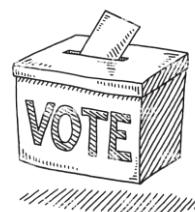




**Zimbabwe Election
Support Network**

Promoting Democratic
Elections In Zimbabwe



ZESN

PRE-ELECTION REPORT TWO

2023

1. Executive Summary

With less than two months before the holding of harmonised elections in Zimbabwe, the country is in election mode with evident electioneering from political parties and other stakeholders. Zimbabwe's main political parties have already started preparing for the elections as shown by how they are mobilising citizens to register to vote and have started holding rallies and campaign activities. The Multi-Party Liaison Committees have been activated, with the police training its members in readiness for the polls.

The sitting of the Nomination Court was done on the 21st of June 2023 and some candidates failed to successfully lodge their papers for various reasons including the use of the bank transfer for payment. Some of these candidates have filed cases with the courts for redress. Candidates criticised the process for various irregularities and anomalies.

Although many preparations have been made for the elections, there is still much that needs to be improved for the environment to ensure peaceful, transparent and credible elections. Zimbabwe has an unfortunate history of contested electoral outcomes. This is because the legal, administrative and political frameworks still have gaps that need to be attended to in order to ensure the discharge of democratic elections. Some of the issues that still need to be attended to include the need to enhance the Independence of the Zimbabwe Electoral Commission (ZEC), and other independent commissions connected to the electoral cycle, ensuring the full participation of women, the youth and persons with disability in the electoral process, as voters and candidates as well as the need to review the legal provisions around voter registration and the voters' roll.

Although improvements have been noted in the provisions for civic and voter education, there are still some deficiencies that need to be addressed. In the past the Zimbabwe Electoral Commission (ZEC) had given organisations long term accreditation in 2017 to conduct civic and voter education but this decision was reversed in 2023 when the Commission announced that all organisations interested in conducting civic and voter education must apply for fresh accreditation, including renewal of accreditation for those who had it previously. This call was made on the 11th of May 2023, but almost two months later no accreditation has been done for any organisation.

On the legal framework, the Electoral Amendment Bill that was first gazetted on the 18th of November 2022 leaves a lot to be desired, and will be very inadequate if passed as it is now. It only addresses a few nominal issues and leaves out a host of substantive electoral reforms that stakeholders have been calling for.

In addition to that, very little of the recommendations from the Election Observer Missions that were made after the 2018 elections has been implemented. Other areas in need of reform include the need to tighten the provisions on the role of traditional leaders vis-à-vis the electoral process, tightening provisions on results management to enhance transparency and reduce suspicion and results contestation, Streamlining the election dispute mechanisms, reviewing the provisions regulating the media reportage of electoral processes, enhancing electoral administration through clearer legal provisions and electoral practice; and domesticating regional and international instruments to which Zimbabwe is party.

With the active commencement of the campaign rallies by political parties, the incidences of reports of violence against political party activists has also increased. A recent case of intra party violence recorded is that of Citizens Coalition for Change National Organising Secretary Amos Chibaya who was badly attacked by an angry mob over the issue of alleged unfair candidate selection in the party. Chibaya had organised a meeting at the party's provincial office in Bulawayo to resolve the issue regarding the imposition of candidates when he was attacked. This update gives an overview of the status of some of the critical election related issues ahead of the 2023 Harmonised elections.

2. The Legal Framework

(a) Holding of elections

On 31 May 2023, the President Emmerson Mnangagwa proclaimed the 2023 harmonised elections dates. Under Statutory Instrument 85 of 2023, the President fixed 23 August 2023 as polling day and June 21 as the date on which Nomination Courts would sit countrywide to accept applications by political parties and their candidates to take part in the polls. 2 October 2023 has been set as the runoff date, in the event that none of the presidential candidates get 50%+1 votes.

Section 158 (1) of the Constitution provides that general elections must be held so that polling takes place not more than 30 days before the expiry of the five-year term of office upon the swearing in of the President and or Parliament. The last plebiscite was held on 30 July 2018 and President Emmerson Mnangagwa was sworn in on 26 August. Both the President and Parliament's five year term will end on 26 August 2023.

