



Crisis in Zimbabwe
Coalition
a time to act

THINGS FALL APART

THE 2005 PARLIAMENTARY ELECTION

PROSPECTS OF TRUE DEMOCRACY IN ZIMBABWE

Crisis In Zimbabwe Coalition Report
March 2005.

Table of Contents:

Acknowledgements

1. About the Crisis Coalition
2. Introduction
3. ZIMBABWE: State of the Nation
 - 3.1 Militarisation of state institutions
 - 3.2 Repressive Legislation
 - 3.3 Electoral Issues
 - 3.4 State-Sponsored Violence
 - 1.5 The Role of the Youth Militia
 - 3.6 Gender and democracy
 - 3.7 Judicial Independence
 - 3.8 Land Reform
 - 3.9 Food Security
- 4.0 The Zimbabwean Economy
 - 4.1. HIVAIDS and democracy
 - 4.2. International and Regional Relations
 - 4.3 The Role of SADC Election observers
 - 4.4 Defining the Way Forward & Possible Scenarios
 - 4.5 Constituencies, Voters, Candidates, Parties and Election Issues

Address: www.crisis.org.zw
P.O. Box A861
E-Mail: crisisinfo@yahoo.com
Avondale
HARARE

March 28 2005
COPYRIGHT Crisis in Zimbabwe Coalition 2005

Things Fall Apart

Acknowledgements

This report is the product of a variety of contributions from various individuals, organisations, meetings, public events and other advocacy activities. Our role at the Crisis in Zimbabwe Coalition was to organise the material and information we gathered, primarily from our membership, into a meaningful record of what has occurred in Zimbabwe over the last five years. Among our primary sources of information are the reports we have produced since our inception in 2001. Many of them are posted at our website and you are welcome to download them from www.crisis.org.zw

The secretariat at the Crisis in Zimbabwe Coalition worked tirelessly to make this report possible: Pedzisai Ruhanya, Itayi Zimunya, Netsai Dzinoreva, Rutendo Hadebe, Gladys Nkomo, Phillip Pasirayi, Philemon Sajeni, Zvikomborero Tafirenyika, Moreblessing Matika and Roderick Chirowodza.

Elinor Sisulu in South Africa and the Crisis in Zimbabwe South Africa office team organised solidarity events and activities whose intellectual outputs have contributed to the orientation of this report.

We thank the membership of the coalition for their immense support in the generation of this report. The committees that comprise the coalition made input at various stages be it through meetings, articulating various opinions at public events to discuss the Crisis in Zimbabwe. Special thanks to Rashweat Makundu, the Director of MISA Zimbabwe and Primrose Matambanadzo, Advocacy Officer at the Media Monitoring Project of Zimbabwe (MMPZ) who read and commented extensively on the first drafts of this document, ensuring that a rich product would emerge.

Editorial support was provided by Brian Kagoro, Barnabas Mangodza and Isabella Matambanadzo, chairperson, vice chairperson and spokesperson of the Crisis in Zimbabwe Coalition.

We are grateful to the previous leadership of the Coalition, especially Brian Raftopolous and Everjoice Win for creating a culture in which voice, activism and intellect could thrive.

The Crisis in Zimbabwe Coalition is grateful to its various development partners for the support they provide.

Things Fall Apart

1. About the Crisis in Zimbabwe Coalition

The Crisis in Zimbabwe Coalition is a collective of some 350 civil society organizations, whose mandates range from human rights, worker's and economic rights, student rights, women's rights, food and land security, freedom of expression, peace building, advocacy, and information sharing. Our operational reach is both national and regional in nature, with the Coalition having an office in South Africa and carrying out campaign activities across the length and breadth of the African continent through strategic partnerships with various like-minded civic groups, who cherish democracy. Zimbabweans conceived the Coalition in August 2001 to provide a platform for collective response to the multi-faceted crisis facing the nation.

Vision: A democratic Zimbabwe.

OBJECTIVES:

To ensure the rapid development of democratic governance in Zimbabwe.

To amplify the collective voice of Civil Society in Zimbabwe.

To address issues which would otherwise not fall within the mandate of the major civil society organisations (CSOs)

To highlight, debate, research and propose solutions to the multi-layered national crisis.

To respond in a timely to government positions regarding various key policy areas.

To share ideas and information for use by CSOs in the articulation of credible, alternative and practical views.

COALITION MEMBERSHIP

Amani Trust

Combined Harare Residents Association

Evangelical fellowship of Zimbabwe

Legal Resources foundation

Media Institute of Southern Africa, Zimbabwe

Media Monitoring Project of Zimbabwe

NGO Human Rights Forum

Women's Coalition of Zimbabwe

Zimbabwe Coalition on Debt and Development

Zimbabwe Congress of Trade Unions

Zimbabwe Doctors for Human Rights

Zimbabwe Lawyers for Human Rights

2. Introduction

Five years ago Zimbabwe experienced the most flawed parliamentary elections in the history of the country's independence. Seeking to retain power, the ruling ZANU PF party and its supporters took extraordinary measures to stifle the true will of the Zimbabwean people and secure an election victory in the June 2000 poll.

Coming as it did on the back of the phenomenal 'NO VOTE' of the February 2000 constitutional referendum, that had been orchestrated through the leadership of the National Constitutional Assembly (NCA), a platform that had been formed as early as May 1997 to galvanize Zimbabwean citizens around the generation of a people driven Constitution. In the process, the NCA became a rallying point for addressing the very broad national questions of governance and power. A key component of the constitutional movement was the demand for democratic, free and fair elections held in peaceful conditions, tolerant of differing political formations.

The referendum can, without a shadow of doubt, be named the most free and fair expression of choice by Zimbabweans. The Referendum created a sense of confidence in Zimbabweans who went to the 2000 parliamentary poll with the confidence that their choices would be respected. When the results of the 2000 election showed overwhelming support for the Movement for Democratic Change (MDC), which having been founded on 11 September 1999 was less than a year old, the ruling ZANU PF government had seen that the public's confidence in them had faltered.

When the presidential elections of March 2002 secured a win for ZANU PF, through a variety of measures that included widespread intimidation, vote buying, disorganized electoral machinery and deliberate attempts to inhibit voters from casting their ballot, it became known as the "stolen election". Numerous reports about the presidential elections revealed that there had been incredibly high incidences of electoral fraud in Zimbabwe. Politically motivated violence, including acts of arson and beatings, primarily against those individuals who were believed to have sold out to the opposition had prevailed, largely the work of the youth militia and so called veterans of the liberation war. Elements within the police force prevented the opposition MDC from holding rallies. Leaders in the military indicated that they would not fall in line behind an opposition leader. The media, largely state-controlled, ran an incredible propaganda campaign favouring the ruling party.

Zimbabwe's socio-economic environment. It specifically looks at the extent to which the above issues have contributed to the country's governance and legitimacy crisis. The report is not intended to be an exhaustive account of events of the last five years. It simply highlights some key factors that provide a context to the Zimbabwe situation as the country heads for Parliamentary polls this March.

To their credit, the observer missions included groups such as the Southern African Development Community Parliamentary Forum, SADC PF. In the eyes of the observer community, locally and regionally, the election had failed to meet the fundamental requirements of the Constitution of Zimbabwe, international human rights law and norms and standards adopted by SADC-parliamentary Forum and all African electoral Institutions. Ultimately, the Presidential election was neither free nor fair. It violated every single one of the SADC-PF standards accepted by Zimbabwe. There is no doubt that since independence in 1980, Zimbabwe's electoral anomalies have served to deepen the governance and legitimacy crisis facing the country. Economic mal performance has meant the living conditions of the majority of Zimbabweans have dropped significantly. Zimbabwe has also witnessed a marked deterioration in human rights standards. The economy is – despite numerous corrective efforts - in a parlous state.

This report highlights some of the political, legal and social developments that have taken place in Zimbabwe since 2000. A period in which Zimbabwe has witnessed five years of sustained and systematic human rights violations, primarily by the state and its various agencies of power and force. The most significant violations have been during election periods. This report's highlights include: the militarisation of state institutions, repressive legislation, electoral issues, and state sponsored violence. The report also reviews

Things Fall Apart

There are exceptions, the most notable being ZCTU organized Mass Stayaways and the January 19-20, 1998 Food Riots.

3.0 ZIMBABWE: State of the Nation (2000-2005)

The government of Zimbabwe has reneged on promises it made to President Thabo Mbeki of South Africa regarding the progressive review of apartheid-style legislation such as the Access to Information and Protection of Privacy Act (AIPPA) and the Public Order and Security Act (POSA).

Further repressive legislation has been passed in the form of the non-governmental organisations or NGO Bill. The infrastructure of violence – especially the green bombers or youth militia – is still intact. The changes that have been made to the electoral laws impact solely on the administration of the election and therefore do not constitute substantive changes. These cosmetic attempts at transformation have not addressed the contentious question of the uneven political playing field. As a result, Zimbabwe's electoral laws and systems are still heavily weighted in favour of the incumbent.

Whilst there is remote possibility of technical transparency, the March 2005 poll is unlikely to be free, late alone fair. The following report sets out, the broad premises upon which this conclusion has been reached.

3.1 Militarisation of state institutions

Military personnel have been strategically deployed in state institutions that are responsible (directly and indirectly) for the conduct of elections, such as the judiciary, Electoral Supervisory Commission (ESC), Delimitation Commission, local government, and parastatals. In fact, Section 17 of the Electoral Act allows military personnel to take part in electoral administration. Section 17 (1) says that at the request of the Commission the chairpersons of the Service Commissions shall second such persons in the employment of the State to be constituency elections officers, deputy constituency officers, assistant constituency elections officers and polling officers as may be necessary to perform the functions of the Commission .

The following examples demonstrate this point:

In September 2004, President Mugabe appointed a four-member Delimitation Commission (DC). The DC is responsible

for determining the constituency boundaries in advance of a Parliamentary election. High Court Judge, George Chiweshe, a former judge advocate responsible for military tribunals in the Zimbabwe National Army (ZNA) and a veteran of the liberation struggle, was appointed chairperson of the DC. Another member of the DC, Job Whabira is former permanent secretary in the Ministry of Defence. In 1998 Mr Whabira was accused of disregarding a High Court ruling to release journalists from the Standard newspaper who had been illegally arrested and tortured by military personnel for writing a story about an alleged coup attempt.

