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# ZZZICOMP WEEKLY REPORT

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July 1-12, 2010

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### **A. Introduction**

This Report is part of protracted efforts by ZZZICOMP to contribute to transparency in the ongoing Article VI constitution-making process and seeks to accurately reflect the level and method of societal input during the outreach exercise. As a Shadow Report, it seeks to raise awareness and knowledge on the process and content of the constitution-making process with the hope that issues highlighted in the report will form a basis for informed and constructive interventions in the ongoing constitution making process, and will allow stakeholders to decide how far the process and content can be said to be participatory and people-driven.

To this end the Report will provide an update on the ongoing outreach programme by assessing the operational environment; meetings held, cancelled or disrupted; attendance and participation levels; transparency of the process; its publicity; and the fairness of media coverage.

In line with ZZZICOMP best practices of objective and balanced reporting, considerable effort is made to capture the process in both its positive and problematic contexts.

### **B. Some Positive Developments**

Although isolated incidents in which ZZZICOMP observers are denied access to some outreach meetings are still reported, the period under review has in the main experienced some warming in relations between ZZZICOMP and COPAC. ZZZICOMP observers have since been accredited and are officially recognized as observers in the ongoing outreach programme, These developments are welcome as reports of the arrest and detention of the five ZZZICOMP observers [*names withheld*] on 8 July at Charandura Police Station near St Joseph’s Mission in Chirumanzu of the Midlands province, had nearly scuttled outreach monitoring efforts by civil society organizations. This police action was particularly unsettling as it had gone ahead despite the decision by COPAC on 6 July to allow members of civil society to monitor the outreach process.

ZZZICOMP is encouraged by those incidents (though few) in which meetings were reportedly conducted in an atmosphere in which people were generally free to express their views. Among the cited cases were meetings held in the constituency of Chivi South in the province of Masvingo at venues such as Maringire Business Centre in Ward 22 on 7 July, Masasa Business Centre in Ward 23 on 8 July, and Kushinga Secondary School in Ward 24 on 8 July. In the Matebeleland North province,

reported cases are meetings that were held on 9 July at the Roman Catholic Church in Ward 5 of the Hwange West constituency, Abundant Life Church in Ward 10 of the Hwange East constituency, and Mosiatunya Secondary School in Ward 9 in the Hwange West constituency. ZZZICOMP fervently hopes these experiences will cascade to other areas and thereby enrich the outreach information-gathering process.

Equally worth noting is an incident in which COPAC members were reported by ZZZICOMP observers to have on 7 July successfully ejected suspected intelligence operatives from an outreach meeting held at Chichera Village in Ward 12 of the Shamva South in the province of Mashonaland Central. Such moves are to be encouraged as they go a long way in warding off undue influence and intimidation during and after outreach meetings.

ZZZICOMP also positively notes that although the outreach process remains saddled with incidents of low turnout at some of its meetings (as will be shown in the later parts of this report), the outreach programme made noticeable inroads, holding a total of 347 meetings in the various wards of the eight provinces in which the outreach programme is currently underway. Of this total, 18.2% [63] were held in Matebeleland North, 17.6 % [61] in Mashonaland East, 15.9 % [51] in Masvingo, 11.8 % [41] in Mashonaland Central, 11.5% [40] in Midlands, 6.6% [23] in Manicaland, 7.5% [26] in the province of Mashonaland West and 11% [38] in the province of Matebeleland South.

Equally positive was that 195 [56.2%] of the reported 347 outreach meetings were “high attendance” cases. In this Report, a high attendance case is when more than 100 people in a ward [of approximately 500-1000 people] attend an outreach meeting.

### **C. *Worrying Scenarios***

#### **1. *The Politically Stressed Operational Environment***

An environment that enables Zimbabweans to freely participate in the constitution-making process without fear of reprisals is critical to the success of the ongoing information-gathering process. It allows space for all citizens to express their feelings on how they wish to be governed if they choose to do so.

However, analysis of incidents as described in ZZZICOMP reports strongly point to an operational environment that is visibly polarized along party lines, and an environment in which people generally feel politically insecure and less inclined to express their political feelings in public. As described in ZZZICOMP reports, people were, among other factors, generally reluctant to make contributions at outreach meetings out of fear that video- and voice-recorded contributions will be used by perpetrators of violence to trace those who would have departed from set constitutional positions being pushed by their political party hierarchy. These perceptions may not be way off the mark given the experiences after the 2008 Elections in Zimbabwe where numerous people were victimized for having voted in the manner they saw fit.