Section 157 (5) of the Constitution, provides that after an election has been proclaimed no change to the Electoral Law or any other law on elections will apply for that election. This means that 2023 elections are being held with no legal reforms given the fact that the Constitution requires election of everyone to be in accordance with the Electoral Law; which is the Electoral Act.

While ZESN welcomed the Proclamation of the 2023 harmonised elections, political players met the proclamation with mixed reactions over candidate nomination fees which they felt were too exorbitant to encourage inclusive participation in electoral processes and queried ZEC's aptitude to administer a free, fair and credible plebiscite.

Social media influencer and academia Professor Jonathan Moyo gave his analysis and projections on his Twitter handle on how ZEC would fare in as far as election administration is concerned. He propounded that ZEC is incapacitated to compile a credible voter's roll. He alleged that the Commission itself is divided as seven Commissioners "went rogue and disassociated themselves from the delimitation report." He also claims that the Chief Elections Officer has been reporting sick repeatedly, hence is not at work.ⁱ

ZESN had anticipated the implementation of electoral reforms ahead of the 2023 polls and these are: the need to create a conducive electoral environment that will see the effective participation of citizens without fear; availing of the Voter's Roll; the need for tactile ballot papers to ensure

secrecy of the vote; a review of the accreditation fees and opening up the space to allow long term observation by domestic observers; the need to ensure there are punitive measures are put in place to address the violence that affects women's participation in politics and elections as well as implementation of the equality 50 / 50 constitutional provision.

(b) Electoral Court

On 8 June 2023, Judicial Service Commission Chairperson and Chief Justice Luke Malaba through a Statutory Instrument published in an extraordinary Government Gazette announced the activation of the Electoral Court. The Electoral Court was activated in all the 10 provinces with 35 Judges & 76 Magistrates appointed to arbitrate in election disputes, hear appeals, applications and petitions and to review any decision of ZEC or any other person and give judgements, orders and refer matters to the High Court. ¹

(c) “The Patriotic Bill”

On 28 May 2023, the Criminal Law Code Amendment Bill popularly known as the “Patriotic Bill.” The timing of the Bill and its provisions affects governance as it muzzles freedom of expression and criminalises fundamental freedoms of association, assembly, and speech of any citizen who holds meetings with foreign governments through diplomats and other representatives.ⁱⁱ On 7 June 2023 Senate passed the Criminal Law Codification and Reform Amendment Bill 2022. Commenting on the Bill, Amnesty International’s Deputy Regional Director for East and Southern Africa Flavia Mwangovya said; “The passing of the ‘Patriotic Bill’ by the Senate is deeply concerning and signals a disturbing crack down on Zimbabweans’ rights to freedom of expression, peaceful assembly and association. The weaponization of the law is a desperate and patent move to curtail the rights to freedom of expression and to public participation in elections due in August this year.”²

The Patriotic Bill was published in the Government Gazette on 23 December 2022. It was passed by the lower house of the National Assembly on 31 May 2023 and sailed through Senate on 7 June 2023. It is still hanging as it has not been passed into law awaiting Presidential assent and if the Bill is passed in its current state, it has a chilling effect on the operations of CSOs regarding rights to freedom of expression, peaceful assembly and association.

(d) Access to Information

The Constitution of Zimbabwe in Section 61 (a) guarantees the freedom to freedom to seek, receive and communicate ideas and other information. Section 62 of the Constitution prescribes that *‘Every Zimbabwean citizen or permanent resident, including juristic persons and the Zimbabwean media, has the right of access to any information held by the State or by any institution or agency of government at every level, in so far as the information is required in the interests of*

¹ <https://www.chronicle.co.zw/jsc-appoints-35-judges-76-magistrates-to-electoral-court/>

² <https://www.amnesty.org/en/latest/news/2023/06/zimbabwe-parliaments-passing-of-patriotic-bill-is-a-grave-assault-on-the-human-rights/>

public accountability'. Section 21 (3) of the Electoral Act, the Commission has a mandate to provide a person who requests the voter's roll within reasonable time upon payment of a prescribed fee, either in printed or electronic form.