Things Fall Apart

The Daily News , 23 May 2003, pp 2

An electronic copy of the Electoral Act is available for downloading from www.crisis.org.zw
Electoral Act (Chapter 2:13) Section 17 pp528



Judge Chiweshe now chairs the Zimbabwe Electoral Commission (ZEC). The ZEC is supposed to be overall responsible for running electoral processes in Zimbabwe.

There have been previous appointments of military personnel in institutions such as the Electoral Supervisory Commission (ESC). For instance, Mr Sobusa Gula-Ndebele, a lawyer and retired colonel in the Zimbabwe National Army (ZNA) was the chairperson of the ESC from 2000-2003. Mr Gula-Ndebele has since been appointed the country's Attorney General and government's legal adviser. During Gula-Ndebele's tenure at the ESC, the Chief Executive Officer (CEO) of the ESC was Brigadier General Douglas Nyikayaramba who at the time of his appointment was a serving officer in the ZNA. Nyikayaramba has since left the ESC and has been appointed as the head of 2 Infantry Brigade.

This militarisation trend has also been witnessed in appointments to parastatal boards. For instance Retired Colonel Samuel Muvuti was in 2004 appointed as the CEO of country's sole buyer and seller of maize, the Grain Marketing Board (GMB). This appointment is significant, given numerous reports about the manipulation of food for political gain taking place in especially rural Zimbabwe. Retired Colonel Christian Katsande was appointed to head the National Oil Company of Zimbabwe (NOCZIM). At local government level, Retired Major General Mike Nyambuya was appointed Governor of Manicaland province during the same period. These institutions are central both to the economic interests of the country and the political fortunes of ZANU PF.

The argument here is not that soldiers should have no role in civic life, but rather a caution regarding the extent to which key civic offices and economic institutions in a democracy should have such an obvious military hand. In a democracy, it is generally undesirable to politicise the military, as it is to militarise politics. The appointments mentioned above have understandably created the impression that the Zimbabwean military is partisan and therefore unprofessional. Whichever view one adopts, this trend towards militarisation will have a serious impact on the electoral processes and outcome of the 2005 plebiscite.

3.2 Repressive Legislation

Repressive, apartheid -type laws such as the Access to Information and Protection of Privacy Act (AIPPA), Public Order and Security Act (POSA) and the Non Governmental Organisations (NGO) Bill have been used by the state to further limit the already shrunken democratic space. This is despite several recommendations by SADC member states to repeal the legislation and abandon this ruinous course. This also notwithstanding the fact that the government of Zimbabwe specifically assured President Mbeki that these laws would either be reviewed or repealed.

A) THE PUBLIC ORDER AND SECURITY ACT (POSA)

The government of Zimbabwe enacted POSA on 10 January 2002 amidst widespread condemnation. POSA repealed the Rhodesian Law and Order Maintenance Act (LOMA), however POSA's provisions are substantially a re-enactment of the former colonial legislation. Since its enactment, over 5000 opposition and civil society activists have either been arrested or unlawfully detained under POSA .

This is more than 100 times the number of people arrested, detained or prosecuted under LOMA between the years 1980 to 2000. Several provisions of POSA are patently in violation of both the Zimbabwean constitution and international human rights statutes.

For example 53 Women of Zimbabwe Arise (WOZA) activists who were marching the 600 km distance from Bulawayo to Harare to pressure the government not to pass the NGO Bill into law were arrested and detained overnight. The arrest of these activists followed soon after that of three officials from the Institute for Democracy in Southern Africa (IDASA).

B) ACCESS TO INFORMATION AND PROTECTION OF PRIVACY ACT (AIPPA)

Despite widespread objections from various stakeholders including the Parliamentary Legal Committee, the MDC and a wide range of local and international media bodies, the Access to Information and Protection of Privacy Bill was passed by the Parliament of Zimbabwe on 31 January 2002 and signed into law by President Robert Mugabe on 15 March 2002. The Act allocates substantial regulatory powers over media organisations and individual journalists to the Media and Information Commission (MIC).

The MIC is subject to extensive direct and indirect government control. All media organisations and any businesses disseminating media products must obtain a registration certificate from the MIC. Similarly, journalists must be accredited by MIC before they can practice their profession.



Things Fall Apart

Kagoro, B and Raftopolous, B (2004) Zero in Magazine, PP8, The Ghost of coloniality and the Independent state Zimbabwe Independent, 4 March 2005, pp9
 Electronic copies of these Acts are available for downloading from www.crisis.org.zw



The media has for the past five years, been under constant attacks by the government. Four independent newspapers, The Daily News, The Daily News On Sunday, The Tribune and more recently The Weekly Times have been closed down by the MIC using AIPPA. AIPPA has since been amended to include, among other things, the penalty of a two-year jail term for journalists practising without a government licence.

The harassment and arbitrary arrest of journalists has also increased, as government seeks total control of information dissemination.

The muzzling of the private media, the harassment and arrest of journalists and the bias of the public media indicate a trend towards one-party politics. The enactment of AIPPA sought to legalise the process of undermining the people's right to information. Striking though AIPPA is the similarity of these strategies to those of the fascist Rhodesian State.

By right, like all publicly funded institutions, the public media ought to be fair and representative in its reporting. However, both the print and electronic media have been turned into propaganda organs of the ruling Zanu PF party. This is the state of the media environment in Zimbabwe under which the civil society and the opposition operate. Further, the public media refuses to accept advertisements from groups that are viewed as unsympathetic to the ruling party.

Any obligation on individuals to be accredited as journalists is incompatible with the right to freedom of expression. Moreover, the right to access information held by public bodies is part of the general right to freedom of expression, which includes the right to seek and receive information. In 2002, the African Commission on Human and Peoples' Rights to which Zimbabwe has adopted the Declaration of Principles on Expression in Africa, states that: "public bodies hold information not for themselves but as custodians of the public good and everyone has a right to access this information subject only to clearly defined rules established by law.

However, the former Minister of Information and Publicity in the Office of the President and Cabinet, Jonathan Moyo created a "legal" environment that is hostile to free press, plurality of information and access to information. The Minister, who spearheaded the promulgation of AIPPA reiterated his contempt for press freedom when he closed the public media from other contesting parties in the 2000 and 2002 Parliamentary and Presidential Elections respectively.

Things Fall Apart

The Zimbabwe Human Rights NGO Forum report of September 2003, states that POSA is being used to curtail Zimbabweans constitutional rights, to freedom of association, assembly and expression. Restrictions were to be clearly revealed in the two mass demonstrations called for by the MDC that took place from 18-19 March and 2-6 June 2003 respectively, and the stay away called for by ZCTU from 23 to 25 April 2003.

B) THE NON GOVERNMENTAL ORGANISATIONS (NGO) BILL

The government, through Parliament, has passed the Non Governmental Organisations (NGO) Bill, which seeks to restrict the activities of especially those non-governmental organizations advocating for human rights, transparency and good governance in Zimbabwe.

In developing the Bill, the government said it wanted to streamline legislation dealing with private and voluntary organisations (PVOs) by creating a harmonized law, increasing the government's regulatory, surveillance and supervisory responsibilities regarding the operation of civil society organisations and by stopping foreign funding for organisations involved in governance and human rights issues. The enactment of the NGO Bill, which now awaits President Mugabe's signature, is informed by the fact that the government views almost all socio-economic, civic and political activities outside its control as oppositional, and therefore threatening the heart of the NGO Bill is the desire by the State to criminalize, control, divide and choke the activities of civil society. The Bill's specific focus is on two aspects of civil society's work, governance and human rights. Broadly the Bill employs the following devices:

The portions of the legislation found in Part IV which ban foreign funding of governance and human rights work are patently unconstitutional. They amount to an interference with the fundamental rights of association, privacy, non-discrimination and expression (which includes the right to impart and receive information).

Also unconstitutional are the ministerial powers with respect to dissolving NGOs and suspending or firing board members.

Arguably the constitutionality question could be stretched to cover the issue of the constitution of the NGO council. The excessive presence of state representatives (10 of the members on the 15 member NGO council) is not reasonably justifiable in a democratic society. The NGO Council as currently constituted in the Bill is essentially a government body with one-third NGO representation.

A joint critique on the NGO Bill, produced by the Crisis in Zimbabwe Coalition (Brian Kagoro, Chairperson) and the Zimbabwe Lawyers for Human Rights (Arnold Tsunga, Director) argues that the NGO legislation is calculated at limiting Zimbabweans' individual and collective enjoyment of universally recognised rights and fundamental freedoms.

It further argues that this is in glaring contravention of the Constitution of Zimbabwe, which provides for the right to freedom of expression, association and assembly.

When this Bill is signed into law, most civil society organisations that are involved in voter education, election and human rights monitoring will face closure. In fact, the government has specifically mentioned organisations like the Crisis Coalition, the National Constitutional Assembly (NCA), Media Institute of Southern Africa (MISA), the Zimbabwe Election Support Network (ZESN) and the Zimbabwe Lawyers for Human Rights (ZLHR) as those targeted for closure.

This will weaken the democratisation process in the country and also put to shame electoral processes that are organised without the participation of civil society.

The implications of the above legislation for the 2005 General Elections are clear. There cannot be any credible elections in a country where civil society operations are proscribed, where private and independent newspapers and broadcast media are largely restricted and where students, workers and the unemployed are not allowed to freely assemble and discuss issues to do with the politics and governance of their country.

Things Fall Apart

3.3 Electoral Issues

The government of Zimbabwe ratified the SADC Principles and Guidelines governing democratic elections in Mauritius in August 2004.

The SADC Principles and Guidelines call upon member states to, among other things scrupulously:

provide equal access to the public media for all contesting political parties,

set up an independent and non-partisan electoral commission to administer elections,

broadly allow citizens to exercise freedoms of association, assembly and expression and prohibits discrimination or victimisation on political grounds,

provide for voter education.

The Zimbabwe government took the following steps to adhere to the guidelines and principles through the promulgation of the Zimbabwe Electoral Commission (ZEC) Act and the Electoral Act which among other things provide for:

the counting of votes at the polling station,

the use of visible indelible ink,

voting in one day, and

the use of translucent ballot boxes.

