



2023 HARMONISED ELECTION DAILY HUMAN RIGHTS MONITORING REPORT

17 August to 19 August 2023 - Days 4 to 6



21 August 2023

1.0 Introduction

This report captures human rights developments on Days 4 to 6 (17 August to 19 August 2023) of the daily human rights monitoring reports issued by the Zimbabwe Human Rights NGO Forum (The Forum).

2.0 Methodology

Information contained in this report is derived from verified media reports, information from members of the Forum and civil society reports.

3.0 Highlights

- Human rights activists denied accreditation by ZEC to observe the upcoming 23 August 2023 poll.
- ZRP breaks silence on the death of opposition political party activist, Tinashe Edson Chitsunge.
- Order of consent issued in respect of CCC demand for ZEC to provide information on ballots printed for the elections
- Journalists under siege ahead of the 23 August 2023 poll.
- ZRP members run amok and unleash violence on citizens in Harare CBD
- ZEC provides clarity on the ballot printing process.
- ZEC claims ZANU-PF, through the Minister of Justice rejected Electoral Act amendment recommendations.
- European Union Election Observer Mission (EU EOM) response to allegations of interference and improper conduct by The Herald.
- Voters roll irregularities that could potentially affect 1.8 million voters.

4.0 Emerging Issues

4.1 Human rights activists denied accreditation by ZEC to observe the upcoming 23 August 2023 poll.

On 17 August 2023, constitutional and human rights lawyer as well as former Executive Director of the Zimbabwe Human Rights NGO Forum (the Forum), Dr Musa Kika, was denied accreditation to be a local observer in the upcoming 23 August 2023 poll by the Zimbabwe Electoral Commission (ZEC). The application had been submitted under the banner of the Forum on 2 August 2023 and was received by ZEC on 3 August 2023 at 12 pm. The Forum submitted a total list of 25 names of its Secretariat for accreditation as local election observers. Forum Member, the Zimbabwe Lawyers for Human Rights (ZLHR) wrote to ZEC on 17 August 2023, requesting clarity on the ejected accreditation, in their response, ZEC's Deputy Chairperson Ambassador Kiwa cited undisclosed "security reasons." Kika joins a long list of human rights defenders whose accreditation was denied. The list includes Bishop Ancelimo Magaya¹, Arnold Tsunga², Rashid Mahiya³, Blessing Vava⁴ and Tapiwanashe Chiriga⁵. Tell Zimbabwe, an independent media outlet,

¹ Runs and manages the Zimbabwe Devine Destiny which is Secretariat to the Itai Dzamara Trust.

² Human Rights Lawyer, Former Country Director of National Democratic Institute (NDI) and International Commission of Jurists (ICJ).

³ Executive Director of Heal Zimbabwe Trust (HZZT)

⁴ Director of Crisis in Zimbabwe Coalition (CiZC)

⁵ Human Rights Journalist and former Former Zimbabwe National Students Union (ZINASU) Secretary General (2019-21).

has indicated that it is yet to receive a response from ZEC regarding the submission of its application for local accreditation to observe the upcoming 23 August 2023 poll.

Tell Zim indicated that it submitted its application nearly two weeks ago and is yet to receive a response from ZEC, with only three days left until the actual election day. On 18 August 2023, Ray Choto of Voice of America (VOA) indicated that accreditation had been denied for some America-based VOA journalists ahead of the upcoming 2023 poll. The VOA crew had planned to fly into Zimbabwe from their Washington base ahead of the elections.

These instances demonstrate a systematic attack against journalists, and human rights activists as targets of exclusion from local observation.

