



2023 HARMONISED ELECTION

HUMAN RIGHTS ALERT

28 August 2023

1.0 Introduction

This report captures key post-election human rights developments that emerged on 28 August 2023. The emerging issues have been identified by accredited Zimbabwe Human Rights NGO Forum (the Forum) short-term observers. Some of the information in this report is derived from verified media reports, members of the Forum and broader civil society organisation update reports.

2.0 Highlights

- **The EU Election Observer Mission identifies the use of manipulated election-related information and false congratulatory messages to legitimize the 2023 Harmonised Elections outcome.**
- **ZEC allegedly pulls down presidential results from their website.**
- **The government of Zimbabwe reportedly tells SADC to alter its adverse Preliminary Election Observer Mission Report.**
- **US State Department set to engage regional leaders over increasing concerns with the 2023 Zimbabwe Harmonised Elections.**
- **Threats of undue restriction of democratic space issued by the ZRP.**
- **A total of 74 victims (mainly polling agents and their families) have been involuntarily displaced as of 28 August 2023.**
- **Reports of alleged tampering with V11 forms in Bikita emerge.**
- **Increase in cases of political intolerance.**
- **Update on abducted former CCC local authority representative for Marondera West, Nelson Mokoena.**
- **ZEC distances itself from polling agents scandal**

3.0 Emerging Issues

3.1 EU Election Observer Mission identifies the use of manipulated election-related information to legitimise the 2023 Harmonised Elections outcome

On 28 August 2023, Zim Media Review, on its official X account, published a thread on the European Union Election Observer Mission's (EU EOM) analysis of the media's coverage of political parties in the lead-up to the 2023 Zimbabwe Harmonised Election. Some of the findings were as follows:

- **State-controlled Zimbabwe Broadcasting Corporation (ZBC) devoted over two-thirds of its news and current affairs coverage to the ruling party, Zimbabwe African National Union-Patriotic Front (ZANU-PF) and President Mnangagwa. It further found through monitoring that ZBC-owned radio stations gave the ruling party almost all their election-related**

airtime. The EU EOM also indicated that CCC leader Nelson Chamisa barely received any mention on ZBC and most of the few times he was featured it was under negative coverage.

- Opposition political party, Citizens Coalition for Change (CCC) did not take up free airtime on ZBC due to “their history of negative reporting of the party”.
- Zimpapers “provided diverse coverage on their TV and radio stations” and the ZTNPrime coverage had a neutral tone with some positive stories about ZANU-PF and the current government.
- AMH Media Holdings (Newsday, HSTV, Independent, Standard) covered CCC in a positive light in most articles whilst writing about the ruling party and government in mostly a negative tone.

The EU EOM further conducted an analysis of social media use by political parties. Some of the findings were as follows :

- Over 35% of CCC social media content denounced political violence and state abuse with accusations being levelled against the Government, the ruling party ZANU-PF and its supporters.
- Use of manipulated content, unverified claims and falsehoods were used as a common technique. On this, the EU EOM specifically referred to: “Doctored images of rallies making small crowds seem large....Manipulated videos of both President Emmerson Mnangagwa and CCC leader, Nelson Chamisa, with their voices edited to give wrong messages, were published.”

3.2 ZEC allegedly pulls down presidential results from their website.

On 28 August 2023, reports emerged on X alleging that the Zimbabwe Electoral Commission (ZEC) had removed the presidential election results from their website just two days after ZEC announced the results. This was two days after the official announcement of the presidential results. The announced results failed to disaggregate the results as per polling station as is the expectation. This latest development comes in the wake of various preliminary adverse reports by foreign election observer missions being issued against the fairness of the electoral process of the just-ended 2023 Harmonised Elections. These include the SADC EOM, AU COMESA, ECDF-SADC, Commonwealth EOM, EU EOM and Carter Center. The United States Embassy on 25 August 2023 also issued a statement where it highlighted that it shared the deep concerns raised by the SADC EOM and other international election observer missions. So far, only two observer missions have endorsed the just ended harmonized election in Zimbabwe: the Indian Election Observer Mission and the Organisation of African, Caribbean and Pacific States (OACPS).