Things Fall Apart

See the Crisis Coalition's "An Analysis of the Bill that Kills – Zimbabwe's proposed NGO Bill", 31 July 2004 page 24. An electronic copy of the guidelines is available for downloading from www.crisis.org.zw

The passage of the ZEC Act was followed by the appointment of a five member Commission led by former Advocate General of the Zimbabwe National Army, High Court Judge George Chiweshe.

The other members of the Commission are Professor George Kahari, the director of the National Arts Gallery, Sarah Kachingwe, a long serving civil servant and former permanent secretary in the Ministry of Posts and Telecommunications, Vivian Ncube, an environmental consultant and Rev Jonathan Siyachitema, a retired Bishop of the Anglican church. Rev Siyachitema and Sarah Kachingwe were in 1999 appointed by President Mugabe to serve in the Constitutional Commission. In fact Rev Siyachitema, was the Vice-Chairman of the Constitutional Commission and is a current board member of the Zimbabwe Newspapers Group publishers of the government-controlled Herald, Chronicle, Sunday Mail, Sunday News, Manica Post, and Kwayedza These State-owned newspapers have refused to run the advertisements of opposition groups and civic organisations. On the whole the majority of the ZEC commissioners are drawn from the ruling ZANU PF party.

The electoral reforms proposed by Zanu PF are largely in the area of election administration. They seek to improve efficiency as far as elections administration is concerned however; the new electoral framework is inadequate to create a level playing field for all political contestants. In the Zimbabwean context, changing the way in which an iniquitous process is administered does not alter either the electoral system or the context within which elections are held. The new ZEC has insufficient resources (both human and material) to fulfil its mandate.

It is also important to note that the bodies associated with the holding of a fraudulent election in 2000 still exist. The ZEC, hailed as a body which has satisfied the SADC Principles and Guidelines requirement for the establishment of "impartial, all-inclusive, competent and accountable national electoral bodies", is a mere addition to the following:

The Registrar-General, who is still in charge of voter registration and assembling the voters roll

The Delimitation Commission, a constitutional body that undertook the demarcation of the constituencies even before the establishment of the ZEC.

The Electoral Supervisory Commission, another constitutional body, whose relation to the ZEC is not clarified under any statute. However indications are that the ZEC will be subject to the control of the ESC, which is appointed by the President.

The parliamentary poll is being held in a social, political and economic environment characterised by high levels of unemployment, repressive legislation, the breakdown in the rule of law, the banning of privately controlled newspapers, the creation of torture camps and of youth militias, ever escalating prices of basic commodities and the collapse of social services and infrastructure.

It is also an environment replete with intimidation. It is therefore clear that the forthcoming election does not serve the interests of democracy, the country or the people.

A truly independent Electoral Commission should have the power to level the playing field. The NGO Bill is proof of the lack of commitment by the government to a free, fair and transparent electoral system. Of particular concern is the attempt to destroy the section of civil society that has reported on and monitored violations of human rights and democratic principles. This is despite the fact that the SADC guidelines provide for freedom of assembly, expression and political opinion and the participation of NGOs as observers.

Things Fall Apart

While there is no legal framework for their relationship, Minister Chinamasa informed parliament on 9 December 2004 that the Government had adopted the Mauritian Model according to which the ZEC will run the election while the ESC supervises the ZEC. (*The Sunday Mirror* 30 January 2005)

3.4 State-Sponsored Violence

Since 2000, organised, state sponsored violence has been targeted at mostly the opposition and civil society activists as ZANU PF has sought to maintain its political power following its defeat in the February 2000 constitutional referendum and the tightly contested June 2000 Parliamentary Election.

This violence has been reinvigorated by ZANU PF's declaration of the 2005 election as an Anti- Blair Election. Rather than seeking consent from the citizenry, the government has maintained a non-participatory manifesto anchored in a well-oiled machinery to fulfil the politics of coercion. In September 2004, the Zimbabwe Human Rights NGO Forum reported that high levels of human rights violations continued to prevail and some high-ranking officials in government continue to make pronouncements that sow seeds of hatred within the people such as equating the official opposition MDC to the Al-Qaeda network.

In October 2004, the police attacked students on the eve of the treason trial verdict in the Morgan Tsvangirai case for allegedly organizing demonstrations in solidarity with the opposition leader.

Following the MDC's announcement in August 2004 that it would suspend participation in the flawed election, violence intensified within the rank and file of Zanu PF ahead of the primary elections and the December 2004 congress. Zanu PF Secretary for Administration, Didymus Mutasa has been allegedly unleashed violence in Mutasa district in Manicaland province, while a war veterans' leader did the same to party supporters in Bulawayo.

In December 2004, two Zanu PF MPs (Kindness Paradza, Makonde and Phone Madiro, Hurungwe West) were arrested on allegations of inciting violence against their opponents in the Zanu PF primary elections.

The Zimbabwe Human Rights NGO Forum's Political Violence Report of September 2004 indicated an increase in cases of political violence. In that month, political victimisation was relatively high around the opposition MDC's fifth year anniversary celebrations on 11 and 12 September.

In Kwekwe for instance, it is alleged that ZANU PF supporters at Globe and Phoenix ground attacked Blessing Chebundo, MDC MP for Kwekwe, and other MDC supporters as they prepared for the party's anniversary celebration. It is reported that more than 200 ZANU PF supporters attacked the MDC supporters. Four of the MDC supporters were seriously injured during the attack.

The following tables display the trends of politically motivated violence for the period January to September 2004. Table One gives the frequency per month and the type of violation, and Table Two shows the table of political disturbances per month.



Things Fall Apart

Electronic copies of the party manifestos for the two main political parties ZANU PF and MDC are available for downloading from www.crisis.org.zw
 Zimbabwe Broadcasting Holdings, 8 O'clock News bulletin, 12 October 2004.
 Zimbabwe Independent, 1 October 2004, p 3.
 Zimbabwe Independent, 24 September 2004, p 1.

Table 1: Trends of politically motivated human rights violations: January –September 2004

Nature of Violation	Jan	Feb	March	April	May	June	July	August	Sept
Assault	34	32	109	16	29	12	12	44	41
Abduction/ kidnapping	7	3	12	1	13	6	1	8	6
Displacement	5	2	19	6	13	3	4	6	57
Freedom of Association / Assembly/ Expression	32	97	18	48	82	140	27	27	142
Murder	1	1	1	0	0	0	0	0	0
Political discrimination/ victimisation	24	100	141	68	35	21	29	31	50
Property –related violations	10	12	35	5	11	4	3	33	29
Torture	2	74	23	16	18	15	1	10	6
Unlawful Arrest	2	7	16	17	6	3	2	8	141

Source: Zimbabwe Human Rights NGO Forum, Political Violence Report - September 2004 .

Table 2: Cases of political disturbances:

	Main Events
January	<ul style="list-style-type: none"> ◆ ZANU PF and MDC inter-party violence: pre Gutu North constituency (Masvingo Province) by-election. ◆ Violence in Shamva constituency (Mashonaland Central Province), one person killed, Alexander Chigega (MDC).
February	<ul style="list-style-type: none"> ◆ NCA demonstration to call for a new constitution in Harare Central constituency (Harare Province) reportedly disrupted by ZRP. ◆ Violence on Charleswood Estate, Chimanimani (Manicaland Province) belonging to MDC MP for Chimanimani, Roy Bennet. One person killed, Shemi Chimbarara (farm worker).
March	<ul style="list-style-type: none"> ◆ Inter-party violence: Zengeza constituency by-election (Harare Province), majority of victims reportedly MDC supporters/members. One person killed, Francis Chinozvina (MDC).
April	<ul style="list-style-type: none"> ◆ Post Zengeza by-election retribution. Main targets reportedly MDC members. Inter-party violence in Mabvuku constituency (Harare Province).MDC intra-party violence in St Mary's constituency (Harare Province).
May	<ul style="list-style-type: none"> ◆ ZANU PF and MDC inter-party violence: Violence against MDC members in Mbare East constituency (Harare Province) reportedly perpetrated by members of Chipangano. Chipangano is reported to be a ZAANU PF youth gang based in Mbare ZANU PF and MDC inter-party violence: Alleged retribution against those that attended MDC rally in Chiendambuya, Makoni North constituency (Manicaland Province).
June	<ul style="list-style-type: none"> ◆ ZRP reportedly disrupts WOZA meeting on 16 June 2004 in Mpopoma constituency (Bulawayo Province). ◆ ZRP reportedly stops WOZA demonstration in commemoration of World Refugee Day on 19 June 2004 in Mpopoma constituency (Bulawayo Province).
July	<ul style="list-style-type: none"> ➤ Inter-party violence: ZANU PF youths reportedly attack MDC Provincial Assembly Meeting in Mvurwi, Mazowe West (Mashonaland Central Province).
August	<ul style="list-style-type: none"> ➤ ZANU PF intra-party violence in Makoni North (Manicaland Province). ➤ ZNA reportedly torture civilians in Mabvuku, (Harare Province) ➤ ZANU PF and MDC inter-party violence in Hatfield (Harare Province).
September	<ol style="list-style-type: none"> i. Porta Farm residents displaced from a farm they have lived at for 14 years. The police and national youth service youths despite a High Court Order granting them temporary relief from eviction forcefully evicted the residents. ii. WOZA women and NCA activists arrested on separate occasions as they demonstrate against the proposed NGO Bill iii. Political victimization surrounds the MDC 5th year anniversary celebrations. iv. NCA youth and gender representatives meeting disrupted by the police and national service youths in Chikomba, Sadza T/Ship, Mashonaland East.

Source: Zimbabwe Human Rights NGO Forum, Political Violence Report - September 2004.

Things Fall Apart

3.5 The Role of the Youth Militia

In the early 1980s, citizens who were identified as enemies of the ruling ZANU PF were often beaten and had their homes burnt or threatened.

This pattern of retribution, brought about a culture of violence, that was effective in subduing the State's opponents.

By 1999 it was obvious that ZANU PF hegemony was under threat from a growing opposition movement. The government realised that there was need to institutionalise and amplify its violence and developed the National Youth Service Programme. . The programme conveniently coincided with the run-up to the controversial 2002 Presidential Election.