A total of 201 cases of political interference and 153 cases of intimidation/harassment were recorded during the reporting period. Among these were incidents in which members of the public were reportedly threatened with retribution if they departed from given constitutional positions in their contributions; party supporters were seen writing the names of those contributing at outreach meetings; people attended outreach meetings donning party regalia; and where the presence of suspected party youths, soldiers and central intelligence operatives (CIOs) at outreach venues intimidated people from expressing their own views.

For instance, on 10 July at an outreach meeting at Xanadu Farm in Ward 22 of Marondera East in the province of Mashonaland East, ZZZICOMP observers noted that the outreach venue was manned by youths donning ZANU PF regalia. This was despite the banning of such regalia at outreach meetings. At Nyamande School in Ward 9 of Goromonzi West in the same province, ZANU PF members on 7 July reportedly threatened people with a repeat of the 2008 reprisals after the World Cup.

## **2. Prevalence of Coaching Incidents**

ZZZICOMP also notes with concern that incidents of “coaching” remain among the most commonly cited malpractices posing serious threats to members of the public freely expressing themselves at outreach meetings. A disturbing total of 191 coaching cases were recorded in the period under review, and were visibly present in all eight provinces. Monitoring coaching incidents is a challenge, as the coaching may be done before the meeting (for instance by distributing constitutional fliers to target villagers before outreach meetings in which there are pre-prepared questions and answers). It is also difficult because it may be conducted under the guise of a campaign. However at outreach meetings, coaching is plainly manifest when people are seen reading from prepared scripts, or when people simply rehearse party constitutional positions that are sometimes irrelevant to questions being asked by COPAC Teams, or when people make a contribution which they themselves clearly do not understand, or when very few people make contributions even where the meeting is highly attended, among others.

Descriptions by ZZZICOMP monitors of debating scenarios at outreach meetings point to cases of organized or selective participation; few people make contributions, while the rest simply ululate in support with no follow-up debate or alternative views on these contributions.

Among the coaching incidents cited in ZZZICOMP reports are meetings that were held on 4 July at Denda Business Centre in Goromonzi West constituency in Mashonaland East, Chihwino Primary School, and Crowhill Primary School in Ward 3 where ZZZICOMP observers heard ZANU PF local leaders instructing their supporters to speak with one voice in support of the party’s constitutional position on the Kariba Draft. Also documented is a case at Thrums Primary School on 1 July in Ward 21 in Bindura North Constituency in Mashonaland Central where the ZANU PF Chairperson of the area [name withheld] reportedly made it clear to the people that what he was reading to them was what they were expected to say to the COPAC team.

In the same province and constituency, ZZZICOMP observers also claim to have on 7 July spotted two ZANU PF members writing down the names of those who were attending the outreach meeting at St Jude’s Primary in Ward 4. It is also reported that on 6 July at Pote Clinic in Ward 5 in Goromonzi South, a Nissan T35 truck was used to transport ZANU PF supporters to the venue - a development that resulted in the ensuing debates being dominated by that party. ZZZICOMP observers further personally witnessed some ZANU PF supporters writing down the names of people who were making contributions at this meeting.

## **3. Cancellation and Rescheduling of Outreach Meetings**

ZZZICOMP is concerned with reports of incidents in which scheduled meetings continue to be either cancelled or rescheduled, in some cases by people who are not members of the COPAC Team.

At Avoca Primary School in Ward 7 in Bindura North constituency in Mashonaland Central, a meeting that was scheduled for 1 July was reportedly cancelled after only 8 people (who, as reported by ZZZICOMP monitors, included suspected members of the CIO) had turned up. In Shamva South constituency in the same province, meetings that were scheduled for Chikuri Primary School in Ward 1 on 3 July and Thrums Primary School in Ward 1 on 9 July were reportedly cancelled when people

failed to turn up, allegedly after being misinformed that meetings had been postponed to some future dates.

