



ZIMBABWE 2023 HARMONISED ELECTION

WEEKLY MONITORING REPORT

22 – 28 July 2023

1.0 Introduction

This election weekly monitoring report covers the period 21 July 2023 – 28 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 as well as from verified media reports.

3.0 Highlights of the week

- 24 July 2023: Government maintains the position that opposition political parties are not fully utilising the free airtime that the state broadcaster, Zimbabwe Broadcasting Corporation (ZBC) provides them to reach out to potential voters in the campaign season. This was after CCC spokesperson Fadzayi Mahere complained of partisan coverage of news by the national broadcaster.
- 24 July 2023: Vice President Constantino Chiwenga warns that Government will not show mercy towards individuals who engage in politically motivated violence ahead of the 23 August 2023 general election. He was addressing an election rally at Stoneridge, Harare South constituency.
- 27 July 2023: 12 CCC candidates for MP in Bulawayo were barred from participating in the 23 August 2023 general election, leaving most of the 12 seats uncontested parliamentary for ZANU-PF.
- 27 July 2023: LEAD, opposition presidential candidate, Linda Masarira was barred from contesting in the presidential run in the 23 August 2023 harmonised election. Her appeal against the decision by ZEC to reject her nomination papers was dismissed by the High Court.
- 28 July 2023: CCC launched a Supreme Court appeal against the disqualification of candidates in 12 constituencies.
- 28 July 2023: Kasukuwere's appeal is unsuccessful and he is removed from the presidential race. Kasukuwere's campaign manager, Jim Kunaka had already approached the Constitutional Court challenging the decision of the High Court to remove the former Local Government from the ballot paper.

4.0 Emerging Issues

4.1 Political playing field remains uneven ahead of the 23 August 2023 general election

4.1.1 Concerns around equal media coverage of political parties' campaign trail

On 25 July 2023, CCC spokesperson Fadzayi Mahere issued a statement castigating the “unconstitutional” and “biased” discharge of mandate by ZBC and state media reporting. She said state media had “skewed news and current affairs” heavily biased in favour of President Emmerson Mnangagwa's ZANU-PF party. CCC claimed that over 90% of airtime on ZBC is devoted to ZANU-PF, which is in violation of section 61 of the Constitution which obliges state media to be impartial and afford a fair opportunity for the presentation of divergent views and opinions.

The statement was issued allegedly in response to remarks made by Deputy Minister of Information, Publicity and Broadcasting Services Kindness Paradza on 24 July 2023 claiming that opposition political parties were refusing to utilize free airtime that ZBC provided them to reach out to potential voters and to publicize their campaigning. Paradza made the remarks whilst addressing diplomatic missions accredited to Zimbabwe and observer groups when he addressed them on the country's preparedness for the upcoming harmonized elections. In response, Mahere, in the statement issued on 25 July 2023 drew attention to the Government's refusal to follow the recommendations of the 2018 SADC and the African Union observer missions through showcasing biased, manipulated or unjustifiably skewed media coverage that presents CCC in a bad light. In the statement, Mahere also criticised the Permanent Secretary for the Ministry of Information, Publicity and Broadcasting Services, Nick Mangwana for deviating from the constitutional mandate that expects him to act in a non-partisan manner and openly supports the ruling party in the exercise of his functions.

4.1.2 ZBC issues statement on Election Coverage

On 26 July 2023, the national broadcaster, Zimbabwe Broadcasting Corporation (ZBC) issued a statement on the broadcaster's election coverage, in response to the CCC. ZBC said it was guided by the country's laws, namely the Electoral Act and the 2013 Constitution of Zimbabwe in delivering its mandate to "equitably" distribute free airtime to contesting political parties. The national broadcaster said it was committed to editorial independence guaranteed under section 61 (4) of the country's Constitution. ZBC's statement asserted that the broadcaster was mandated with offering political parties a discount of 30% during prime time for commercial content. ZBC claimed that it was yet to receive any advertisements from CCC, also accusing its party officials of snubbing interviews.

4.1.3 Continued banning of CCC rallies

On 24 July 2023, Chief Superintendent, Officer Commanding Police (Mbare District) notified the convener for CCC of the police's decision to turn down an application by the opposition party to conduct door-to-door campaigns in Churu Constituency. The police said the rally could result in congestion and possible clashes. CCC had intended to conduct its campaign rallies from 23,25,27 and 29 July 2023. CCC spokesperson Fadzayi Mahere alleged that the banning of the scheduled Churu rally now brought the total of banned CCC rallies to 102 while alleging further that no ZANU-PF rally had been banned.