On 9 June 2023, the Supreme Court dismissed an appeal by CCC Legislator Allan Markham who was seeking to overturn a High Court ruling denying him to the electronic voter's roll by the Zimbabwe Electoral Commission on the grounds that he brought a wrong record of proceedings to the appeal court. A bench, chaired by Justice Chinembiri Bhunu, ruled the opposition legislator's application had many loopholes blocking the Court from hearing the matter.

Markham launched an application last year demanding ZEC to release the voters' roll in electronic format.

On 19 June 2023, ZEC Chief Elections Officer Utoile Silaigwana said they were cleaning the voters' roll of mistakes noted during the inspection period and getting it ready for use in the harmonised elections set for 23 August 2023 and the voter's roll will only be vailed to election candidates who successfully file their papers with the Nomination Court that sits on 21 June.³

3. Candidate Nomination Fees

The Ministry of Justice, Legal and Parliamentary Affairs Zimbabwe Electoral Commission and the Zimbabwe Electoral Commission promulgated Statutory Instrument (S.I) 144 of 2022 on the nomination fees for aspiring candidates. Under S.I 144 of 2022, aspiring Presidential contestants are required to pay US\$20 000 up from US\$1,000.00; Members of Parliament US\$1,000 from US\$50.00 while Senate US\$200 up from US\$100.

ZESN is cognisant of the dictates of Section 192 of the Electoral Act Chapter 2:13 which stipulates that the Zimbabwe Electoral Commission can make regulations it deems necessary, with the approval of the Minister of Justice, Legal and Parliamentary Affairs. However, the steep increase in nomination fees has a bearing on participatory democracy in particular, electoral participation especially for Special Interests Groups such as women, youths and people with disabilities.

(b) Candidate Nomination Fees Court Challenge

On 9 June 2023, the Constitutional Court (ConCourt) bench led by Deputy Chief Justice Elizabeth Gwaunza ordered Parliament to review Statutory Instrument 144 of 2022 by June 16 on the basis that it had breached the Constitution by not looking at whether the statutory instrument (SI) was in contravention of the Constitution before passing it.⁴

³ <https://www.pindula.co.zw/2023/06/19/voters-roll-will-only-be-availed-to-election-candidates-zec/>

⁴ <https://www.newsday.co.zw/local-news/article/200012654/concourt-orders-review-of-steep-nomination-fees>

On 15 June 2023, Parliament approved the candidate nomination fees set by the Zimbabwe Electoral Commission (ZEC) for the 2023 harmonised elections through a published a Non-Adverse Report.⁵

Veritas⁶, a Non-Governmental Organisation that provides information on the work of the Parliament of Zimbabwe and the Laws of Zimbabwe and makes public domain information widely available, described the Nomination fees as unreasonable which are grossly unreasonable since a party will have to find US\$238 000 to field a full slate of candidates in a general election; they were enacted for an improper purpose, i.e. to prevent or discourage people from standing for election and also to discourage opposition parties which had not benefited from State financing from putting up candidates; they were unconstitutional, in that they were inimical to multi-party democracy and inhibited the fundamental rights of citizens to stand for election [*guaranteed by section 67 of the Constitution*].⁷

The SI was submitted to Parliament for examination by the Parliamentary Legal Committee [PLC] in terms of Section 152 (3) (c) of the Constitution, which states: “(3) *The Parliamentary Legal Committee must examine— (c) every statutory instrument published in the Gazette; and must report to Parliament ... whether it considers any provision in the ... statutory instrument ... contravenes ... any provision of this Constitution.*” The PLC did not examine the instrument at the time and did not report on it.

While political parties complained over the exorbitant candidate nomination fees, they still fielded candidates.

4. New Nomination Court Requirements Introduced

On 21 June 2023, the day of Nomination, ZEC issued a press statement announcing the promulgation of Statutory Instrument 114 of 2023 which allows both men and female candidates to be nominated for political party lists.⁸ Under the Statutory Instrument, the party list for Provincial and Metropolitan Councils must contain female and male candidates listed alternately, with every list being headed by a female candidate⁹. Though the spirit and letter of S.I 114 of 2023 may be seen a positive move to increase women’s political participation, it creates a conundrum on the interpretation of Section 157 (5) of the Constitution which stipulates that no changes to the Electoral law may be made after elections have been proclaimed.