On 10 July at Matibi Mission Hospital in Ward 3 in Mwenezi East in Masvingo province, ZZZICOMP observers reported that COPAC was forced to cancel the meeting when less than 10 people attended. At Mt. Makomwe Primary School in Ward 10 in Mutare West constituency in Manicaland, a COPAC meeting was reportedly disrupted by the local Chief [name withheld] allegedly claiming that the meeting was not well publicized while at Lalapanzi clinic in Ward 17 in Chirumanzu constituency in the Midlands province, a war veteran [name withheld] reportedly changed the meeting without the consent of COPAC members.

#### ***4. COPAC Teams failing to turn up for scheduled meetings***

Equally of concern to ZZZICOMP are continued reports of incidents in which COPAC Teams reportedly fail to turn up at scheduled venues, in some cases with no explanation, leaving people who would have in some cases turned up in large numbers disappointed. In Mashonaland East province, COPAC Teams reportedly failed to turn up at a meeting that was scheduled for 4 July at Crowhill Primary School in Ward 6 of Goromonzi South. In Mashonaland Central, more than 200 people who had turned up for the meeting in Ward 3 of Shamva North on 6 July, were reportedly left disappointed when COPAC teams failed to turn up with no explanation given. This was also the case at Rhodes Store in Ward 3 in Goromonzi South constituency in Mashonaland East province where the COPAC team reportedly failed to pitch up for the scheduled meeting. Implied in these experiences is that COPAC administrative and logistical hitches are not yet over, and effective communication networks are not available to the public, or are not being utilized.

#### ***5. Clandestine barring of ZZZICOMP observers from outreach meetings***

Although ZZZICOMP monitors have been officially accredited and their activities formally recognized by COPAC, reports of their being clandestinely barred from attending outreach meetings on grounds that they are not residents of those wards, are still being received. For instance, on 10 July the ZZZICOMP office in Harare received a report that one of its observers [name withheld] had been denied access to a meeting at Shayamavhudzi in Ward 4 of Mwenezi West constituency in Masvingo province by the local political leadership on grounds that he was not a resident of that ward. The decision was reportedly taken despite pleas from COPAC members. The same technicality was used to bar ZZZICOMP monitors from attending outreach meetings that were held on 8 July at Tsatse High School Ward 3 and Amatsa Primary School in Ward 8 in Goromonzi South constituency in Mashonaland East province. In Mashonaland Central province, cases of this nature were experienced on 7 July at Thrums Primary School in Ward 21 in Bindura North.

#### ***6. Skewed and partisan State Media Coverage***

The Zimbabwe Broadcasting Corporation (ZBC) and Zimpapers, as publicly-owned media, have an obligation to inform the public about the COPAC outreach process. However, these unreformed and state-controlled entities continue to fail in this regard. While ZBC is quick to report on COPAC administrative and logistical hitches in both its print and electronic press, it has been visibly silent on providing public service information relating to meetings, as well as in relation to incidents of coaching, political interference and other forms of intimidation. The Media Monitoring Project of Zimbabwe (MMPZ) Report No. 18-2010 notes that ZBC news stories on constitutional reforms remain heavily skewed towards ZANU PF and that in the few cases where the MDC T is quoted, reports tend to be disparaging. This skewed coverage is also manifest in relation to the COPAC team, with ZANU PF co-chair, Paul Mangwana, reportedly the most quoted in the State media. In private radio stations and Online News Agencies, the MDC T is generally the most heard political party followed by ZANU PF.

## 7. Low Attendance at Outreach Meetings

Citizen participation is the hallmark of any democratic constitution-making process. It ensures that the diverse and usually conflicting interests of members of society are taken on board. Against this background, ZZZICOMP notes with concern that while 347 meetings may have been recorded as “successfully held meetings”, the extent to which these meetings may have provided a democratic, transparent and inclusive platform for gathering citizen views, remains suspect.

It is even more suspect given that, of the 347 meetings held in the period under review, 156 [49.2%] were low attendance cases with a visible spread in five provinces that include the Midlands province with 30.13% [47] cases, Matebeleland North province with 22.4% [35] cases, Mashonaland East province with 15.4% [24] cases, Masvingo province with 14.1% [22] cases and Matebeleland South province with 12.8% [20] cases. In this report, a low attendance case is where less than 100 people in a ward attended an outreach meeting.