3.3 Government of Zimbabwe reportedly tells SADC to alter its adverse preliminary election observer mission report.

Newsday Zimbabwe reported on 28 August 2023 that the Zimbabwe Government reportedly told the Southern Africa Development Community Election Observer Mission (SADC EOM) to alter its preliminary EOM report by removing parts that tainted President Emmerson Mnangagwa’s electoral victory. On 25 August 2023, the Head of SADC EOM to Zimbabwe, Dr Nevers Mumba,

read a joint statement by the SADC EOM, AU COMESA and ECF-SADC Observer Missions which ultimately concluded that:

“Some aspects of the Harmonised Elections fell short of the requirements of the Constitution of Zimbabwe, the Electoral Act and the SADC Principles and Guidelines Governing Democratic Elections”.

According to the article by Newsday, acting Foreign Affairs Minister, Amon Murwira told ambassadors from the SADC region that the report presented by the Head of the observer mission, Dr Nevers Mumba, was a threat to the territorial integrity of Zimbabwe and should therefore be edited before the final report was delivered. Murwira is quoted as having said that:

“It is our understanding that SADC respects the sovereignty of member states....We don't believe it is in the remit of the SADC EOM to question or interfere with member states Constitutions, laws and court decisions passed by their sovereign democratic institutions”.

3.4 The US State Department to engage SADC leaders over Zimbabwe's 2023 Harmonised Elections.

On 28 August 2023, ZimLive published an update on X which alleged that the United States State Department was engaging regional leaders to share its concerns over Zimbabwe's Harmonised elections which were dismissed as not credible by SADC. A press statement issued on 28 August 2023 by the US State Department Spokesperson Matthew Miller:

- bemoaned the dragnet arrest of civil society organizations members engaged in lawful election observation in accordance with the Electoral Act.
- raised concerns about the threats directed by members of the SADC EOM and labelled such threats as dangerous. He ultimately called upon the Government of Zimbabwe to cease the inflammatory and unacceptable attacks.
- emphasised that the cited above-cited issues “believe President Mnangagwa's repeated pledges to respect rule of law, transparency and accountability” and concluded by
- asserting that the United States was reaching out to regional leaders to share its concerns about what this means for the international community's efforts to re-engage the Zimbabwean government.

The sentiments of the US State Department over the arrest of civil society organizations engaged in lawful election observation work were shared by the United Nations Secretary-General who also expressed concern over the arrest of the Election Resource Center (ERC) and Zimbabwe Election Resource Network (ZESN) officials. The UN Secretary-General further expressed concern over the role of ZANU-PF affiliate group, Forever Associates Zimbabwe (FAZ) in harassing, intimidating and coercing voters in the pre-election phase and during the actual poll through the setting up of exit poll survey desks in the proximity of multiple polling stations whereby voters names were taken down as they were going to vote and after casting their votes.

3.6 Use of doctored congratulatory messages to legitimize the outcome of the 2023 Harmonised Elections.

The Forum has taken note of an apparent bid to legitimize the outcome of the 2023 Harmonised Elections through the use of doctored congratulatory messages. The counter-narrative has been peddled by state-owned news publication, The Herald Zimbabwe and reportedly by FAZ. The

Herald published an article on 28 August 2023 which purported to indicate that Namibian President Hage Geingob, had congratulated President Emmerson Mnangagwa on his re-election. However, Inna Hengari, Member of Parliament in the National Assembly of Namibia subsequently issued an apology on behalf of all Namibians indicating that Geingob had not issued a congratulatory message on behalf of Namibia but that the South West Africa People's Organization (SWAPO) political party and the former independence movement in Namibia, had instead sent a message to ZANU-PF. Eventually, the Namibian president shared his congratulatory message via an official and verified X account.

FAZ was subsequently accused of crafting its own congratulatory statement to President Emmerson Mnangagwa under the guise of the message being from the President of the Republic of South Africa, Cyril Ramaphosa. The message which was posted on social media platform X and reported came from Ramaphosa read as follows:

Congratulations to His Excellency Emmerson Mnangagwa on his election as President of Zimbabwe. We urge the people of Zimbabwe to accept the outcome of the election, or follow the legal route should they wish to challenge it.

The congratulatory message however had a date stamp of 3 August 2018. Eventually, the president of South Africa extended his congratulatory messages later in the day.

3.7. Bikita East presiding officer summons to the district command centre

On 27 August, a text message was leaked inviting Bikita East presiding officers to the ZEC command centre at Bikita Training Centre at 0200hrs. The presiding officers gathered at the training centre on 28 August. Polling agents also attended the meeting, but those from the CCC party were denied entry. The place was guarded by armed police officers. The purpose of the meeting was not disclosed. The Mirror newspaper from Masvingo managed to storm into the meeting and the Bikita District Elections Officer William Mashavave said the presiding officers and agents were summoned to capture voter demographics. This is despite that the voter demographics are captured on the day of voting. Interestingly, the losing CCC Bikita East candidate, Mudzingwa has applied for a recount of the ballot.