⁵ <https://www.herald.co.zw/parly-okays-nomination-fees/>

⁶ <https://www.veritaszim.net/node/2>

⁷ <https://www.veritaszim.net/node/6417>

⁸ <https://www.zec.org.zw/statutory-instrument-114-of-2023/>

⁹ [https://www.jsc.org.zw/upload/Gazette/S.I.%20114%20of%202023%20Statute%20Law%20Compilation%20and%20Revision%20\(Correction%20of%20Constitution%20nom.pdf](https://www.jsc.org.zw/upload/Gazette/S.I.%20114%20of%202023%20Statute%20Law%20Compilation%20and%20Revision%20(Correction%20of%20Constitution%20nom.pdf)

5. Nomination Court Sitting

On 21 June 2023, the Nomination Court sat at the 10 Magistrates' Courts countrywide for candidates who intended to stand as parliamentarians in the August 2023 elections. ZANU-PF candidates filed their papers a day before and on their names were called out to confirm receipt on the 21st.¹⁰

Nomination for Presidential candidates were lodged at the High Court in Harare. 10 Magistrates Courts in 10 provinces received nomination papers for National Assembly, Senate, Women and Youth Quotas. Nominations for local authorities were conducted at designated local authority offices. Local authority seats were increased to accommodate the 30% women threshold in line with section 277 (4) of the Constitution. The Parliamentary Women's Quota was also extended for another 10 years.¹¹ ZEC also released press statement to the effect that the laws had been aligned.¹²

By 10:15 am, all Nomination Courts had opened and prospective candidates had begun entering the Court to commence the process of filling and submitting their nomination papers. Proceedings at the provincial Nomination Courts were chaired by ZEC Provincial Elections Officers for each province. The ZEC team at each Nomination Court included assessors, data-capturing officers and finance officers. The Nomination Court for candidates was done with no incidents of violence recorded. The political environment on nomination day was generally peaceful with isolated and rather minor intra-party and inter-party altercations outside some of the Nomination Courts.

ZESN Members stationed at the Courts sent in their reports about the proceedings. In Masvingo, whilst the environment was generally calm and the process smooth, there was a small dispute within the courtroom as candidates jostled to submit their papers before closure of the Court. However, this was addressed peacefully by officers of the Zimbabwe Republic Police (ZRP).

Members of the Citizen Coalition for Change (CCC) reportedly had a minor dispute outside the courtroom over the selection of members of the Provincial Council. In Bulawayo, a significant number of political parties turned out to submit their papers. Among these were ZANU-PF, CCC, MDC-T, UDI, UZA, DOP, ZAPU, ZANC, EFF, UFP, MRP and FreeZim Congress. A few candidates also submitted their papers independently.

ZESN members stationed at the Bulawayo Nomination Court reported that the process was smooth and peaceful and there were no incidences of violence reported or observed throughout the day. In Harare, the process was generally peaceful. ZESN members stationed at the Rotten Row Magistrate Court noted that quite a number of the prospective candidates and their parties appeared not to be fully aware of the nomination requirements which resulted in some candidates being asked to rectify anomalies on the papers they had submitted. Some of these

¹⁰ <https://twitter.com/HeraldZimbabwe/status/1671457319886942213>
https://www.veritaszim.net/sites/veritas_d/files/GN%202023-1130%20Nomination%20Court%20Results%20for%20National%20Assembly%20Direct%20Election.pdf

¹¹ <https://www.herald.co.zw/zec-gazettes-local-authority-womens-quota/>

¹² https://twitter.com/ZECzim/status/1671433508458315777?t=ru_sArtdbgwJhCN89OyoFw&s=08

candidates were from MDC-T, DUZ, UZA and Free Zimbabwe Congress. ZESN members reported that the CCC fielded double candidates in some constituencies including Churu, Epworth South, Harare South and St Mary's.

In Harare, the process was generally peaceful. ZESN members stationed at the Rotten Row Magistrate Court noted that quite a number of the prospective candidates and their parties appeared not to be fully aware of the nomination requirements which resulted in some candidates being asked to rectify anomalies on the papers they had submitted.

