



2023 HARMONISED ELECTION DAILY HUMAN RIGHTS MONITORING REPORT

17 August 2023 - Day 4

1.0 Introduction

This report captures human rights developments on Day 4 (17 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 of the Week

- Human rights lawyer and former Forum Executive Director, Dr Musa Kika, denied accreditation by ZEC.
- ZRP breaks the silence on the death of Tinashe Edson Chitsunge.
- Order of consent issued in respect of CCC's demand for ZEC to provide information on ballots printed for the elections.
- Former SABC broadcaster deported from Zimbabwe ahead of the 23 August 2023 poll.

4.0 Emerging Issues

4.1 Human rights lawyer and former Forum Executive Director, Dr Musa Kika, denied local accreditation to observe the upcoming 23 August elections

On 17 August 2023, constitutional and human rights lawyer and former Executive Director of the Zimbabwe Human Rights NGO Forum (the Forum), Dr Musa Kika, was denied accreditation to be a local observer of the 23 August 2023 election 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 12pm. The Forum submitted a total list of 25 names of its Secretariat for accreditation. The Forum was then informed that ZEC had approved all of the 24 Forum staff except for Dr Musa Kika. The reason provided by ZEC via telephone was simply "that was the outcome of the process". Kika has since engaged Zimbabwe Lawyers for Human Rights (ZLHR), a member of the Forum, who wrote a formal letter to ZEC demanding an explanation.

4.2 ZRP breaks the silence on the death of 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 recorded by the Forum 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 mobilised 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 down. Onlooker accounts further indicate that 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. Towards this end, CCC in its 17 August 2023 statement queried whether the individuals who stoned Chitsunge were also the same individuals who were driving the slow-moving truck. CCC accordingly called upon ZRP to be "ethical and accountable" and not engage in propagating the agenda of any political party. 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

Advocate Thabani Mpfu published an update on CCC's urgent application for ZEC to avail information on ballots printed for the elections. The update indicated that ZEC had advised that it will supply all the information relating to the printing and distribution of ballot papers and committed to doing so by end of day on 19 August 2023. The update averred further that should the information submitted by ZEC not be to the applicant's satisfaction then the matter would be argued on 21 August 2023.

4.4 Former SABC broadcaster deported from Zimbabwe ahead of the 23 August 2023 poll.

Former SABC chief operating officer and current SADC Executive Director of Good Governance Africa Chris Maroleng was deported together with three of his colleagues on Thursday 17 August 2023. Maroleng updated his social media accounts to convey his dismay over the abrupt deportation despite having secured prior permission from the Zimbabwean embassy in Pretoria. Maroleng and his team were deported 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 arrived at the hotel the team stayed at in Bulawayo for a "routine inspection" of their passports. They then summoned Maroleng and his team to their offices and asked questions about the reasons for their visit to the country. Maroleng explained his team's research objectives - to carry out "vital field research on election conditions and challenges in Zimbabwe". 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 is 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 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 Minister however sent him an email advising him that his application had not been successful. No reasons were furnished for the rejection of his application.

4.5 40 CCC activists arrested during peaceful car rally appear at the Magistrates court

40 CCC activists who were arrested on 15 August 2023 for holding an unsanctioned car rally in violation of the Maintenance of Order and Peace Act (MOPA) appeared before Harare magistrate Learnmore Mapiye. The activists who are represented by Kudzai Kadzere with assistance from Tino Dube of the Zimbabwe Lawyers for Human Rights (ZLHR) bemoaned the conditions of their detention during the court proceedings. They asserted that the cells in which they were being held were infested with urine and human excrement. The magistrate however ruled that ill-treatment does not warrant immediate release. He also ruled further that the state had a right to pursue its case against them. They were accordingly remanded in custody pending a bail application. Among the detained individuals is Grandmore Hakata, an aspiring CCC Member of Parliament from Glenview South.

4.6 Instances of political intolerance

i. Four CCC members assaulted and injured in Bikita East

An application for a medical examination was on 17 August 2023 leaked which showed how four members of the opposition political party, CCC had been assaulted and injured in Bikita East by suspected ZANU-PF members. The four victims: Gordon Ndava Dandauko, Tyson Tozoon, Webber Chigogo and Sana Moyana were assaulted at Mushuku Bus Stop in Bikita East at 9 am. The application form for the undertaking of a 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. ZimRights issues statement condemning political intimidation 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. The statement also indicated that the alleged perpetrators being fingered in the cases are from the ruling party, ZANU-PF and its affiliates. Further, the statement also declared how ZimRights community human rights monitors had received allegations of a ZANU-PF affiliate organisation called Heritage Trust that was 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 that Zimbabwean authorities should ensure that the upcoming elections are conducted in an environment that promotes freedom of assembly and association.

4.7 Additional allegations of forced “public” voting and intimidation from the ZRP

Assistant Commissioner Florence Maruma and Zaka Police Station Officer In Charge (OIC) Chigoriwa were being 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.

4.8 ZEC says voters will be subjected to COVID-19 regulations on voting day

The Zimbabwe Electoral Commission (ZEC) said voters would be subjected to COVID-19 regulations at polling stations on election day. This was said during the second briefing of local and foreign election observers in Harare on 17 August 2023. On 10 May 2023, the United Nations World Health Organisation (WHO) declared an end to COVID-19 as a global health emergency.

4.9 High Court Judge accuses CCC of endangering his life

High Court judge Justice Never Katiyo has accused the CCC of endangering his life and that of his family members by publicly criticising him after he dismissed the party's application for the release of an updated voters' roll. CCC secretary for elections, Ian Makone filed the latest urgent High Court application seeking an order to compel Zec to provide an up-to-date copy of the voters' roll. Katiyo on Monday 14 August 2023 dismissed the application as not urgent. Katiyo alleged that his mobile number was posted on social media platforms after the judgment. He accused certain court officials whom he says felt that his ruling was incorrect and averred that:

"If such sentiments are to come where my number is publicised, it would be a matter of concern. It involves my family and my security and we should be responsible as court officials."

4.10 Kasukuwere pens statement against political violence

Saviour Kasukuwere has urged Zimbabweans to stand strong in the face of continued acts of political violence often blamed on some Zanu PF supporters as the country heads for harmonised elections. The barred independent presidential candidate had this to say to both local and foreign election observers:

"To the election observers, both from our homeland and the international community, your role is now more critical than ever. We urge you not only to monitor the voting process but to keep a vigilant eye on these escalating incidents of violence."

4.11 Justice Katiyo rules in CCC application for explanation on non-urgency of request for updated voter's roll from ZEC

Justice Never Katiyo urged the opposition legal team and ZEC to "find each other". This was after CCC filed an application requesting clarity on the non-urgency of their request for the final voters'

roll and list of polling stations from ZEC. He ruled further that if they fail to reach an agreement, the matter will be argued before him on 18 August 2023.

5.0 Conclusion

The worrying trends of election-related political violence, police and citizen intimidation and ZEC irregularities threaten to derail citizens' participation in the beckoning August 23 elections.