The government doled out huge amounts of taxpayers' money to establish youth camps, which concentrate on the indoctrination and physical training of the numerous unemployed school leavers. Indoctrination consists of studies focussing hatred against any other political power besides ZANU PF; emphasises the legitimacy of Zanu PF through its liberation movement credentials; stresses Britain's role in the marginalisation of Zimbabweans and its new-found status as number one enemy of the people of Zimbabwe, working in cahoots with the opposition party, MDC and Zimbabwe's civil society. Health and spiritual well-being are not a priority at these camps.

Nor, despite government allegations to the contrary, are skills training or small business development. Instead, the trainees at these institutions are barely fed and receive little or no protection from physical and sexual abuse by those in charge of the camps, or their and fellow trainees. The training centres have become notorious for the widespread reports of rape of female trainees by those in authority, and are worrying in their implications for the spread of AIDS .

The National Youth Service has over time proved to be unpopular among the youths themselves and participants have been the first to blow the whistle on the goings-on. Government has continued to make this brutal youth service a prerequisite for entering into any tertiary institution for studies, amidst strenuous denials of any forms of abuse.

Graduates from the youth service are being infiltrated into the civil service and many have been attached to work at schools and monitor the operations of teachers, especially those who are outspoken against government.

At the end of September 2004 the government announced the suspension of this National Youth Service programme citing lack of resources to continue operating the militia camps. Many Zimbabweans thought this was ZANU PF's way of ending the programme gracefully, bowing to local, regional and international pressure.

But in November the Minister of Finance, Dr Herbert Murerwa, announced an allocation of \$73 billion (over US\$13 million) from the national budget for National Youth Service.

Things Fall Apart

3.6 Gender and Democracy

Zimbabwe joined other SADC member states in signing the 1997 SADC Gender and Development Declaration which was to be the yardstick for measuring the region and individual country level progress, on achieving equality between men and women. In this declaration SADC committed itself to ensuring equal representation of men and women in decision-making of members states and SADC structures at all levels and the achievement of 30 percent target of women in political and decision-making structures by year 2005.

To date Zimbabwe is rated 13th out of 14 countries in its effort to ensure that the country meets the 30 percent women representation. To date women's representation in decision-making 10.6 percent representing the 13 elected women in the Zimbabwe Parliament of 120 elected members. Of the 30 nominated (by the president) members of parliament only three are women. Of the 300 councillors in local government 48 are women. Currently Zimbabwe has no female mayor except for one who is currently acting under highly questionable instructions from the Minister of Local Government.

Zimbabwean women represented by Women In Politics Support Unit (WIPSU) are calling for constitutional amendments to address women representation better. Women welcomed a suggestion that women would have 50 nominated seats in parliament last year, however, this required constitutional amendments and a meeting of minds of the two political party. The suggestion however degenerated into party politics and never materialized.

The women of Zimbabwe are therefore going into election cognisant that no matter how optimistic they are, Zimbabwe will not meet the 30% women representation in Parliament benchmark.

The ruling party, ZANU PF in its effort to be considered a progressive force within Africa replaced the late Vice President Muzenda with a female vice-president and liberation war veteran, Joyce Mujuru. Her nomination came at a time when ZANU PF was battling a huge succession question politics, with factions forming along ethnic lines. Her nomination pre-empted what could have been a major fall out and a shake up within the Party's powerhouses. What remains to be seen is whether her nomination will impact positively on the women of Zimbabwe.

The ruling party also committed to fielding 30% women contestants in the 2005 parliamentary elections as its new policy. This was welcome news to many but a deeper analysis of the constituencies that have been allocated indicate that the majority of ZANU PF candidates are contesting in MDC stronghold areas. Again women are questioning whether this is a genuine policy on the part of the ruling party or whether it is a policy for convenience.

MDC on the other hand has not clearly indicated a comprehensive policy where women representation is concerned. It has allowed all sitting women MPs to contest in the next forth coming elections and is fielding women candidates also mainly in ZANU PF strongholds.

A total of 58 female candidates will be contesting in the 2005 parliamentary elections .Of these, 30 are from ZANU PF, 18 MDC , 8 ZANU Ndonga and 2 are running as independents. It remains to be seen whether the 6th Parliament of Zimbabwe will move towards meeting gender equality and increase women's participation in decision-making.

The issue of violence has also been an influential factor in women's reluctance to step up to and participate in mainstream politics. . 2000 and 2002 elections were marred by political violence, which saw the majority of the victims being women. The violence, including beatings, rape and incarceration, left a lot of women scarred physically and psychologically.

Things Fall Apart

3.7 Judicial Independence

Following the government's defeat in the February 2000 Constitutional Referendum Zimbabwe witnessed an escalation in

Violent farm occupations led by war veterans and facilitators by the state;

Organized political violence against perceived opponents of the of the government

Restrictions and at times abuses of citizens' fundamental human rights and General lawlessness and mayhem,

As litigants brought these matters into the legal system the courts were increasingly expected to restrain large-scale Executive excesses. Judges and magistrates who attempted to strictly and impartially apply the letter of the law came under the severe attack. They were accused of supporting the opposition, MDC.

The government began to talk of trying to rid the legal system of its "colonial and reactionary elements". At least nine judges of Zimbabwe superior courts have been hounded out of office. This has seriously compromised the independence of the Zimbabwean judiciary and has significantly blurred the cardinal principle of state separation of powers.

The Executive has repeatedly ignored or condoned unlawful attacks on the judiciary. Zanu Pf supporters in a bid to force chief justice Gubbay to resign in 2000 invaded for example the Supreme Court.

This untenable situation has had several intended and sub intended consequences, for example:

Fear and uncertainty has resulted in undue delays in finalizing matters before the courts

Some matters have been left incomplete by the judges and magistrates, who resigned,

There has been a mass exodus of experienced staff from the legal profession generally but from government service in particular.

The Executive and forces sympathetic to the ruling party have subjected the legal profession as a whole to scurrilous attacks. Lawyers representing litigants in cases that are considered to be political have been physically assaulted, threatened or attacked in the Press.

Things Fall Apart

Namely justices Adam, Bartlett, Blackie, Chatikobo, Chinhengo, Devitte, Gillespie, Gubbay C.S and Michael Mujuru
See "Access to justice Series : operating environment of the Legal Profession in Zimbabwe In 2003 at p.5. See also the Zimbabwe ,2002 report.
See generally " Access to Justice Series" 2003 report

The police force has not been spared. There have been instances where the Executive has interfered in the conduct of their duties. The police have in some politically sensitive cases been directed not to enforce court orders.

The interference with the judiciary aforementioned violates section 79B of the Constitution of Zimbabwe. The Section states “ in the exercise of his judicial authority, a member of the judiciary shall not be subject to the direction and control of any person or authority, except to the extent that a written law may place him under the direction or control of another member of the judiciary”.

Several features have fashioned the operation of the Justice System in Zimbabwe since 2000:

The determination by sections of the superior court judges to realize the independence given to them by the constitution;

The historically established tendency by the Executive to reverse human rights gains made by citizens in the courts through constitutional or legislative amendments

The sustained effort by the Executive to manipulate the composition and independence of the judiciary for political ends.

The overt rebuffing or passive resistance by government and law enforcement agencies of unfavourable court judgment. In April and May 2000 both the High and Supreme Courts ruled that the police had to remove war veterans trespassing on commercial farms. In September 2000, the Supreme Court declared unconstitutional the government’s broadcasting monopoly. In October 2000, the High Court prevented Zanu PF from spending MDC’s share of public funds for political parties. In November 2000 the Supreme Court condemned the government’s land resettlement process as violating constitutional rights.

During the March 2002 presidential elections, the high court ordered the opening of polling stations for an additional day to enable voters to cast their ballot. And in 2001 the high court ruled several election petitions that the violence had vitiated the exercise of free choice by the voters.

Following the resignation of the nine experienced judges afore mentioned, the Supreme Courts pro-rights approach

has been on serious decline. In the Coalition’s view some of the judgments coming out of the superior courts have been retrogressive and undermined the fundamental rights of citizens.

For instance in the ANZ case referred to above the Supreme Court would not determine the merits of a constitutional application on the grounds that the petition had come to court with dirty hands. The Coalition is of the view that the Supreme and High Courts have not handled the MDC election petitions with the expedition they deserve.

There are several instances where despite likelihood of reversible harm- the Supreme Court has ruled that matters pertaining to rights violations were not urgent. This failure to distinguish between ordinary criminal/civil law cases and constitution applications is worrying.

The Executive view of the judiciary was summed up in his address to the Zanu PF national People’s Conference on the land question on 14th November 2000. He said “The courts can do what they want, they are not courts for our people and we should not even be defending ourselves in these courts”

Things Fall Apart

See ANZ vs MIC SC-07/03 referenced as Const App 323/03 Sc-07/03

In his address to open the 2001 Legal year Chief Justice Gubbay said:

‘It is with regret that it must be said that 2000 was for the judiciary an “annus horribile”’.

This trend has continued. A significant number of judges have received farms seized during the Land reform exercise. There are fears in civil society that this might have increased the level of patronage between the Executive and judiciary.

The Judiciary has a crucial role to play in enforcing laws and in upholding the constitution. Unjustifiable and unreasonable attacks on its integrity jeopardize its efficiency. They also undermine and erode confidence in the justice delivery system and damage the judiciary as an institution. Due to established practice and traditions, the judiciary is virtually defenceless against such attacks.

There is need for judges to conduct themselves in an accountable manner. One way of ensuring this is vibrant media, that allows for public scrutiny and for ordinary citizens to comment on matters of public concern. Incompetent, biased and dilatory judges deserve to be exposed so long as the object is truth and not just vilification at the behest of a disgruntled litigant. Objective criticism is healthy. Judges are part of society and should be rightfully exposed to community feelings.

When Judges are forced to reverse or reserve their decisions in the wake of political or media criticism, the judiciary as an institution is presented as unacceptably supine

In analyzing the justice system ahead of which 2005 the following comments made by Judge President Paddington Garwe at the opening of the 2003 Legal year, are instructive

“The administration of Justice is not the responsibility of court officials alone. The Police, the attorney general’s office, the magistrates, prisons and witnesses all play an important role. So to do the media and society at large. No justice system can work effectively if its various agencies are not cohesive. The need for cooperation amongst these agencies goes without saying. The role that a particular agency plays should compliment that of other agencies”

Justice Paddington Garwe also noted that:

“ If the justice system is undermined then peace and tranquillity can not be guaranteed. Such a development would have an impact on law and order. Ultimately, this will affect the socio-economic development of this country”

On the question of judicial independence the judge president insisted that the judiciary would not “not take into account extraneous considerations” in adjudicating cases before it. He noted, however, that: “There is a political divide in the country is a fact. That does not make our task easier.”

