



ZIMBABWE 2023 HARMONISED ELECTION

WEEKLY MONITORING REPORT

15 July 2023 – 21 July 2023

1.0 Introduction

This election weekly monitoring report covers the period 15 July 2023 – 21 July 2023. The report primarily focuses on documented and verified incidents of politically motivated organised violence and torture (OVT) and other electoral violations in the run-up to the 23 August general election.

2.0 Methodology

Information contained in this report has been obtained through on-sight monitoring of cases by the Forum officers, cases verified and documented by its members, and verified media reports.

3.0 Weekly Highlights

Highlights for the week under review include the fact that the opposition Citizens Coalition for Change (CCC) was finally allowed to hold a rally to launch its presidential campaign on 16 July at Mkoba Stadium in Gweru. This was after the previous attempt has been thwarted by the police who had refused to sanction the launch which had been scheduled for Bindura on 9 July.

The ruling party, Zanu-PF held its presidential star rally in Zaka, Masvingo on 16 July. Addressing party supporters, Zanu-PF presidential candidate Emmerson Mnangagwa advised that they had used a drone to count the number of people at the rally and the result was that there were 124,000 people at this rally. Mnangagwa also advised that they had deployed a secret drone to Gweru where the opposition CCC was meeting, which counted 15,000 people.

Political violence seems to be on the rise. Of concern has been cases of victims being turned into accused persons. CCC members, Elisha Meki, Simbarashe Bakasa, Tawanda Nyakudya, Emmanuel Chinoera and Simba Nyandoro were assaulted whilst putting up campaign posters in Chitungwiza. They reported to Chitungwiza police. They were however arrested, and taken to court where they were denied bail.

The arrest of the CCC parliamentary candidate for Chipinge South Clifford Hlatshwayo in Chisumbanje on 15 July under the Maintenance of Peace and Order Act is a cause for concern. Hlatshwayo paid an admission of guilty fine for convening an unsanctioned meeting. Hlatshwayo alleges that he paid the fine to avoid incarceration. The arrest of the opposition is worrying. The playing field should be fair.

4.0 Emerging Issues

4.1 Continued instances of political intolerance

3.1.1 Deputy Minister verbally assaults and threatens police officer

On 18 July 2023, a three-and-a-half-minute long voice recording went viral on various social media platforms in which someone who claims to be the Deputy Minister of Environment, Climate, Tourism and Hospitality Industry Barbara Rwodzi was heard verbally abusing a police officer. The audio has on the other side the purported voice of Assistant Inspector Murima who is based at Charandura Police Station after he was confronted by Rwodzi over the arrest of a ZANU-PF member for allegedly defacing Citizens Coalition for Change (CCC) campaign posters. In the audio, Rwodzi demanded to know what the ZANU-PF supporter, identified in the audio only as “Danger” is being accused of. After being informed that he had defaced CCC posters, she then further demanded to know if there was evidence against Danger and if such evidence could be given to her. Rwodzi went on to inquire from the Assistant Inspector why he and other officers at the station had not sat down first and discussed the matter amongst themselves before opening a docket that implicated Danger. At this stage, the Assistant Inspector attempted to explain his mandate as a police officer. This response appeared to enrage Rwodzi who then proceeded to call the officer a “stupid idiot” and threatened to deal with him. She also went on further to call him a dog. In the voice recording, Rwodzi concludes by demanding to know from the officer: “*unofunga kuti triple C inohwina?*” which loosely translates to “Do you think CCC will win the upcoming elections?”.

He also threatened to report the officer to President Emmerson Mnangagwa and Police Commissioner General Godwin Matanga.

According to section 151 (1) (a) of the Electoral Act [Chapter 2:13], anyone who defaces or destroys any poster of any political party or candidate in connection with an election commits an offence and is liable to a fine or imprisonment or both. Notably, the police under section 219 (1) (e) and section 219 (3) of the Constitution should enforce the law without fear or favour in a non-partisan manner in the discharge of their mandate.

