai of high treason without consulting his assessors.</p> <p><b>27 September</b> - Tony Reeler, Kuda Chidzike, Teddy Nemeroff and Heather Steenkamp of the Institute for Democracy in South Africa, Idasa were arrested for holding what the Police said was an illegal meeting that violated the draconian Public Order and Security act (POSA)</p> <p><b>4 October</b> – Howard Burditt of Reuters news agency, Tsvangirai Mukwazhi, a freelancer</p>

		<p>and Desmond Kwande of the Zimbabwe Daily Mirror were arrested by the police for covering a demonstration in Harare against the proposed law on NGO's</p> <p><b>13 October</b> – Five MDC officials, Tapson Ndou, Enos Chili, Nomathanqa Tshuma, Ronald Ndlovu and Winnie Mtasa, were arrested and detained for holding meetings with supporters without police clearance.</p>
<b>Counting of votes at polling stations</b>	NO	
<b>Voter Education</b>	NO	
<b>Polling stations should be in neutral places</b>	NO	No law has been passed to ensure polling stations are in neutral places.
<b>Regular intervals as provided for by the respective National Constitutions</b>	YES	The constitution provides for parliamentary and presidential elections every 5 years and 6 years respectively.
<b>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</b>	NO	<p>The state continues to use food as a political weapon against its opponents.</p> <p>War veterans and Zanu PF youths have banned retailers in Chipinge South from selling maize meal to hungry villagers. The ban means that villagers will be forced to buy maize meal from the government controlled Grain Marketing Board (GMB). At many GMB depots possession of a Zanu PF membership card is a pre-condition for purchasing food.</p>