However, the undermining of judicial independence has been led by President Robert Mugabe, for example on 14th December 2000 while addressing delegates to the ZANU PF National People’s Conference on the land question said: “The courts can do what they want. They are not courts for our people and we should not even be defending ourselves in these courts.

Things Fall Apart

See Sternford Moyo, July 4, 2001 presentation to the Canadian Bar Association AGM (unpublished Memo)

3.8 Land Reform

At Independence, white farmers (less than 1% of Zimbabwe's population) held a grossly unfair 39% of Zimbabwe's productive land. The situation required urgent redress. However, as late as 1998, only 71 000 families had been resettled. Hundreds of thousands of black families continued to live in squalor for the greater part of the 1980s and 1990s. The land hunger and overcrowding progressed, resulting in spontaneous farm invasions in the 1980s and mid-to-late 1990s.

In March 2000, Zanu PF launched the fast track "Land Resettlement Programme". Noteworthy is the fact that this programme was initiated just after the government lost the February 2000 Constitutional Referendum. This anarchic programme was accompanied by considerable violence. The compulsory acquisition of commercial farms occurred unconstitutionally, facilitated by an Act of Parliament, which rendered the acquisition process increasingly unfair and arbitrary. To date, approximately 95% of commercial farms countrywide have been seized.

The land reform programme has failed to fulfil its stated objective of empowering the black majority. It addressed the race question, leaving the question of equitable land redistribution unanswered. Numerous cases can be cited that show that not all government land acquisition was for equitable redistribution but was for self-aggrandisement and remained a corrupt exercise in stripping the country's resources.

On Easter Friday 2004, government agents, backed by anti-riot police brandishing AK-47 assault rifles and water canons grabbed Kondozi Farm a 22-hectare farming concern that produces and packages horticultural products for export. The farm has an annual turnover of US\$15million.

The takeover was carried out despite the fact that the farm is a designated Export Processing Zone effectively meaning that it cannot be compulsorily acquired.

In scenes reminiscent of those at the height of farm invasions three years earlier, when more than 350 000 farm workers, mainly women, were left homeless, state agents descended on Kondozi's farm workers with brutal force. In the ensuing stampede and confusion children and the elderly were trampled. The farm workers were moved outside the farm and left in the open. Efforts to intervene by the Red Cross were frustrated by the Manicaland provincial authorities. The destitute families who inhabited Kondozi have since gone to neighbouring areas with some moving into a dilapidated and disused hotel while some have resorted to erecting shacks, giving rise to fears of disease outbreak, prostitution and theft.

The invasion of MDC MP Roy Bennett's Charleswood Farm in Chimanimani, by state agents highlights the vindictive nature of the government. Bennett's only crime is being a member of the MDC, and to punish him for this the government grabbed his farm. The state is now evicting the settlers, clearly demonstrating that the land reform programme was not meant to benefit the landless poor and to ensure equitable land redistribution across the racial divide.

Things Fall Apart

Sternford Moyo, July 2001, A presentation to the Canadian Bar Association Annual General Meeting.

The Little England Farm saga in Mashonaland West in August 2004, where hundreds of settlers had their properties destroyed and huts burnt by the police is a classic example of government's insincerity on land reform. The evictions have also spread to other parts of the country, including Mashonaland East and Matebelaland North province.

Government is employing brute force similar to that used against the white commercial farmers against the people who it incited the farms in 2000.

The end of 2004 also saw a rise in the number of displacements of people due to political violence. It was noted that the cases of displacements recorded in September are the highest since the beginning of the year. In September 2004, the Member In Charge of Norton police, the District Administrator, police and national service youths evicted Porta Farm dwellers despite a High Court Order granting the residents temporary relief from eviction until a lasting solution to their accommodation problems was found.

The cases discussed above vindicate the claim by civil society and other progressive forces that the motives of government's land reform programme were not simply the redistribution of wealth as widely touted. There is no evidence pointing to an attempt at equitable land redistribution other than sheer greed on the part of the pro-establishment elite.

3.9 Food Security

Food is a very basic human right, and access to food and basic social security for citizens is an entitlement of all citizens regardless of their political affiliation, religious beliefs, gender, race, age and ethnicity. Several seasonal droughts, the government's chaotic land reform program, economic mismanagement and bad governance have worsened the food security situation, in both the rural and urban areas of Zimbabwe.

The two main issues affecting the food situation in Zimbabwe are food scarcity and the cost of food. These two issues affect both rural and urban households, and government policies have an effect on both issues. The World Food Program report for January 2005 noted that, "... food security is

declining in most of the districts, particularly in those traditionally dry Masvingo and Matebeleland provinces in the south of the country.

." The WFP also noted that the increase in the costs of food are contributing to food insecurity at household level especially when matched with the depleted average wages and that Zimbabwe has a staggering unemployment rate of 70%.

To make matters worse, government has declared a monopoly on food importation and trading in cereal grains, making it difficult for business, church groups and civil society organisations to mitigate the impact of food insecurity.

Zanu PF has exacerbated a desperate food security situation by using food aid as a political bait to woo votes. There is ample evidence that the Grain Marketing Board has channelled scarce food to Zanu PF supporters while denying it to suspected opposition supporter.

Things Fall Apart

Sunday Mail, 24 October 2004 p1, The Zimbabwe Independent 30 July-5 August 2004 p1, 8 October 2004 p2, The Daily Mirror, 22 September 2004, page 2.
The Zimbabwe Independent Newspaper, 14 January 2005, p 2.
Crisis Coalition Report, The Commonwealth and Zimbabwe's Multi-layered crisis, April 2003, p 8.
The Independent, 5 November 2004

It is estimated that more than 2 million people are in need of food aid. The Catholic Church reports that in 2004, nearly 180 people in Bulawayo, mainly children under the age of 5, died of malnutrition, which is linked to food scarcity.

The severity of the situation prompted the WFP's James Morris, in June 2004; to note that food shortages and poverty have left Southern Africa as "the most serious humanitarian crisis in the world today," with Zimbabwe as its epicentre.

However, the government of Zimbabwe, in April 2004 said that the country would not need any food aid claiming it was anticipating a bumper harvest of 2.4 million tonnes of maize. President Robert Mugabe confirmed this assertion during an interview with the British Sky News, saying "donors should take their food to hungrier places" and that donors should not "choke us with this food aid."

The food crisis in Zimbabwe has had, and will continue to have, a devastating impact on the livelihoods and future of the majority of the population. Hopes of a quick recovery are bleak due to a host of factors, particularly the fact that the government holds on the monopoly of importing and trading in maize. Also, it has no capacity to capitalise new farmers with necessary assets to produce sufficient produce among other environmental conditions such as droughts or floods.

4.0 The Zimbabwean Economy

The Zimbabwean economy has continuously slumped since 14 November 1997, known as Black Friday for the horrific pace at which the Zimbabwe dollar lost half of its exchange rate value in a single day of trading, mainly due to corruption and poor economic management. This made the government adopt politically inclined economic policies, ignoring the economic fundamentals.

Nearly a decade of improper economic policy decisions and unplanned expenditure have resulted in serious commodity shortages, an unsustainable triple digit rate of inflation, critical foreign currency shortage, unemployment at over 70%, the depletion of basic wages and an astronomic government debt. All these factors have created an economic crisis, forcing the government to opt for "Management by Crisis" instead of "Management by Objectives."

Because the economy is the area where governments rise

and fall, the ZANU PF government has seriously cut government expenditure on social services such as education and health while increasing expenditure in security despite the absence of a security threat internally and in the region.

The following highlights the state of the economy in Zimbabwe:

The government's average domestic debt per month of above \$200 billion crowds out the private sector and firms interest rates.

This excessive borrowing by the government has a chance of frustrating other efforts to arrest inflation and to revive the private sector. Thus the economic turmoil remains a vicious cycle, unless the government cuts its expenditure and leaves more funds available for the private sector. However, this does not seem likely, as the government's proposed expenditure for the year 2005 has increased by more than 300% from that of 2004.

Government's projected expenditure for 2005 has ballooned from ZW\$8trillion in 2004 to ZW\$28 trillion in 2005. This will affect money supply growth and pressure on inflation.

Things Fall Apart

Government's record of not enforcing the law has driven away foreign direct investment. After the withdrawal of International Finance Institutions (IFI's) and the condemnation of Zimbabwe's governance and human rights records, the government launched its "Look East" policy. China, Malaysia and other Far East countries became the new trading partner and sources of investments for Zimbabwe. The government's "Look East" policy appears to be gaining momentum with \$353 billion worth of investment promised through the Zimbabwe Investment Centre.

However, the opportunity cost of investment and revenue from the west cannot be overemphasized.

From 2000 and 2004 the manufacturing sector shrunk by 10.5%, tourism by 16% and mining by 14%.

The Confederation of Zimbabwe Industries (CZI) reports that 800 companies folded in the year 2004 alone due to the unstable macro-economic environment Ibid.

The poverty datum line is currently at \$1 630 700 per month for a family of six, according to the Consumer Council of Zimbabwe.

This is against a background of a fall in real Gross Domestic Product from US\$645 in 1995, US\$437 in 1999 to US\$165 in 2004.

The economic crisis and political uncertainty have led investors to withdraw their money from the productive sector into the speculative market. This saw a lot of trading of cash, as the local currency was in short supply. Most banks then entered the speculative market leading to their liquidity problems and imminent liquidations of 2004. To date, eight commercial banks have been put under provisional liquidation as the central bank plans to set up an amalgamated bank, the Zimbabwe Allied Banking Group (ZABG). The crisis in the financial sector has cost depositors, shareholders and employees.

The Zimbabwe Banking and Allied Workers Union (ZIBAWU) reports that over 300 bank employees were thrown into the streets after eight financial institutions were slapped with curatorship due to liquidity problems and financial imprudence. Collen Gwiyo, ZIBAWU Secretary General noted that, "There is high tension, the future of bank employees is uncertain.