In Mashonaland Central, Nomination Court proceedings started well on time at 10:00 am. ZEC seemed well prepared for the Nomination Court proceedings. As soon as the doors to the Court were opened, candidates started streaming in to file their papers. Ruling party candidates were the first to arrive and by 1 pm, most of them had finished submitting their papers. Opposition candidates, mostly for CCC as well as MDC-T arrived at the Courts close to the 4.00 pm deadline. The processes at the Courts officially ended at 11:30 pm.

In Mashonaland East, the Nomination Court convened at the Magistrates' Court in Marondera. The environment throughout the process was peaceful. Many prospective candidates were seen waiting outside the courtroom for their superiors to either bring their paperwork or the payments for them to start the filling process. While proceedings began at the scheduled time, most of the candidates started coming in after 1:00 pm. In Mashonaland East, it is also confirmed that CCC fielded 2 candidates for Marondera Central constituency.

In Mashonaland West, the proceedings were conducted at the Magistrate's Courts in Chinhoyi. The proceedings were generally organized and peaceful. It however appeared that most of the candidates were unaware of the full requirements of the Nomination Court process. In one incident, an MDC-T candidate who was unreachable throughout the day arrived just as the party was about to replace him with another candidate. While there were no reports of any rejected candidates, the fees required to register as candidates proved to be too high for many of the candidates.

Due to the large volumes of prospective candidates intending to file their candidacy, the Court ended its proceedings at 00:30 am the following day because ZEC allowed all candidates who arrived at the Nomination Court before the official closing time to be served. Further, ZEC extended the time for payments which saw Presidential Candidates increasing from 7 to 11.

On 22 June 2023, ZEC issued a press statement calling upon all candidates and parties whose nomination papers that had been submitted but had challenges with the Commission's point of sale machines. Also, those who had submitted proof of payments but funds not reflecting in ZEC's account were to approach the Nomination Courts and make the payments before 17.00hrs.¹³

(b) Double and Triple Candidature

On 22 June 2023, CCC approached ZEC over 20 cases of fraudulent registration of candidates under their banner at the Nomination Court in Mt. Pleasant, Harare East, Harare Central, Harare South,

¹³ <https://www.zec.org.zw/nomination/>

Harare North, Hatcliffe, Hatfield, Epworth South, Chitungwiza North, Chitungwiza South, St. Mary's Churu, Warren Park, Sunningdale, Entumbane in Bulawayo, Kariba, Masvingo and Marondera.¹⁴

(c) Readiness of Candidates

From the observations made by ZESN members, it appears that several candidates and political parties were ill-prepared for the Nomination Court process. Most of the political parties and independent candidates had not submitted their papers in advance which made the nomination process painstakingly slower and in some cases with the Nomination Court sitting until the early hours of the next day.

(d) Rejected Submissions

In one notable incident, Raymond Chitsinde from the Zimbabwe National Revival Party who intended to file his candidacy for the Mazowe Central seat, had his papers rejected after he turned up at the Harare Courts instead of the Mashonaland Central Courts. In another case, the FORUS party candidate for Glen View North failed to pay the nomination fees, while the UZA party Dzivarasekwa candidate's name did not appear on the voters' roll. In several provinces including Manicaland and Mashonaland West, MDC-T candidates' submissions failed to be considered after they failed to pay the nomination fees.

(e) Nomination Court Results

ZEC published the list of candidates who had been duly nominated to contest in the polls in government gazette.¹⁵ ZEC confirmed 11 presidential candidates for 2023 elections. 10 of the submitted papers were rejected. Among the successful candidates are; incumbent Emmerson Mnangagwa, CCC leader Nelson Chamisa; MDC, Douglas Mwonzora and former self-exiled ZANU-PF Political Commissar Saviour Kasukuwere who is standing as an independent candidate. Saviour Kasukuwere is a former ZANU-PF member and Minister who allegedly belonged to the G40 faction which was ousted together with Mugabe in 2017. He has been living in South Africa since 2017.

The other seven presidential candidates who had successful nominations are Joseph Makamba Busha (FreeZim Congress), Lovemore Madhuku (NPA), Trust Chikohora (ZCPD), Saviour Kasukuwere (Independent), Blessing Kasiyamhuru (ZIPP), Gwinyai Henry Muzorewa (UANC), Wilbert Mubaiwa (NPC) and Wilson Harry Peter (DOP).