4.1.2 Police launch investigation into Deputy Minister’s verbal assault of Charandura

Assistant Inspector

On 18 July 2023, the Zimbabwe Republic Police (ZRP) published a tweet on their official Twitter account confirming knowledge of the viral audio circulating on social media platforms involving a phone call altercation between Inspector Murima from ZRP Charandura and Deputy Minister, Barbra Rwodzi. The police said the incident was now under investigation. The tweet was pulled down a few minutes later.

A memo dated 18 July 2023 from the Officer Commanding Gweru Rural District Tambudzai Gumbo, addressed to the Officer Commanding Midlands Province Patson Nyabadza raised concern on the ability of police officers to execute their duties as required in section 219 of the Constitution. This followed the threats by Deputy Minister Rwodzi to report Inspector Murima to Commissioner-General Matanga and President Mnangagwa.

4.1.3 Approval of campaign billboards for installation

Presidential candidate Saviour Kasukuwere’s campaign team mounted several billboards in Harare and other towns and cities, notably, the one erected along Simon Mazorodze Road in Harare. In response, on 18 July 2023, Mashonaland provincial Road Engineer issued a memo advising all advertising agencies to first seek the approval of the contents of any advert before erecting a billboard on any state highway. Prior to this memo being issued, election candidates did not have to seek permission to put up campaign posters on national highways.

4.1.4 Mwenezi West independent candidate’s car burnt

A car belonging to Mwenezi West independent candidate, Tafadzwa Masvayamwando-Shumba was burnt to ashes. Shumba is accusing the Central Intelligence Organisation (CIO) of the incident. He is contesting Priscilla Zindari-Moyo, wife to CIO Commissioner-General Isaac Moyo. According to audio messages from a ZANU-PF group, unidentified men ordered the driver of the vehicle to stop, pointing guns. The people in the car ran away, leaving a woman, Shumba’s relative, who is heavily built and

failed to get out of the car. She was dragged out. The unidentified men drove the car away. The car was recovered burnt to ashes. Zindari-Moyo is however denying responsibility.

4.2 In the courts

4.2.1 *Bail granted for #UZFour*

On 17 July 2023, four University of Zimbabwe students were finally granted \$500 000 bail each by High Court judge Justice Lucy Mungwari. The four students: Emmanuel Sitima (24), Comfort Ncekuyenkosi Mpfu (22), Tawanda Benjamin Watadza (24) and Lionel Andrew Madamobe were arrested on 17 May 2023 and had been incarcerated for two months. They were accused of defacing seven public buildings with graffiti calling for the release of CCC legislator Job Sikhala, who has been on pre-trial detention for over a year. The buildings include the Parliament of Zimbabwe, the High Court, Constitutional buildings, Runhare House, and Trinity Methodist Church in Zimbabwe, among others. They will report to the police at Harare Law and Order Section twice a week.

4.2.2 *Elizabeth Valerio wins appeal against ZEC*

On 19 July 2023, opposition political party United Zimbabwe Alliance (UZA) leader, Elizabeth Valerio won her appeal against the Zimbabwe Electoral Commission's decision to reject her nomination papers. Valerio was one of the two female presidential candidates whose nomination papers were rejected by ZEC because of payment issues. The Zimbabwe Human Rights NGO Forum, in the general election weekly monitoring report covering the period 22 – 30 June 2022, reported how Presidential candidate, Valerio had approached the Electoral Court, through Forum member, the Zimbabwe Lawyers for Human Rights (ZLHR) to appeal the decision of the Nomination Court to reject her nomination due to late reflection of the nomination fees paid through bank transfer. ZEC rejected her proof of payment insisting that such could only be accepted when the money appears in the electoral body's account. Valerio now becomes the 12th candidate vying for the presidency in the due August 2023 harmonized election and the only female presidential candidate in the race.

4.2.3 *Saviour Kasukuwere's presidential bid stays on*

On 20 July 2023, independent presidential candidate Saviour Kasukuwere withdrew his application challenging Lovedale Mangwana's application to have a Supreme Court appeal filed by the former Local Government minister against a High Court ruling barring him from contesting in the 2023 elections be heard on urgent bases. Kasukuwere's lawyer, Jacqueline Sande said both parties in the legal proceedings (the applicant, Lovedale Mangwana and Kasukuwere as the first respondent) would be expected to file heads of argument by the 26th of July 2023 and the matter be sat down on 27 July. In the meantime, Kasukuwere's name remains on the ballot paper and continues to campaign.