4.2 ZRP breaks silence on the death of opposition political party activist, Tinashe Edson Chitsunge.

On 16 August 2023, at a briefing of Election Observer Missions in Harare, Zimbabwe Republic Police Commissioner General, Godwin Matanga, asserted that opposition political party Citizens Coalition for Change (CCC) activist, Tinashe Edson Chitsunge, who lost his life on 3 August 2023, was “run over by a truck in the course of politically motivated skirmishes”. The remarks made by Matanga are contrary to multiple eyewitness accounts verified by the Forum and reported in its 29 July to 4 August 2023 Weekly Harmonised Election Monitoring Report which indicated that Chitsunge was stoned to death by suspected ZANU-PF activists. The eyewitness accounts indicate that chaos erupted after ZANU-PF activists mobilized and began attacking CCC supporters in an attempt to disperse them who then began boarding a DAF truck that had brought some of them to the rally. The eyewitness accounts further indicated that the now deceased Chitsunge was struck by a stone on the head as he too was attempting to board the moving truck. He then fell to the ground, to which, some ZANU-PF supporters then rushed to physically assault him and ran away in different directions when it became apparent that Chitsunge had succumbed to his injuries. A video which surfaced on the day of Chitsunge’s death and which went viral online shows that the truck was slow-moving to enable CCC supporters to board safely. ZRP indicated that they arrested 15 people in connection with Chitsunge’s death. They were however charged with a lesser charge of public violence and not murder and were freed on bail.

4.3 Order of consent issued in respect of CCC urgent application demanding ZEC to provide information on ballots printed for the elections

On 18 August 2023, the Zimbabwe Electoral Commission (ZEC) provided clarity on the ballot printing process after coming under fire for printing ballot papers without consulting contesting political parties. ZEC finally gave in to the CCC demands to avail the crucial poll information a day earlier than it had committed to. ZEC had advised that it would supply all the information relating to the printing and distribution of ballot papers on 19 August 2023. The information was availed by the ZEC Chief Elections Officer Utloile Silaigwana as follows:

- 7 126 600 ballot papers were printed for the presidential election;
- 7 098 750 ballot papers were printed for the National Assembly elections; and
- 6 861 650 ballot papers were printed for the local council elections.

ZEC has also published the final list of 12 374 polling stations which are distributed as follows:

- Bulawayo – 434

- Harare – 1 559
- Manicaland – 1 623
- Mashonaland Central – 1 1 07
- Mashonaland East – 1 420
- Mashonaland West – 1 507
- Masvingo – 1 416
- Matabeleland North – 920
- Matabeleland South – 721
- Midlands – 1 667

4.4 ZEC claims Electoral Act Amendment recommendations were rejected by ZANU-PF

Zimbabwe Electoral Commission (ZEC) chairperson, Priscilla Chigumba, stated that the ruling ZANU-PF party rejected the electoral management body's recommendations to amend the Electoral Act to conduct credible elections. While addressing election observers in Harare, Chigumba indicated that:

When ZEC wants to make a recommendation to change a certain section of the Electoral Act, we write to the Justice Ministry, and attach a copy of the recommendation our and we requested that our recommendation be incorporated in the law. The Minister of Justice (Ziyambi Ziyambi) being a member of a certain political party will take our recommendation to his political party and sometimes our recommendations find their way into the law and sometimes they do not. Some of our recommendations found their way into the Electoral Amendment Bill, but a lot of them have not and we continue to make recommendations.

It is not clear why recommendations made by ZEC to amend the Electoral Act are taken by the Minister of Justice, Legal and Parliamentary Affairs to ZANU-PF instead of Parliament. It is also not clear where ZANU-PF derives the mandate to okay or reject amendments such as these.

4.5 Journalists under siege ahead of the 23 August 2023 poll.

Former SABC chief operating officer and current SADC Executive Director of Good Governance Africa, Chris Maroleng together with three of his colleagues were deported on Thursday 17 August 2023 just two days into their stay in Zimbabwe. According to Maroleng, the team had followed all due processes and had even received a supportive letter from their Harare-based partner, the Southern Africa Political Economy Series Trust (SAPES Trust). Zimbabwean immigration officials reportedly stormed a hotel in Bulawayo in which the quartet was checked in, for a "routine inspection" of their passports. About an hour later, they were told they had to leave the country immediately.

After Maroleng's deportation, the Zimbabwe Ministry of Information permanent secretary, Ndabaningi Mangwana wrote on X, formerly known as Twitter, that "*It's now clear we removed an agent provocateur from our country*" and further that Maroleng could now try to do his "*agitation and rabble-rousing*" from his home country.