Where sane economic decisions were required, political decisions and expediency has taken priority. Unemployment, an unsustainable domestic and foreign debt, contraction of the economy and incessant foreign currency shortages remain key obstacles to Zimbabwe's development. The solution to these problems will not be found in addressing economic policy alone without looking at the broader governance and political question.

Things Fall Apart

The Zimbabwe Independent Newspaper, 5 January 2005, p 9.
The Business Herald, 11 January 2005 p B1.
The Zimbabwe Independent Newspaper, 5 January 2005, p 9.
Ibid
The Daily Mirror Newspaper, 3 January 2005, p 4.
The Zimbabwe Independent, 14 January 2005, p 9.

4.1 HIV and AIDS - Zimbabwe's number one enemy

HIV and AIDS remain key challenges for Zimbabwe, ahead of and after the elections.

Currently inadequate budgetary allocations and the exodus of health personnel due to a poor remuneration and incentive structure have hard hit the public health sector. Life expectancy dropped from 61 years in 1990 to 55 years in 1997. Life expectancy has fallen drastically to less than 37 now because of AIDS, the resurgence of malaria and growing hunger. Predictions expect life expectancy to decline to 25 years by 2010. Maternal mortality has also increased due to poor antenatal and postnatal care. Sexually transmitted diseases, tuberculosis, meningitis and malaria are the leading causes of death in Zimbabwe.

Zimbabwe is experiencing one of the world's most severe HIV/AIDS epidemics and has among the highest prevalence rates in the region, second to Botswana.

The HIV/AIDS pandemic has affected all sectors of the country. By the end of 2002, UNAIDS estimated that 2.3 million people had been infected with HIV. 3000 people die from HIV and AIDS related illness every week. In the year 2001, nine out of eleven provinces in the country had HIV prevalence of 30% and above. Prevalence of young women below the age of 20 is reported to be five times higher than their male counterparts. 70 % of hospital admissions in Zimbabwe are due to HIV/AIDS.

The number of children orphaned by AIDS is around 780 000. (UNAIDS report, 2001).

The impact of AIDS has been steadily felt in the classroom with the United Nations children's agency, UNICEF reporting that some 25 per cent of all teachers in Zimbabwe are HIV-positive. Unicef predicts that in five years 38,000 teachers will have died from AIDS related illnesses.

The government of Zimbabwe has responded to the pandemic by drafting National HIV/AIDS Policy and setting up a National AIDS Council. The introduction in 1999 of a national AIDS levy to draw resources from the tax paid out by workers was applauded as a first in its kind for Africa. The management

and utilization of the AIDS Levy requires transparency and proper accountability in order to benefit the infected and affected. Four years since its inception the Aids levy fund's books have not been audited and the accounts remain closed to the Zimbabwean taxpayers who are obliged to contribute 3% of their income to it. Ironically the majority of the Zimbabweans who are HIV affected and infected remain ignorant of how to access this fund. Zimbabwe has been haunted by allegations of mismanagement and misappropriation of the IADS funds while citizens die from diseases that are treatable.

The pandemic has also accelerated the marginalisation of groups such as the disabled, women and girls. To date 56% of those infected with HIV are women. This is because women in Zimbabwe are unable to determine the nature of their sexuality. The right to refuse sexual intercourse with an infected spouse is still shrouded in cultural and traditional beliefs and practices. Also highly affected are the disabled. In August 2004 IRIN news reported that 300,000 of the 1.2 million disabled people in Zimbabwe were HIV positive.

Things Fall Apart

In both cases very little has been done by government to ensure behavioural change, and empower these sectors to make an informed choices. The director of National Association of Societies for the Care of the Handicapped (NASCOH) Farai Mukuta recently highlighted that no AIDS Awareness campaign in the country had taken cognisance of the hearing impaired or the blind.

International and bilateral donors are essential to a comprehensive response against HIV and AIDS. In Zimbabwe however it has been almost impossible to harness optimum donor assistance post 1999 controversial land reform era as international assistance was to be pulled out of Zimbabwe. One of the major donors to take this stance was Global Fund which announced its withdrawal from Zimbabwe due to the political impasse. The continued question of the legitimacy of the Government has led to the 'sit and wait" strategy by most donor organisations. In response government has become averse towards the non governmental and community based organisations who have maintained relationships with international donors and excluded them from the Aids levy beneficiaries list.

HIV/AIDS may result in political instability as citizens claim more access to Antiretroviral (ARVs) and antibiotics for opportunistic infections. The marginalisation of Zimbabwe from the Global Fund signals that local initiatives need to be intensified in search of vaccines and other generic drugs. There is need, to intensify research and development issues to academic, traditional and professional organizations and to think through a more sustainable and realistic ARV distribution and access policy on the part of government.

The effectiveness of Zimbabwe's response to the HIV crisis is also impacted by the government's repressive legislation. Once made into law in its current form the NGO Bill will jeopardize activities of NGOs, and will be detrimental to development. The Bill notes that activities to do with rights and governance should source local funding. Human rights, in relation to HIV/AIDS, include the right to treatment, the right to health care, the right not to be discriminated against, the right to education and other numerous rights.

Once enacted, the NGO Bill will reverse the gains of independence. NGOs are complementing government in providing health care and support in the face of this deadly pandemic and should be congratulated and given the space to continue to assist government.

Things Fall Apart

(July 2004)

Ibid

Commonwealth Marlborough House Statement on Zimbabwe ,19 March 2002, London

4.2 International and Regional Diplomacy

There has been a hive of diplomatic activity around Zimbabwe following the 2000 election, the European Union (EU) and the United States of America (USA) government separately imposed travel bans on a significant number of ZANU PF leaders as a way of pressuring them towards reform.

The African, Caribbean and Pacific countries whose view seemed to align with that of the ZANU PF government greeted this move by the EU with cynicism. In particular, this group of countries saw the primary problem in Zimbabwe as the land question as opposed to governance and democracy. South Africa for example, adopted a policy of quiet diplomacy⁴ which in practice has often meant defending the ZANU PF government or stopping any international initiative aimed at censoring the latter. Related to this was the move by the Commonwealth to suspend Zimbabwe and Zimbabwe's subsequent withdrawal from the Commonwealth in protest.

More recently the new US Secretary of State Dr Condoleezza Rice clustered Zimbabwe together with North Korea, Iran, Burma, Belarus and Cuba, which she called outposts of tyranny. In apparent response to this to this aggressive US position President Mbeki publicly stated that Dr Rice's characterization of Zimbabwe is an unfortunate exaggeration. Infact, President Mbeki has gone so far as to state that the forthcoming Zimbabwe Parliamentary election shall be free and fair. Whilst much can be said concerning Dr Rice's characterisation of Zimbabwe as an outpost of tyranny, Mbeki's response undermines the spirit and latter of the SADC Principles and Guidelines on free and fair elections for the following reasons:

(i) In the opinion of the Coalition the problem of external interventions in Zimbabwe has been the binaries between the anti-imperial critique and the pro-democracy and pro-human rights critique. What Zimbabwe needs is an approach that acknowledges the global, political and economic inequities while at the same time not absolving the Mugabe government of its internal accountability for human rights abuses.

(ii) President Mbeki currently chairs the SADC Organ on Defence and Politics. The organ is the designated convener of the SADC Election Observer Missions (SEOM). The official verdict of the SEOM is in terms of the SADC Principles and

Guidelines communicated by Mbeki's office. His sentiments above suggest that he has already prejudged the election and that the SEOM process is purely a ratification process. Given the fact that very few independent bodies have been invited to observe this election President Mbeki's position essentially silences legitimate concerns of Zimbabwean civil society and opposition groups concerning the limited democratic space set out in this report.

(iii) Following the 2002 Presidential election Zimbabwean government undertook to review oppressive legislation such as AIPPA and POSA. President Mbeki publicly stated as much. As noted elsewhere in this report the objectionable pieces of legislation are still intact and being enforced vigilantly. Further the infrastructure of violence set up in the last two national elections have been consolidated and are still intact. It would appear that there's nothing that Zimbabwe can do to alter the rigid positions set out in President Mbeki's statement.

It would also appear that there's little interest in the actual content and context on the Zimbabwean election on the part of SADC. The real issue of the emerging feud is a bilateral bickering between SA and the USA regarding who should be the regional policemen. Such that the Zimbabwean election has been placed at the centre of anti-US engagements in the Middle East and elsewhere where it differs with SA. In the view of the Coalition, this broad political situation is not in the interest of Zimbabwe and makes the coming plebiscite is a mere event.

Things Fall Apart

⁴ "Some are convinced that we are savages and that we must therefore do everything in our power to prove.....(otherwise) to the satisfaction of white South Africa", ANC Today 23 March 2001, Zimbabwe Independent 4 March 2005

4.2 The Role of SADC Election observers

Article 5 of the SADC treaty spells out one of the objectives of SADC as promoting “ common political values, systems and other shared values which are transmitted through institutions, which are democratic, legitimate, and effective”. It also commits SADC member countries to consolidate democratic values to achieve peace and development. The Zanu PF government, as this report asserts seeks to make the 2005 parliamentary poll a Third World and Pan–African Solidarity issue where election observers from the countries perceived to be “enemies “ of government cannot be invited.

Despite the clear mandate that international election observers have, ZANU PF has continued to pontificate and drag its feet in inviting observers from the EU. In line with their “Look East Policy “, the government has invited the majority of the Asian countries to observe the March poll. This has been done ostensibly to shame British Prime Minister, Tony Blair and his US counterpart, President George Bush.

It remains to be seen whether the invited international observers from Eastern Europe, SADC and the African Union can give a proper account of the prevailing environment before, during and after the elections. Questions have been raised on the issue of integrity and the credibility of election observers. Some observer missions who observed the 2000 parliamentary and 2002 presidential plebiscites, despite the existence of violence went on to endorse the 2 polls as reflecting the true wishes of the people. It becomes clear that even with the existence of clear terms of reference, some errant election observers want to produce reports that please certain political entities. Civil society therefore has a crucial role to observe the observers.

In line with the Protocol governing democratic elections concluded at the SADC Summit in Mauritius in August 2004, member countries pledged to further consolidate Article 4 of the Treaty that stipulates that “human rights, democracy and the rule of law” are crucial in ensuring equal opportunities and full participation of the citizens in the political process.