The prospects are even most suspect, given reports of cases where meetings reportedly went ahead even where less than 20 people were in attendance. In Shamva North constituency in Mashonaland Central province, ZZZICOMP reports refer to a meeting at Nyamaropa in Ward 8 on 7 July which reportedly went ahead when only six [6] people were in attendance, while at Mapfuridze Secondary School in Ward 10 in same the province and constituency, the meeting reportedly went ahead on 6 July when only eleven people [11] were in attendance. Below are some of the low attendance cases sampled from the provinces of Matebeleland South, Matebeleland North, and Mashonaland Central.

### SAMPLED CASES OF LOW ATTENDANCE

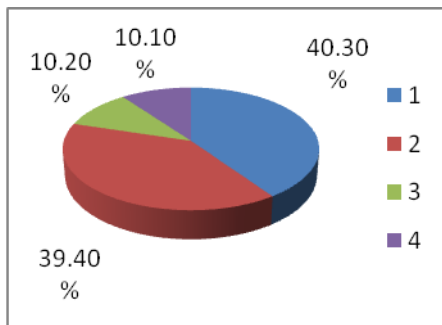
Province	Constituency	Ward	Venue	Attendance Level	DATE
Matebeleland South	Gwanda South	Ward 20	Seboza	85	3 July
		Ward 19	Mlambipele	99	3 July
		Ward 17	Manama	45	7 July
	Gwanda Central	Ward 3	Municipality Hall	90	8 July
		Ward 6	Old Gwanda ZINTEC	53	7 July
		Ward 21	Nsindi	80	6 July
Matebeleland North	Hwange West	Ward 9	Mosi oa Tunya School	54	7 July
		Ward 2	Little Harold Shop	33	9 July
		Ward 1	Council Chambers	34	9 July
		Ward 5	Roman Catholic Church	57	9 July
	Hwange East	Ward 8	Sibindi Clinic	85	8 July
		Ward 6	Gondwa	70	9 July
		Ward 10	Abundant Life Church	42	10 July
Mashonaland Central	Bindura North	Ward 8	Chipadze High School	96	2 July
		Ward 15	Sydenhum	37	1 July
		Ward 9	Chiwaridzo Beer Hall	77	7 July
		Ward 2	Bindura Primary School	53	2 July
	Shamva North	Ward 3	Civic Centre	85	2 July
		Ward 5	Kariowo Village	96	5 July
		Ward 8	Mapfuridze Sec School	11	6 July
		Ward 10	Nyamaropa Sec School	6	7 July

## 8. Low Youth Attendance at Outreach Meetings

### Attendance Profile

Analysis of the profile of the 30,364 people reported to have attended meetings in the period under review show that 40.3 % [12,226] were male adults, 39.4% [11,976] were females adults, 10.2% [3,084] were male youths, and 10.1% [3,078] were female youths. [See Figure 1 below]

Figure 1

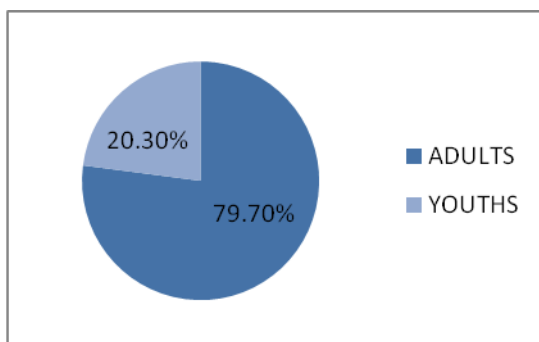


Suggested in this statistical spread is a low profile youth attendance at the ongoing outreach meetings and high risk of marginalization of the interests of the youth in the constitution-making exercise. This issue has to be urgently investigated as it may see the interests of this critical population being sidelined.

### Profile by Age

The profile is even more heavily skewed in favour of adults when analyzed on the basis of age. Of the 30,364 people recorded as having attended the meetings, 79.7% [24,202] are adults while 20.3 % [6,162] are youths. [See Figure 2 below]

Figure 2

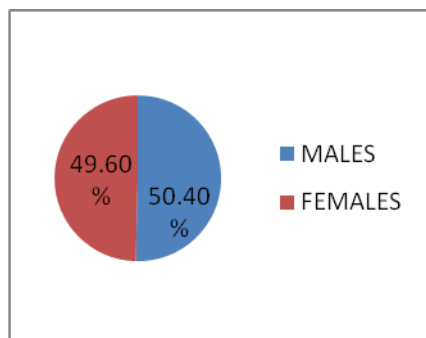


Suggested here is the possibility of the dominance of adult interests in the ongoing constitutional outreach consultations.