Meanwhile, Felix Dlangamandla, a Daily Maverick photographer, had his accreditation to cover the election declined on 17 August 2023. Dlangamandla applied to the Ministry of Information, Publicity and Broadcasting Services over two weeks ago for accreditation to work from 16 until 31 August, after the elections. He intended to cover political rallies and other build-up activities to

the elections. The Ministry however turned down his application without any reasons for the rejection of his application.

4.6 Instances of political intolerance

i. Four CCC members assaulted and injured in Bikita East

Four victims Gordon Ndava Dandauko, Tyson Tozooona, Webber Chigogo and Sana Moyana were assaulted at Mushuku Bus Stop in Bikita East at 9 am on 17 August 2023. An application for a medical examination was on 17 August 2023 leaked which showed the severity of the injuries sustained during the assault. Indications are that the 4 victims are CCC supporters who were assaulted by suspected ZANU-PF members. The medical examination indicated that one of the four victims: Gordon Ndava was struck by a stone and stomped all over the body by the accused persons who were identified as Delight Mandebvu, Tinashe Mufare and Panashe Gabriel Mufunda.

ii. 19 police officers run amok and assault citizens in Harare CBD.

Spokesperson of the Zimbabwe Republic Police, Paul Nyathi, confirmed the 18 August evening incident in which ZRP officers went on the rampage in Harare's Central Business District and indiscriminately assaulted citizens. Nyathi indicated that investigations were underway in connection with the "unruly conduct" exhibited by the police officers between 1830 hours and 1930 hours. He further stated that 19 officers had been arrested and assured that they would face the due process of the law.

ii. Political violence and intimidation on an increase in Zaka and Marange

Forum member, the Zimbabwe Human Rights Association (ZimRights) issued a statement expressing concern on the increasing cases of political intimidation and threats ahead of the 2023 elections. According to the statement, the alleged perpetrators are ZANU-PF supporters and its affiliates including FAZ and Heritage Trust. Further, the statement showed that Heritage Trust and FAZ were moving around with ZANU-PF aspiring candidates in Zaka intimidating villagers and threatening opposition party supporters. Heritage Trust is alleged to be conducting simulation exercises of polling by gathering villagers at designated polling stations every Monday, Wednesday and Friday at Mugudubi, Bvukururu, Dembedza and Muroyi Primary Schools. It also highlighted an incident of voter intimidation by a village head in Ward 30 Chiadzwa Mutare West. The village head reportedly compiled a list of names of CCC supporters for submission to the ZANU-PF aspiring candidate in that area for further action. The statement recommended among other things those Zimbabwean authorities should ensure that the upcoming elections are conducted in an environment that promotes freedom of assembly and association.

iii. Allegations of forced "public" voting and intimidation from the ZRP

Assistant Commissioner Florence Maruma and Zaka Police Station Officer in Charge (OIC) Chigoriwa were accused of grabbing postal votes by force from junior officers who had refused to vote in front of their seniors and marked them in favour of ZANU-PF. Maruma was further accused of spoiling ballot papers in which members of the police force in Zaka had voted for the opposition political party, CCC. This is just the latest among allegations of command voting within the ZRP.

The Forum has in this respect reported on cases of forced voting of police officers in Kwekwe who were reportedly being forced to vote for the ruling party, ZANU-PF in the presence of their superiors on 16 August 2023. The Children of Zimbabwe War Veterans Association (COZWVA) on 15 August 2023 through their official Twitter page also raised alarm over alleged rigging at ZRP Rusape Headquarters.

iv. Citizen's effect citizens arrest of ZANU-PF affiliated FAZ members

On 18 August 2023 during the night, citizens in Chimanimani West joined forces to affect a citizen's arrest of Forever Associates of Zimbabwe (FAZ) and Heritage Trust members who were reportedly intimidating citizens. Video footage which emerged online indicated that two of the suspects had been arrested and taken to Nyanyadzi Police Station, whilst others had fled the scene. Furthermore, a manhunt had been launched to find the remaining suspects. The video further alleges that the suspects were moving around on motorcycles and were 18 in total, which they were using to move around and intimidate residents in Chimanimani.

v. Destruction of campaign material

According to Change Radio, CCC activist and polling agent, Lucia Munatsi was arrested by Rusape Police on 18 August 2023 on allegations of tampering with ZANU-PF material. Munatsi, who is over 60 years old allegedly tore a picture with ZANU-PF presidential candidate Emmerson Mnangagwa.