3.8 ZEC distances itself from the polling agents scandal

On 28 August 2023, on its formal X account, ZEC issued a statement dismissing reports that polling agents and observers were being recalled to sign new V.11 forms. In the statement, the electoral management body said the V.11 forms signed soon after counting of votes were safely sealed in ballot boxes. This statement was issued in the midst of accusations from both civil society organisations and opposition political parties that they were receiving reports from their local observers and polling agents that communications were being made for polling agents to re-convene at polling stations.

4.0 Key Human Rights Concerns

4.1 Threats of undue restriction of democratic space in Zimbabwe by the ZRP.

The Zimbabwe Republic Police (ZRP) on 28 August 2023 through a press statement, advised that Hamy Madzingire of Sunningdale suburb Harare and Lovemore Makuwere of Western Triangle, Highfield, should report to Harare CID Law and Order with immediate effect on the social media platform, X. ZRP advised further that this was in relation to ongoing criminal investigations. The ZRP received major backlash from citizens on the post with some raising concerns as to whether this was not a possible attempt at abducting these two individuals. Citizens questioned why they had failed to issue a formal summons. The ZRP launched a manhunt of the two, believed to be opposition CCC supporters after the ZRP issued a statement stating that;

“The ZRP is fully aware of attempts by some political activists to mobilize groups of people...for purported briefing and popcorn demonstrations under the guise of citizen voter audit or verification”. The two are believed to be part of individuals and groups that the ZRP believes are inciting violence and issuing threats “aimed at causing alarm and despondence among Zimbabweans.”

These purported attempts to quell perceived threats of mushrooming of protests by the ZRP threaten to unduly restrict democratic space in Zimbabwe and undermine civil and political guarantees that include the right to freedom of peaceful assembly and association as well as the right to peacefully petition or demonstrate which are protected in the 2013 Constitution of Zimbabwe. This also comes in the background of the MDC-T leader’s application to hold a peaceful demonstration against the unfairness seen in the election environment, which was denied on 15 August 2023.

4.2 A total of 74 victims (mainly agents and their families) have been displaced as of 28 August 2023.

According to a Daily Tracker Summary Update by Forum member, Counseling Services Unit (CSU), a total of 74 people have been displaced as of 28 August 2023. The victims are mainly polling agents and their families. They are based in Mashonaland Central, particularly in Muzarabani, Mount Darwin, Marambapfungwe and Mudzi. The displacement of the victims infringes upon their constitutional right to adequate shelter guaranteed under the 2013 Constitution of Zimbabwe. The demographics of the victims are disaggregated as follows:

Displaced persons	Male	Female	Children
	37	25	12
Total			74

4.3 Continued instances of political intolerance.

i. Assault of election agent

The Forum received an alert that Hurungwe West Chief Election agent, Allan Tivapasi had been assaulted by suspected ZANU-PF affiliate group FAZ members as well as ZANU-PF youths. Tivapasi reportedly sustained internal injuries as a result. The assailants however rushed to file a police report against Tivapasi who is now due to appear in court despite him being a victim. This is a case of victim turned accused person, a political weapon that is used by the state to quash dissenting voices.

ii. Arbitrary arrests of opposition political party members

Allegations are that CCC opposition political supporters in Masvingo West who refused to be assisted to vote in Ward 33 have now been arrested after being engaged by an unnamed ZANU-

PF official. The two arrested CCC supporters who are now reportedly in custody in Mashava were identified as Mr Mutembeni Bothwell and Mr Mutombeni Pilan.

iii. Alleged abduction of Election Agent

On 28 August 2023, an alert was raised of the recent abduction of Moreblessing Chief Election Agent for Ward 5 Marondera Central, at 2000hrs in Yellow City. If accurate, this would be the second abduction recorded in just 24 hours in the aftermath of the 2023 Harmonised Elections. This case follows the 27 August 2023 abduction of former CCC councillor for Marondera West, Nelson Mokoena.

iv. Update on the abduction of former CCC councillor for Marondera West, Nelson Mokoena

Former CCC councillor for Marondera West, Nelson Mokoena who was abducted after the CCC press briefing on 27 August that was held at the SAPES Trust office in Belgravia, Harare from his home and in front of his wife and family has since been found, albeit in bad shape. Reports are that he was found thoroughly beaten and has since been admitted at a hospital.

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