On the flipside, the only two (2) female aspiring presidential candidates Elizabeth Valerio failed to complete the nomination process on account of challenges they experienced with the electronic payment system. It is reported her payment had not reflected yet in the ZEC bank account at the time she wanted to make her submission. Linda Masarira, on the other hand, encountered challenges raising the required nomination fees.

¹⁴ <https://www.newzimbabwe.com/ccc-unearths-20-cases-of-fraudulent-nominee-registration-after-double-candidature-furore-lodges-complaint-with-zec/>

Overall, 70 women are contesting for National Assembly seats, this represents 11% of the 637 prospective candidates. In the 2018 general elections, women constituted 14.4% of the 1648 national assembly candidates. In the Local Authority elections, 665 women will be contesting as candidates against 3940 men. Overall, 14% of the candidates in this election are women compared to 17% in the previous election.

The contesting political parties listed 1336 women who will be vying for the 30% local government quota seats. The quota system guarantees women 561 seats in Council which translates to at least 23% of the 1570 available seats.¹⁶



GENDER REPRESENTATION OF CANDIDATES IN THE 2023 NATIONAL ASSEMBLY ELECTIONS

Province	Number of Constituencies	Parties Contesting	Female candidates	Percentage of Female candidates
Bulawayo	12	12	16	28.1
Harare Metropolitan	30	8	14	12.7
Manicaland	26	7	4	5.6
Mashonaland Central	18	4	1	2.5
Mashonaland East	23	6	7	12.0
Mashonaland West	22	7	8	12.7
Masvingo	26	6	4	6.5
Matabeleland North	13	11	8	13.6
Matabeleland South	12	6	2	5.6
Midlands	28	8	7	9.0

Women participation: There are only 70 female candidates out of 637 running for the 210 National Assembly seats, which is 11%, a drop from 14.4% in 2018.

Photo credit ZEC

The statistics from the ZEC nomination figures show that there has been a decline in women's participation as candidates in the 2023 election. The prevailing trend violates section 17, 56 and 80 of the Constitution which call for gender equality in all sectors including politics.

It appears that several candidates and political parties were ill-prepared for the Nomination Court process. Most of the political parties and independent candidates had not submitted their papers in advance which made the nomination process painstakingly slower and in some cases with the Nomination Court sitting until the early hours of the next day.

(f) Nomination Court Challenge

On 21 June 2023, aspiring female presidential candidates Linda Masarira of the Labour, Economists and African Democrats and Elisabeth Valerio of the United Zimbabwe Alliance had their nomination fail to go through due to challenges in transferring nomination fees. Through their lawyer, Zimbabwe Lawyers for Human Rights approached the Electoral Court to appeal the decision of the Nomination Court which rejected their nominations.¹⁷ Valerio complained that

¹⁶ <https://www.zec.org.zw/download/nomination-court-result>

¹⁷ <https://openparly.com/masarira-valerio-approach-electoral-court-over-nomination-drama/>

despite having paid her nomination fees, she was informed that that her payment in local currency had not been processed and she would need to produce a cash payment of US\$20 000.

Other reports indicated that presidential candidate Linda Masarira took ZEC to Court for rejecting her nomination papers on 21 June 2023 after she failed to raise the required US\$20 000 fee due to bank limits.¹⁸ Despite in 2018 having advocated for an increase in nomination fees, Masarira lamented the exorbitant fees saying there were discriminatory.

On 30 June 2023, the Zimbabwe Electoral Commission opposed Masarira's Court application on the grounds that it lacked merit as Masarira failed to satisfy the requirements of Sections 46 and 47 of the Electoral Act on nomination on the day.

6. Media Update

The media have a critical role to play in the conduct of democratic elections in Zimbabwe and in any given country. The Constitution of Zimbabwe, the Electoral Act Section 160E-K and Statutory Instruments set out provisions on the Media ought to cover and flight adverts on elections and political parties.