vi. Opposition political party, CCC, cites irregularities in voters roll released by ZEC

Opposition political party, CCC has unearthed irregularities within the voter's roll which could result in about 1.8 million failing to vote on 23 August 2023. CCC went on further to claim that at least 2 150 polling stations in the voter's roll did not match the names of the polling stations published by ZEC thereby potentially affecting approximately 1.8 million voters. CCC also identified about 873 polling stations had been added since the voter's roll was provided by ZEC and that at least one ward had been removed from one constituency to another.

4.7 International Delegation and Observers

i. European Union Election Observer Mission (EU EOM) issues statement following allegations of interference and improper conduct by The Herald

EU EOM Chief Observer, Fabio Massimo Castaldo, in a statement dated 19 August indicated that the EU EOM was astounded by the defamatory and malicious accusations made by The Herald, a state-owned newspaper. The Herald had, on 18 August 2023, published an article which levelled several accusations against the EU EOM. In the article, the Herald accused the EU EOM of, among other things:

- Dishing out gift bags with whiskeys, grocery vouchers, Econet data and fuel coupons to select journalists as part of "a clandestine operation" to build a negative report on the upcoming 23 August 2023 harmonised election;
- Reportedly devising ways of tarnishing the country's image ahead of the upcoming harmonized election through the EU EOM's media arm – the Live Stream Company (LSC). LSC was accused of meeting with 18 journalists based in the Midlands Province to influence the journalists to make "outlandish claims" against the upcoming elections

- Openly straying from their election observer mandate and interfering in issues such as Gukurahundi and
- Creating a telegram group for all Midlands journalists “where they are devising their evil plans.”

The EU EOM in response to the allegations indicated that the allegations are unsubstantiated and entirely fabricated. Chief Observer Castaldo further noted that this was not the first time that The Herald has attempted to discredit the EU Election Observer Mission and averred that the articles serve as blatant disinformation of the Zimbabwean public. Castaldo further indicated that the articles reflected a continued effort on the part of state-controlled media to undermine the EU EOM specifically and credible election observation in Zimbabwe generally.

These accusations come amidst allegations by the Movement for Democratic Change – Tsvangirai (MDC-T) leader Douglas Mwonzora that the ruling party ZANU-PF instructed the EU to take back 3 million Euros meant for political parties in Zimbabwe to train and deploy polling agents. Mwonzora made the remarks during an interview with Blessed Mhlanga on Heart and Soul TV during which he explained his decision to withdraw from the 2023 presidential race. Mwonzora also raised concerns about the Zimbabwe Electoral Commission (ZEC) using an “illegal” and “unconstitutional” delimitation report, which he believed was designed to manipulate election outcomes.

ii. ***Former President of Nigeria, Goodluck Jonathan to lead AU, COMESA election mission in Zimbabwe***

Former President of Nigeria, Goodluck Jonathan will be leading a joint observer mission of the Africa Union (AU) and Common Market for East and Southern Africa (COMESA) to observe Zimbabwe’s general elections scheduled to take place on August 23. According to a statement by the AU Commission chairperson Moussa Faki Mahamat, the joint AU-COMESA team is composed of 73 short-term observers and three core teams of electoral experts, who would be involved in the election observation activities from 16 to 29 August 2023 in Zimbabwe. The AU and COMESA Election Observer Missions now join the SADC, Commonwealth and EU missions that have since arrived in Zimbabwe.

5.0 Conclusion

It is alarming that within a few days of the harmonised elections, citizens were attacked by police officers whose mandate is to protect the same. Violence perpetrated by enforcement officers on unsuspecting citizens is indicative of the very tense political environment persisting in Zimbabwe. It is also equally worrying that selected foreign media practitioners were denied accreditation, this will negatively impact access to critical news and information essential for voters as they head towards the polls. Selective application of the law remains rife whilst ZEC has been kept busy demystifying the myriad irregularities. It is encouraging that various observer missions will be monitoring the Zimbabwe August 23 harmonised elections and that the EU EOM is by far one of the largest delegations to be deployed.