The Protocol sets out the following as the code of conduct for the election observers:

Shall maintain strict impartiality in the conduct of their duties, and shall at no time express any bias or preference in relation to national authorities, parties and candidates in contention in the election process. Furthermore they will not display or wear, partisan symbols, colours or banners.



Things Fall Apart

- i. Shall neither accept nor attempt to procure any gifts, favours or inducements from a candidate, their agent, the parties or any other organisation or person involved in the electoral process.
- ii. Shall immediately disclose to the relevant SADC structures any relationship that could lead to conflict of interest with their duties or with the process of the observation and assessment of the elections.
- iii. Will base all reports and conclusions on well documented, factual and verifiable evidence from multiple number of credible sources as well as their own eye witness accounts.
- iv. Will refrain from making personal or pre-mature comments or judgements about their observations to the media or any other interested persons, and will limit any remarks to general information about the nature of their activity as observers
- v. Should work harmoniously with each other and with observers from other organisations in their area of deployment. The above outline is not exhaustive but it is enough to present a general overview of the mandate of SADC Election observers.

The role that observers play in either legitimising or delegitimising any election cannot be over-emphasised. To this end, both SADC observers and those that have been invited from the AU and Eastern Europe must ensure that they conduct their business in a thorough, non- partisan and professional manner in order to make reports and conclusions that will not be disputed.

The hike of registration fees from ZW\$10 000 to ZW\$100 000 for local observers is a limiting factor to many Zimbabweans who are suffering from the current economic crisis. The same can equally be said of regional and international observers are required to pay in US 100 Dollars. It should be noted, however, that even if one is able to pay the observers' fee, the accreditation committee is under no obligation to accredit the observer in question.

It must be noted that this is so limiting in itself in that a number of poor African countries will not be able to raise funds to pay for the observer fees given their small budgets e.g. Lesotho, a \$100 000 fee for Zimbabweans is a tall order for many Zimbabweans and/or organizations given that Zimbabwe has 120 constituencies, thus the budget will just

be outrageous. For example ZESN needed around 60 million for all its observers to be accredited, thus small organizations who do not have that kind of money and individuals who are so passionate as well as patriotic about the welfare of their country are automatically or naturally not in the picture.



Things Fall Apart

4.5 Defining the Way Forward & Possible Scenarios

A solution to Zimbabwe's multifaceted crisis is difficult to achieve given the current rift between the two main political parties, Zanu PF and the MDC. This rift is exacerbated by the complicated US and SA standoffs aforementioned. It seems Zimbabwe has become the test case of the tension between global governance and sovereignty and the various north/south divides that have emerged have added to rather than reached a solution for those tensions. In spite of the presence of the SADC Principles and Guidelines Governing Democratic Elections, the Zanu PF government remains defiant about enforcing the material changes to Zimbabwe's electoral system, especially regarding the opening up of the media, enforcing the impartiality of the security forces, and abolishing the machinery and infrastructure of violence. The right of Zimbabweans to choose their political leadership has not been guaranteed and protected through the removal of repressive legislation and scrupulous enforcement of the aforesaid SADC Principles and Guidelines. In the Coalition's view, the basic conditions that would ensure a free and fair election in Zimbabwe include:

The dismantling of the infrastructure of violence (e.g. the youths militia-Green Bombers) and political commitment not to resort to violence,

The limitation of Presidential powers not only with respect to election but also to democratic rights of citizens, the Executive's power to legislate, especially on the Electoral Act must be abolished as it is not consistent with a democratic political system,

The establishment of an Independent Electoral Court manned by senior judges with clear enforcement powers to deal with electoral violations. This means that the President who is a participant in elections must not appoint or handpick his/her functionaries to head the independent electoral monitoring body,

The adoption of a code of Conduct that is agreed upon by all political contestants,

The freeing of the airwaves from political interference and control. This might entail the establishment of a tripartite

forum consisting of political parties and civil society organisations must monitor the freeness of the airwaves. Alternatively this function must be discharged by the election monitoring body,

The repeal of the Broadcasting Services Act (BSA), which gives the Zimbabwe Broadcasting Holdings monopoly over the airwaves.

The repeal of draconian legislation such as the Public Order and Security Act (POSA) and Access to Information and Protection of Privacy Act (AIPPA), which restrict freedom of assembly, association and expression.

The registration and voting of Zimbabweans of Zimbabweans in the Diaspora.

However, with the 31st March 2005 election date rapidly approaching, the possibility of these reforms being instituted before then is unlikely. Therefore, the upcoming election will be a mere ritual. There are three possible scenarios, which may emerge from this event:

1. An MDC parliamentary majority (a 51-seats vetoing minority)
2. A Zanu PF parliamentary majority (Constitutional Amendment)
3. An MDC parliamentary majority
4. A balanced representation of seats, and a possible transition to power sharing and a Government of National Unity (GNU)

It is unlikely that the opposition MDC will garner as much seats as they did in the 2000 parliamentary election. This is in part because of the highly skewed allocation of time and space in the public media in favour of ZANU PF, the MDC's poor resource base against a background of massive abuse of state resources by ZANU PF for its political benefit, the infrastructure of violence and the internal political crisis within the MDC but even if the MDC performed beyond expectation, their victory would be over shadowed by the power of the President to appoint thirty non-constituent Members of Parliament.

In the Coalition's opinion whether or not the MDC performs well will not alter the fact that the election is an unfair and an unfree one.

Things Fall Apart

Media Under Siege, (2002) media monitoring project in Zimbabwe, PP111. The monitoring of news on Zimbabwe Broadcasting Television noted that the ruling ZANU PF was given 94% of airtime whilst the main opposition was allocated 4% and other parties shared 2%. It is important to note that the paltry 4% devoted to the MDC was to attack, denigrate and discredit the opposition.

The most likely scenario is that Zanu PF will retain parliamentary majority despite the evident internal leadership crisis in Zanu PF witnessed by the expulsion of Jonathan Moyo and the suspension of six provincial chairpersons. The likely scenario is that there will be a change of personalities and not policies in government. Therefore, we are persuaded to conclude that a renewed ZANU PF is unlikely to open up democratic space. Unfortunately this outcome would mean that the political impasse continues.

The reasons for this projection arise from the following:

1. The new comers, Johnny Come Lately (Mafikizolos) in ZANU PF are or have been replaced by the old guard and/or former military personnel.
2. ZANU PF still characterises the MDC as a proxy and agent of imperialism therefore enemy of the state.
3. ZANU PF leaders who benefited disproportionately from the land reform exercise have an interest in protecting their new capital.
4. The hardening of SA and US positions referred to above mean that the Zimbabwean question is becoming more and more complicated.
5. ZANU PF in its election manifesto has singled out NGOs as instruments of destabilisation that need to be weeded out.

It has characterised the MDC as Tony Blair's child that needs to be buried.

The political reforms within ZANU PF, its call for a violence-free March election, the government's current monetary and fiscal policy reforms, general apathy and political fatigue may result in many Zimbabweans accepting the electoral outcome as legitimate despite reports of pre-election irregularities and Harare's non compliance with the SADC principles guiding democratic elections. ZANU PF reforms may reduce the legitimacy crisis internally, but at a regional and international level, the electoral outcome should remain illegitimate judged on the SADC principles for democratic elections. Challenges of the new ZANU PF government will include the bringing of the perpetrators and victims of violence to justice, and restoring sanity to Zimbabwe's financial sector and the economy. These factors, plus a strong showing by the MDC in the March elections might persuade ZANU PF to invite the

MDC into Government of National Unity (GNU). This scenario would assist in returning confidence in the governments legal and social systems if political independence is maintained. However, The PF-ZAPU and ZANU PF unity accord style of 1987 would not solve any crisis and, if the Harare regime remains as intractable as it has in the past, the possibility of any more equitable form of power sharing remains sadly remote.

Given the likelihood of the second two scenarios, the current political and social crisis will remain an existing feature in Zimbabwe up to the Presidential Election in 2008, or until such time those democratic elections are held. Until the people of Zimbabwe are able to freely choose their representatives in a fair and democratic election, the country will continue to suffer the host of socio-economic difficulties described above.

This problem will continue to damage Zimbabwe's capacity for self-sufficiency, and will continue to impact negatively on her neighbours and Africa as a whole.

Things Fall Apart

Because, in its own analysis, Zanu PF is synonymous with government, it liberally accesses government resources for its party programs. This includes the use of District Development Fund vehicles and those belonging to other parastatals such as the Grain Marketing Board.

The people who are responsible for political violence since the year 2000 have either been pardoned or have not been formally charged. These people still live in the very communities where they perpetrated acts of terror. The net effect of this is a general withdrawal by the people from the electoral processes for fear of violence and intimidation by people who are "above the law". This also includes the presence of the youth militia, the role of which has largely been to violently buttress the ZANU PF youth wing.

E.g the instatement of a 30% quota for women candidates.