4.1.4 Government issues response to banning of opposition rallies

On 25 July 2023, the Permanent Secretary in the Ministry of Home Affairs and Cultural Heritage Major General (Retired), Dr Gerald Gwinji claimed that a total of 65 opposition CCC rallies had been banned from 1 January 2023 up to 10 July 2023. This is in sharp contrast with the position presented by CCC national spokesperson, Fadzayi Mahere, who placed the figure of rallies either banned or disrupted at 102. According to Gwinji, the police had, from January 2023 to 10 July 2023 received a total of close to 2 000 notifications from political parties notifying them of their intentions to conduct campaign rallies. Of these, Gwinji claimed 1 437 notifications had been from the ruling party ZANU-PF of which 1 351 were compliant whilst the remaining 86 had been banned. On the other hand, Gwinji claimed CCC filed a total of 410 notifications of which 345 of these had been compliant whilst the remaining 65 had been banned. The government's position, therefore, was that ZANU-PF has had more banned rallies (86 in total) as opposed to CCC (65 in total). CCC national spokesperson Fadzayi Mahere however questioned the existence of any letters from the police that expressly showed that ZANU-PF wanted to conduct a rally and had been banned from doing so.

4.2 In the courts

4.2.1 12 CCC candidates for MP in Bulawayo barred from participating in the upcoming general election

On 27 July 2023, the Bulawayo High Court barred 12 CCC candidates for the National Assembly from taking part in the August 23 harmonised election, ruling that their nomination papers were filed out of time. Bulawayo High Court Judge, Justice Nokuthula Moyo delivered the judgement on behalf of Justice Bongani Ndlovu. She only read the operative part of the judgment which granted an application by 12 registered Bulawayo voters who had separately filed from each of Bulawayo's 12 constituencies and consolidated all into one. The 12 registered voters argued that CCC candidates filed their nomination papers after the 4 pm deadline on 21 June 2023 when the nomination court sat to accept papers from aspiring candidates. The Zimbabwe Electoral Commission (ZEC) had opposed the applications, insisting that the 12 CCC candidates had filed their nomination papers by 4 pm.

In response, CCC issued a statement on the same day declaring the disqualification of 12 CCC House of Assembly candidates in Bulawayo an unconstitutional attack on the will of the people and vowed to appeal against the decision and also engage all legal, political and regional mechanisms available including approaching SADC and the AU.

4.2.2 Linda Masarira barred from contesting in the 23 August 2023 harmonised election

On 27 July 2023, opposition party Labour, Economists and African Democrats (LEAD) presidential candidate Linda Masarira was thrown out of the race for the upcoming general election. This came after Masarira's High Court application challenging the Zimbabwe Electoral Commission (ZEC) for rejecting her nomination papers to participate in the August 23 general election was dismissed with costs. Only the operational part of the judgment was read out and not the full reasoning behind the dismissal of the application. Masarira took ZEC to court after failing to raise the US\$20 000 fee required to enter the presidential race. She argued that she intended to pay using real-time gross settlement (RTGS), but the presiding officer insisted on cash or payment through the ZimSwitch Instant Payment Interchange Technology (Zipit) system. The application was dismissed with costs.

4.2.3 High Court removes application for ZEC to print ballot paper without

Kasukuwere from roll

On 25 July 2023, independent presidential candidate, Saviour Kasukuwere was granted reprieve after the High Court struck off the roll a matter in which ZANU-PF activist, Lovedale Mangwana was seeking ZEC to go ahead and print the presidential ballot paper without Kasukuwere appearing on it. Justice Mangota ruled that the matter be struck off the roll with both parties footing their own costs. The ruling meant that there was nothing standing in the way of ZEC printing the ballot paper with Kasukuwere appearing as a presidential candidate.

4.2.4 High Court dismisses CCC appeal on 41 fraudulent candidates

An appeal application by the opposition CCC on 41 individuals who fraudulently filed nomination papers as members of the party was dismissed by the High Court on 28 July 2023. The appeal came after ZEC released the definitive list of candidates who will participate in the upcoming general elections on 23 August 2023. The list revealed that the main opposition party, the Citizens Coalition for Change (CCC), had more than thirty double candidates in the National Assembly races. CCC's contention however was that a total of 41 candidates registered to participate in the upcoming elections under the CCC banner without the party's authorization. CCC claims that of the 41 "fraudulent" candidates, 20 filed nomination papers for National Assembly seats while the remaining 21 filed for local authority seats in the upcoming elections. High Court Judge, Justice Neville Wamambo dismissed the application saying the papers had nothing suspicious.

4.2.5 CCC appeals disqualification of 12 MP candidates from 2023 harmonised election

On 28 July 2023, Mahere indicated that the party's legal counsel had filed an appeal against the High Court's ruling that disqualified its 12 MP candidates from contesting in the upcoming elections. According to Mahere, the noting of the appeal, filed under Case Number SCB86/23, suspended the operation of the judgment. The 12 affected CCC Bulawayo MP candidates were accordingly still on the ballot and would remain there until the appeal was heard and determined.

4.3 Manifestations of political intolerance

4.3.1 Suspected bomb device destroys home of CCC St Mary's MP candidate

On 25 July 2023, an explosive device caused an explosion at the home of CCC's candidate for St Mary's constituency, Brighton Muzhindu. CCC reported that the suspected bomb device which was thrown at Muzhindu's home at night was targeted at the main bedroom but narrowly missed and exploded in the carport. Brighton Muzhindu was not injured in the incident, but the explosion shattered several window panes. Pictures from the scene showed a small cylindrical device with red and black wires attached to either side which was suspected to be the object that was detonated.