4.2.4 *High court case on Registered voters versus the nomination of opposition political Candidates in Bulawayo*

On 20 July 2023, Bulawayo High Court Judge, Justice Bongani Ndlovu reserved judgment in the matter between registered voters versus the nomination of opposition political candidates in Bulawayo. This was after some ZANU-PF supports, naming themselves registered voters in Bulawayo, challenged the Zimbabwe Electoral Commission (ZEC) for allegedly accepting nomination papers and the candidature of members of various political parties including 12 from CCC filed outside of the timeframes prescribed by the electoral law. The nomination court sat on 21 June 2023 to accept papers from aspiring candidates. However, ZEC sat until midnight to accommodate aspiring candidates who had failed to file their papers on time. Candidates from various parties (including CCC, ZAPU, Free Zim Congress and Zimbabwe African National Congress) submitted their papers after the 4 pm deadline. Twelve urgent chamber applications were filed on Friday 30 June 2023 at the Bulawayo High Court by registered Bulawayo voters seeking the disqualification of the aspiring Members of Parliament.

4.2.5 Gwanda RDC CCC candidate wins appeal

On 19 July 2023, Joseph Khumalo of Ward 6 in Gwanda RDC had his appeal heard by Justice Dube Banda of the Bulawayo High Court. He had appealed the decision to disqualify him from the nomination process when his papers were rejected by the nomination court on 21 June 2023. The basis of his disqualification was that his name did not appear on that ward's voters' roll. His lawyer, Professor Welshman Ncube told ZimLive that: **“ZEC conceded that they had made a mistake and that he was improperly disqualified, and we got a court order reinstating him as a candidate.”**

4.2.6 Mutumwa Mawere approaches the Constitutional Court to block Mnangagwa from contesting.

On 21 July 2023, the Zimbabwe Independent newspaper reported that an exiled businessman, Mutumwa Mawere approached the Constitutional Court seeking to bar President Emmerson Mnangagwa from contesting in the August 23 elections. In the application dated 5 July 2023, Mawere argued that allowing Mnangagwa to contest would be tantamount to condoning violations of the Reconstruction of State Indebted Insolvent Companies Act that took place during his tenure. His application is for an interim interdict and restraining order on President Emmerson Mnangagwa.

4.3 Instances of politically motivated violence

3.3.1 ZANU-PF members assault Bulawayo journalist

On 18 July 2023, the Centre for Innovation and Technology (CITE) reported that journalist Annastacia Ndlovu who writes for Voice of America (VOA) was reportedly assaulted by ZANU-PF activists. The incident reportedly occurred while Ndlovu was covering skirmishes at the 5th Avenue market in Bulawayo where ZANU-PF members were chasing away vendors who were not ZANU-PF card-carrying members from their vending bays. Ndlovu was accosted by the ZANU-PF members while interviewing the affected vendors who then demanded that she stop recording. She indicates further that despite identifying herself as a journalist, the assailants proceeded to push and assault her and also deleted video footage from her phone.

4.3.2 CCC aspiring council candidate harassed

On 16 July 2023, opposition CCC aspiring candidate Catherine Chandiwangirira's house in Hunyani Ward 8, a new constituency closer to Epworth, was surrounded by several ZANU-PF youths who began harassing everyone at the house. Her 11-year-old son temporarily fled the house out of fear as a result.

4.3.3 Intimidation of Chipinge Residents

On 18 July 2023, a one-minute forty-four seconds video recording began circulating on various social media platforms in which residents in Chipinge Ward 28 were heard being threatened and intimidated. The video recording appears to indicate that the militia from Mozambique had been deployed to secure the vote for ZANU-PF. Businessmen in the community were encouraged to support themselves financially and vote for the ruling party and if not, the army would deal with them.

5. Conclusion

The country remains in a precarious situation with a marked increase in politically motivated violence cases just slightly over a month away from the scheduled 2023 poll. The deepened levels of political polarisation are also a cause for concern. These developments threaten to plunge the nation into darker days ahead with the potential for degeneration if the prevailing situation is not addressed immediately and urgently, with fidelity to the Constitution.