4.6 Constituencies, Voters, Candidates, Parties and Election Issues.

BULAWAYO PROVINCE					
Constituency	No. of voters	Candidates	Sex	Party	Key Issues from past elections
1. Bulawayo South	43 985	David Coltart	M	MDC	Patrick Ntabanyana, the MDC election agent for MP David Coltart who went missing before the June 2000 parliamentary election has not been found to date. ¹
		SithembisDnyoni	F	ZANU PF	
		CharlesMpfu	M	Indep	
2. Lobengula Magwegwe	52445	FletcherDuliniNcube	M	MDC	Mr DuliniNcube was detained for allegedly kidnapping and killing war veteran's leader Cain Nkala. He was denied medication while in police custody and lost his right eye as a result. He was later acquitted by the High Court.
		MollyNdlovu	F	ZANU PF	
MASHONALAND CENTRAL PROVINCE					
3. Bindura	55 268	Joel Mugariri	M	MDC	Bindura Election Petition <i>Pfebve v. Gezi</i> July 25, 2000 LLEGATIONS: Corrupt and illegal practices, widespread intimidation and violence, irregularities and illegal practices at the polling stations, irregularities in the verification and counting of ballots, and the deprivation of constitutional rights, rendered the election in the Bindura Constituency neither free nor fair.
		ElliotManyika	M	ZANU PF	
4. GuruveNorth	48 904	AlanMcCormick	M	MDC	Tobias Sauti, Chikwama Chitsiko, Joshua Gumbo, Takesure Marowa, Nicholas Marowa and John Marowa of Chitsungwara in GuruveNorth had each house burnt down on 15 March 2002 by alleged ZANUPF, the opposition alleged.
		David Butau	M	ZANU PF	
5. Mazowe East	52 566	Chen Chimutengwende	M		In 2000 elections more than 20 confirmed dead people were recorded on the voters' roll as having voted—including Sami Marufu, Sami Shingirai, Munganga Morden, Mukahiwa Sonwet, and Mukahiwa Fireson. (2) More than 500 people who had allegedly transferred out of the constituency were recorded on the supplementary voters' roll as having voted. (3) Two sets of the used voters' rolls were unaccounted for. (4) Voter rolls and voting slips from Mazowe West (i.e., not Mazowe East) were found in the ballot boxes. (5) Twenty nine extra voters' rolls were found with 1,152 recorded votes on them. (6) The total number of votes recorded on the voters' rolls, as having voted was 1,951 less than the total number of votes cast.
		Gideon Chinogurei	M	Zanu	
		Shepherd Mushonga	M	MDC	
6. Mt Darwin South	50 506	Henry Chimbiri	M	MDC	Alleged ZANUPF supporters killed the brother of MDC candidate in Bindura constituency in the June 2000 parliamentary election, Mathew Pfebve in cold blood.
		Saviour Kasukuwere	M	ZANU PF	
Rushinga	38 355	Braine Mufuku	M	MDC	

¹ MDC election petition files and reports.

7.		Sandura Machirori	F	ZANU PF	It was a no go area for opposition politics and campaigns during both the 2000 and 2002 parliamentary and presidential elections respectively.
MASHONALAND EAST PROVINCE					
Constituency	No. of voters	Candidates	Sex	Party	Key Issues
8. Chikomba	55 792	Tichaona Jokonya	M	ZANU PF	The late Chenjerai Hunzvi, the chairman of the Zimbabwe National War Veterans Association allegedly set up torture camps in the run up to the 2002 presidential election.
		Piniel Kudenga	M	MDC	
9. Marondera East	53 742	Sydney Sekeramayi	M	ZANU PF	The constituency boundary has been altered and extended to cover a rural area, Svosve. Residents of Marondera are forced to attend ruling party rallies and other functions such as the celebrations of the appointment of Joyce Mujuru as Vice President. Residents are also forcibly given "positions" in Zanu PF and forced to campaign for the ruling party. Councils also deliberately deny the MDC an opportunity to use public places such as Rudhaka stadium, Mbuya Nehanda and Dombombombhalls for their political activities.
		Ian Kay	M	MDC	
10. Murehwa North	40 064	David Parirenyatwa	M	ZANU PF	ZANUPF set and war veterans set up a torture camp at the ZEXCOM offices at Murehwa growth point.
		Alois Mudzingwa	M	MDC	
11. Murehwa South	44 090	Joel Matiza	M	ZANU PF	Commercial farmer David Stevens was killed in cold blood by war veterans in the run up to the June 2000 parliamentary election. The key suspect, one Chitekuteku was briefly arrested but the matter remains unresolved
		Alaska Kumirai	M	MDC	
12. Mutoko North	38 216	Memory Mandaza	M	MDC	The High Court ordered the police in Harare to go to Mushimbobase to rescue a teaching couple that had been kidnapped for two weeks by alleged war veterans and ZANUPF supporters.
		David Chapfika	M	ZANU PF	
13. Uzumba-Marambe-Pfungwe	55 249	Stewart Pairemanzi	M	MDC	ZANU PF established torture camps in the constituency. The ruling party got an unprecedented 87 000 votes in the 2002 Presidential election.
		Kenneth Mutiwekuziva	M	ZANU PF	
MASHONALAND WEST PROVINCE					
Constituency	No. of voters	Candidates	Sex	Party	Key Issues
14. Chinhoyi	42 368	Silas Matamisa	M	MDC	There were allegations of vote-buying against the ZANU PF candidate in the 2000 parliamentary election but the High Court dismissed the election petition against Phillip Chiyangwan 2001

	Constituency	No. of voters	Candidates	Sex	Party	Key Issues
			Faber Chidarikire	M	ZANU PF	
MASVINGO PROVINCE						
15.	Gutu South	55 554	Eliphas Mukonoweshuro	M	MDC	The MDC alleged that it was not allowed to campaign in the area and that soldiers were deployed to attack its supporters and disrupt rallies.
			Shuvai Mahofa	F	ZANU PF	
16.	Mwenezi	56 552	Isaya Shumba	M	ZANU PF	There were allegations of violence against opposition MDC supporters
			Charles Muzenda	M	MDC	
17.	Zaka West	50 918	Harison Mudzuri	M	MDC	On 19 January 2002, soldiers imposed a 12-hour curfew after ZANU PF supporters attacked opposition opponents in the run-up to the March 2002 Presidential election.
			Mabel Mawere	F	ZANU PF	
MATEBELELAND NORTH PROVINCE						
18.	Lupane	47 576	Martin Khumalo	M	ZANU PF	Opposition MDC Member of Parliament David Mpala was attacked by war veterans in February 2002 and died from the wounds last year.
			Jabulis Mguni	M	MDC	
MATEBELELAND SOUTH PROVINCE						
19.	Beitbridge	52 697	Kembo Mohadi	M	ZANU PF	War veterans established road blocks where they asked people to produce ZANU PF party cards before they were allowed to pass.
			Lloyd Siyoka	M	Ind	
			Murumwa Siphuma	M	MDC	
			Sibongile Sibanda	F	ZANU	
20.	Insiza	43 768	Andrew Langa	M	ZANU PF	The MDC MP for the constituency George Ndlovu from food poisoning after a parliamentary seminar in August 2003. The by-election in November 2003 was marked by violence.
			Siyabonga Ncube	M	MDC	
MANICALAND PROVINCE						
21.	Buhera North	53 805	William Mutomba	M	ZANU PF	On 14 April 2000 two MDC activists Talent Mabika and Tichaona Chiminyawere murdered in cold blood at Murambindagrowth while they were campaigning for MDC leader Morgan Tsvangirai. The High Court on the basis of this murder nullified the election result.
			Tichaona Mudzingwa	M	MDC	
			Moses Mutyasira	M	ZIYA	
22.	Chimanimani	52 821	Eileen Bennett	F	MDC	A member of the Central Intelligence Organisation (CIO), Joseph Mwale was allegedly leading terror campaigns against the opposition in the run-up to both the 2000 and 2002 parliamentary and presidential elections respectively. Mwale has since escaped the country after the police indicated that they wanted to arrest him on allegations of murdering two opposition supporters in the run-up to the 2002 presidential election in Buhera North. The MP of the area Roy Bennett is currently serving 12 months in jail with labour for attacking the Minister of Justice, Legal and Parliamentary Affairs in a debate in Parliament.
			Samuel Undenge	M	ZANU PF	
23.	Makoni East	38 966	Shadreck Chipanga	M	ZANU PF	The MDC lost the election by 118 votes and alleged that the former director general of the CIO Shadreck Chipanga used the secret police service to attack and intimidate opposition supporters
			Pishayi Muchauraya	M	MDC	
24.	Mutasa North	38 155	Evelyn Masaiti	F	MDC	MDC candidate and other villagers were forced to sleep in one of the mountains after a spate of politically motivated arson against opposition properties including houses.
			Michael Nyambuya	M	ZANU PF	
MIDLANDS PROVINCE						
	Constituency	No. of voters	Candidates	Sex	Party	Key Issues

25.	Gokwe	44 701	Aaron Chinhara	M	MDC	On 19 February 2002 a Mazda T35 00 truck carrying an advance team of MDC supporters was set ablaze at Gokwe growth point.
			Lovemore Mupukuta	M	ZANU PF	
26.	Gokwe-Kana	42 196	Farai Magaya	M	MDC	MDC alleged its supporters were harassed and tortured by ZANU PF supporters in the run-up to the 2002 presidential election.
			Max Kokerai Machaya	M	ZANU PF	
27.	Mberengwa East	51 215	Sekai Holland	F	MDC	Painos Kufakunesu Zhou was allegedly murdered by a group of ZANU PF supporters led by war veteran Biggie Chitoroi in May 2000 for allegedly organizing MDC rallies in the area.
			Goodwil Shiri	M	Ind	
			Rugare Gumbo	M	ZANU PF	
28.	Zhombe	44 851	Daniel Makenzie-Ncube	M	ZANU PF	Opposition supporters were forced to burn their regalia and to denounce the MDC in return for peace by alleged war veterans during the June 2000 parliamentary campaign campaigns.
			Edison Nyathi	M	MDC	
29.	Mberengwa West	47 384	Joram Gumbo	M	ZANU PF	War veterans allegedly forced school teachers to attend ZANU PF rallies in the run-up to the 2000 and 2002 parliamentary and presidential elections respectively
			Tinozivashe Mpofu	M	MDC	

HARARE PROVINCE

	Constituency	No. of voters		Sex	Party	Key Issues
30.	Budiro	49 919	Gilbert Shoko	M	MDC	The late war veterans' leader Chenjerai Budiro died in surgery in 4 suburbs to allegedly torture opposition supporters in the area during the 2000 parliamentary campaigns.
			David Makufa	M	ZANU PF	
31.	Mbare	53 883	Gift Chimankire	M	MDC	President Robert Mugabe had a war of words with Mbare residents when he called them totem less for allegedly supporting the opposition in the 2000 election.
			Tendai Savanhu	M	ZANU PF	

32.	St. Mary's	55 310	Dunmore Makuva	M	Ind	MP Job Sikhala with four other MDC activists were severely assaulted and tortured in January 2003 for allegedly attempting to overthrow the government and torturing a state bus.
			Job Sikhala	M	MDC	
			Tendekai Mswata	M	Ind	
33.	Zengeza	46 727	Patrick Nyaruwata	M	ZANU PF	MDC candidate in the March 2004 by-election James Makore had his house attacked while one opposition supporter Francis Chinozvinu was shot dead on election date.
			Goodrich Chimaira	M	MDC	



Things Fall Apart