### Profile Analysis by Gender

When this aggregate total is further analyzed from a gender perspective, it shows a slight skew towards the **male** category [both adults and youths] with males constituting 50.4% [15,310] while females [both youths and adults] are 49.6 % [15,054]. Implied here is that the visibility of the adult population in both the male and female categories. [See *Figure 3* below]

Figure 3



### D. Incidents Spread by Provinces

Below is a detailed statistical profile of provincial incidents between 1 and 12 July 2010:

Acts	Provinces								Total
	Manicaland	Midlands	Mashonaland East	Mashonaland West	Mashonaland Central	Masvingo	Matebeleland North	Matebeleland South	
Meetings actually held	23	40	61	26	41	55	63	38	347
Disrupted/Cancelled Meetings	3	4	4	2	2	12	14	1	42
Meetings held at Scheduled Venues	23	40	61	26	41	54	59	35	339
Meetings held at rescheduled Venues	0	5	0	0	0	1	2	0	8
Low attendance [Less than 100]	3	47	24	1	4	22	35	20	156
High Attendance	20	23	32	25	37	23	18	17	195
Harassment/Intimidation	12	21	41	26	28	16	7	2	153
Violence	0	0	0	0	0	0	0	1	1
Coaching	21	36	37	22	31	22	15	7	191
Political Interference	21	36	37	26	31	25	16	9	201
Violation of Freedom of Speech	14	25	28	26	31	19	2	18	163
Male Adults	1232	1956	1610	2706	1961	2619	1723	1125	12226
Female Adults	1515	1775	2013	2185	2129	2398	1313	833	11976
Male Youths	324	428	471	1529	609	709	367	176	3084
Female Youths	270	257	501	726	873	759	283	135	3078
<b>Total</b>	<b>3481</b>	<b>4693</b>	<b>4920</b>	<b>180</b>	<b>5818</b>	<b>6734</b>	<b>3917</b>	<b>2417</b>	<b>32164</b>



### ***E. Emerging Issues***

1. What is the threshold attendance number on which COPAC teams can decide whether to cancel or go ahead with the meeting?
2. How is COPAC supposed to react where people outside that team cancel a meeting?
3. How can communication networks be improved to ensure that people are informed in advance if a meeting has to be cancelled or rescheduled?
4. What measures need to be put in place to free the media space and ensure that the public broadcaster and print media are adhering to their obligations and providing accurate, diverse and unbiased information to the public?
5. Should COPAC go ahead where there is no deployment of police at meetings?
6. What can COPAC do to ensure that measures are in place for accredited monitors to be able to access meetings without difficulty? Why are such incidents still occurring?
7. How should COPAC deal with incidents in which, for instance, less than five people dominate contributions at a meeting which has over five hundred people in attendance? Should the views expressed by such a tiny fraction of the population be taken as representative of the people at that meeting point and in that Ward?
8. How should COPAC deal with incidents of coaching and how will it encourage debate and diversity of opinion in such circumstances?

### ***F. Recommendations***

- COPAC should urgently investigate emerging cases of low attendance and snubbing of meetings especially by the youth.
- COPAC should make a follow up to reported incidents of outreach-related malpractices. This would go a long way in building confidence among members of the public. The tendency by COPAC to either flatly deny or profess ignorance when issues are reported is hardly in the interest of the transparency and acceptability of the information-gathering process.
- All parties in the unity government should respect and protect the rights of freedom of expression and association to ensure that everyone has unfettered access to outreach consultation meetings.
- Any identified practices at meetings that suggest coaching, organized or selective participation should be promptly dealt with by the COPAC Team Leaders and members collectively, and reported.
- State media should provide information which is in the public interest in relation to upcoming meetings. It should also give unbiased and substantive coverage to issues of violence and other ongoing malpractices. Currently, its coverage is restricted to administrative hitches affecting COPAC.