Forum member, the Zimbabwe Peace Project (ZPP) raised concern over the intimidation of opposition political party figures which it asserted had now reached "alarming levels" in the wake of this incident. ZPP buttressed this

concern by highlighting two incidents in Shamva South wards 22 and 24 where two CCC aspiring councillors woke up to find mock coffins at their doorsteps on 26 July 2023. The mock coffins were sitting on tree logs to give a clear warning that the CCC aspiring councillors will be buried soon. The victims suspected their rivals in ZANU-PF and are now living in fear due to the acts of intimidation.

4.3.2 Forced political participation in Mvurwi town

On 26 July 2023, ZANU-PF had a meeting in Mvurwi town in which ZANU-PF treasurer Patrick Chinamasa was the guest of honour. However, business was brought to a standstill as shops in the town were forced to close by ZANU-PF supporters. Ruling party members in party regalia were spotted singing and toy-toying from shop to shop forcing proprietors to close down their businesses.

In a similar incident on 24 July 2023, ZANU-PF aspiring candidate for Ward 4 in Mvurwi town, Elias Sumaila Malukula intimidated vendors and combi touts forcing them to attend a ZANU-PF rally in Centenary which is 47km from Mvurwi. Malukula also made use of threats indicating that fellow aspiring MP for Mazowe North, Tsungi Makumbe could do whatever he wanted to ZANU-PF opponents without fear of being prosecuted.

4.3.3 Use of hate speech ahead of August 2023 harmonised election

On 25 July 2023, reports emerged of how Bulawayo Mayor, Councillor Solomon Mguni likened David Coltart to an over-excited toddler who has just been introduced to “jiggies” (a corn snack for children) for the first time. Mguni made these remarks in response to Coltart’s vow to rid the Bulawayo local council of endemic corruption if elected during an interview with an online publication. Mguni, in response, accused Coltart of pushing what he termed “the agenda of white monopoly empowerment”. Coltart is CCC’s candidate for Ward 4 and has been touted as Bulawayo’s next mayor if CCC wins a majority in the local government elections.

4.3.4 ZANU-PF supporter confiscates, torches CCC campaign posters

On 24 July 2023, in yet another manifestation of political intolerance, a ZANU-PF member, Admire “Bicep” Ndhlovu allegedly set on fire opposition party campaign material in Chinhoyi. Two CCC activists, Romeo Dube and Lloyd Mukwara reportedly faced harassment at the hands of Ndhlovu in Chikonohono’s high-density suburb where they were putting up campaign posters. Dube, who is the election agent for Ward 5 councillor and incumbent Chinhoyi Mayor, Garikai Dendera, and aspiring MP Leslie Mhangwa, in narrating their ordeal, indicated that they had been doing rounds putting up posters and decided to buy lunch at Pfungwadzakanaka shops. While on their way, Admire confronted them, grabbed a bunch of about 200 CCC campaign posters and set them on fire. The matter was reported to the police under Report Received Book (RRB) 5586631.

In a similar incident, in the political hotbed of Mashonaland West province, a ZANU-PF youth was assaulted by Chicken Inn staff in Chegutu for pasting President Emmerson Mnangagwa’s campaign posters on an electricity pole adjacent to the fast-food outlet. The youth refused to take instructions to pull down the posters and was heavily bashed before being dragged to the backyard where the Chicken Inn staff continued to beat him up.

4.3.5 Police block protest over derailing of Kasukuwere’s Presidential candidature

The police barred a protest against the thwarting of exiled Presidential aspirant Saviour Kasukuwere’s candidature which was set for 28 July 2023. Masvingo Central district chief superintendent, in responding to the notification from the convener Talent Chivange dated 21 July 2022 which had been brought to his attention on 24 July 2023, indicated the demonstration could not be sanctioned because the convenor did not comply with provisions of Maintenance of Peace and Order Act Chapter 11:23.

4.3.6 Case of politically motivated violence in Chiweshe

On 27 July 2023, Elison Manyika, the CCC aspiring candidate for Mazowe North and his campaign team were attacked while campaigning in Chiweshe Rural. The incident took place just after they had put up posters at Chideu Village Ward 2 Rural. It is alleged that a Toyota Wish without registration plates hit Manyika’s car intentionally. Passengers in that vehicle who were suspected to be ZANU-PF activists led by Tapfumaneyi Manaie, a member of FAZ based in Chinehasha Village Ward 3 in rural Mazowe North. The assailants were reportedly armed with iron bars and knives. The victims ran away in different directions following the incident.

In yet another incident, on 26 July 2023, a mob of ZANU-PF activists singing revolutionary songs invaded a house belonging to CCC activist Elector Nyamukonda in Concession Mazowe West. He was saved by a policeman who

is his neighbour who came out of his house upon hearing the commotion. Upon seeing him, the mob dispersed, giving room for Nyamukonda to run in fear for his life.

Conclusion

The flurry of electoral litigation ahead of the 23 August 2023 elections regarding the eligibility or lack thereof of certain candidates and the increased levels of intimidation and political intolerance as exhibited by the explosion at CCC's MP candidate for St Mary's, Brighton Muzhindu's home all point to an election that is characterised by levels of tension.