Section 155 (2) (d) of the Constitution on Principles of Electoral System states that The State must take all appropriate measures, including legislative measures, to ensure that effect is given to the principles set out in subsection (1) and, in particular, must ...provide all political parties and candidates contesting an election or participating in a referendum with fair and equal access to electronic and print media, both public and private.

The ZEC and Zimbabwe Media Commission indicated that they would set up a Committee to monitor election coverage to ensure compliance with the legislations on election coverage. ZMC Chairperson, Professor Ruby Magosvongwe revealed that, "In line with the provisions of the Electoral Act, the ZEC will soon be setting up a Media Monitoring Committee to monitor the coverage of the 2023 harmonised general elections." In addition, an election reporting and peace journalism manual had been compiled by ZMC for distribution among journalists and 1,000 journalists will be trained on peace and "conflict-sensitive journalism."ⁱⁱⁱ

It is yet to be seen if all political parties will be allocated fair and equitable airplay and coverage by both the public and private media in Zimbabwe, truthful accounts of events with balanced opinions and objective election related stories.

7. Zimbabwe's Socio-Economic Political Analysis

The punitive socio-economic environment remains prevalent unrelenting in Zimbabwe with the prices of basic commodities, goods, services and health delivery beyond the reach of many. These conditions were worsened by profiteering retailers who continued to price basic

¹⁸ <https://www.newzimbabwe.com/poor-linda-masarira-puts-hope-on-high-court-challenges-discriminatory-hefty-nomination-fees/>

commodities using an exchange rate between the United States Dollar (USD) which was higher than the current prevailing bank and black-market rates.

Zimbabwe's annual consumer price inflation skyrocketed to 175.8% in June 2023, up from 86.5% in the prior month, marking a continued deviation from the downward trend observed since the beginning of the year. It was the highest reading since January 2021, stoked by a sharp depreciation in the Zimbabwean dollar, which crashed 50% since the start of June in the official market.¹⁹

(a) Political Campaigns and Developments

On the political side, ZESN has observed events that impede free, fair and credible elections such as banning of political campaigns for opposition parties, vote buying, hate speech, violation of freedoms of information and access to information.

A number of Citizens Coalition for Change campaign rallies were banned during the first week of July 2023. These include the Chiredzi Constituency campaign rally that was scheduled for 5 July 2023, the Chivi presidential campaign rally scheduled for 7 July 2023 and the Bindura campaign rally that was scheduled for 9 July 2023. All these rallies were served with notices of prohibition after the party had notified the Zimbabwe Republic Police (ZRP) in the respective constituencies of their intention to hold these rallies. In Cowdry Park on 7 July 2023, a CCC meeting was disrupted by ZANU PF supporters.

On another note, ZANU PF successfully held its national elections campaign launch on the 24th of June 2023 in Chipinge. The rally was broadcast live on the Zimbabwe Broadcasting Corporation TV (ZTV). Thereafter the party continued to hold undisrupted campaigns in places such as Magunje in Mashonaland West and Bulilima in Matabeleland South provinces.

ZANU-PF Matabeleland South chairman Nqobizitha Mangaliso Ndlovu mocked the opposition Citizens Coalition for Change (CCC) party and compared them to cockroaches during a rally at Nyele Primary in Bulilima District.²⁰

(b) ZEC Independence under spotlight

ZEC continues to torch another storm after CCC fingered it in the double and triple candidature saga that rocked the Nomination Court. Below is the list of the 41 alleged fraudulent candidates that CCC took to the Electoral Court to institute both civil and criminal proceedings against them;

National Assembly

Harare Metropolitan Province

1. Sunningdale- ChristmasGoremusandu
2. Mount Pleasant – Jonathan Machokoto

¹⁹ <https://tradingeconomics.com/zimbabwe/inflation-cpi>

²⁰ <https://www.thezimbabwean.co/2023/07/rights-activists-condemn-ndlovu-cockroach-hate-speech/>

3. St Mary's – Freddy Michael Musarirevu
4. Warren Park – Energy Tanaka Matika
5. Harare South – George Magweta; Hasha Trouble
6. Hatcliffe – Lloyd Sande
7. Hatfield – Admire Adam Griza
8. Hunyani – Terrence Khumbula
9. Epworth South – Solomon Baramasimbe; Didymus Bande
10. Harare Central – Irvine Hatitye Nyaningwe
11. Harare East – Malvin Razaru
12. Harare West – Farai Michael Padzarondora
13. Chitungwiza North – Enock Nyashadzashe Chitoro
14. Chitungwiza South – Shepard Kariramombe
15. Churu – Tichaona Nyikadzino

Bulawayo Metropolitan Province

16. Pelandaba – Tshabalala Soneni Moyo
17. Entumbane- Enjube Dingilizwe Tshuma
18. Pumula – Albert Mhlanga

Mashonaland East Province

19. Marondera Central – Misheck Manyere

Mashonaland West

20. Kariba – Andrew Mutsau

Local Authorities

Bulawayo Municipality

1. Ward 1 – Mbuso Siso
2. Ward 6 - Fikezweni Nyoni
3. Ward 12 – Siboniso Moyo
4. Ward 13 – Methuseli Bhebhe
5. Ward 15 – Ashton Mhlanga
6. Ward 18 – Mildred Ncube
7. Ward 22 – Mkhaliphi Sibanda
8. Ward 24 – Phumulani Sibanda
9. Ward 28 – Vusumuzi Chirwa

Marondera Municipality

1. Ward 3 – Derick Mugumbate
2. Ward 7 – Godfrey Basvi
3. Ward 10 – Jimmy Jalifu

Harare Municipality

1. Ward 21 – Alexio Nyakudya
2. Ward 18 – Ncube Mildred
3. Ward 22 – Mkhaliphi Sibanda

Nkayi RDC

1. Ward 14 – Busani Sithole
2. Ward 16 – Madlenkosi Tshuma
3. Ward 20 – Cephas Ncube
4. Ward 23 – Lovemore Banda
5. Ward 25 – Sambulo Maphosa
6. Ward 28 – One Ncube

(c) Patronal Politics

Government unveiled US\$400 000 housing loans for Judges which has been seen as payments just before elections, raising questions on independence of the Judiciary.²¹ This incentivising of the judiciary on the eve of elections who are supposed to preside over the Electoral Act creates an environment of impartial judgements that will be passed in favour of the paymaster.

(d) Accreditation of International Observers to the 2023 polls

On 6 June, ZEC opened applications for accreditation to observe the 2023 Harmonised elections. The deadline for applications has been set for 18 August 2023.²² The fees are as follows; local observers USD 10, Observers from Africa USD 100, Foreign Embassies in Zimbabwe USD 300 and Observers from outside Africa USD 400. Zimbabwe Media Practitioners accredited with the Zimbabwe Media Commission will be required to pay \$10, those accredited with ZMC working for foreign media houses \$100 and also \$100 for media practitioners from the African Continent.

The Government through the Ministry of Foreign Affairs and International Trade invited 51 countries to observe the 23 August 2023 polls alongside 17 international civil society organisations and African regional groupings.

The European Union responded to an invitation by the Minister of Foreign Affairs and International Trade of Zimbabwe and decided to deploy an EU Election Observation Mission (EOM) to the Harmonised elections of 23 August 2023.²³ The Core Team of the EU EOM will consist of 11 election experts that will arrive in Zimbabwe shortly after. Towards the end of July, 46 Long-Term Observers will join the mission and are to be deployed across the country to follow the electoral campaign. 44 Short-Term Observers are also foreseen to be deployed closer to election-day. Finally, a number of Locally-Recruited Short-Term Observers from the EU Member States

²¹ <https://www.zimlive.com/judges-get-us400k-loans-lawyers-say-payments-are-bribes/>

²² <https://www.zec.org.zw/application-for-accreditation-to-observe-the-harmonized-elections/>

²³ https://www.eeas.europa.eu/eeas/zimbabwe-european-union-deploys-election-observation-mission_en

accredited in Zimbabwe may integrate the mission on Election Day. The EU EOM will remain in Zimbabwe until the completion of the electoral process.

The European Union (EU) became the first to send an EOM to Zimbabwe early July which will also be observed by the United Kingdom, the United States, Russia, Belarus, and China among others.²⁴

On 30 June 2023, the Acting Foreign Affairs and International Trade Minister Amon Murwira signed a memorandum of understanding with the EU Observer Mission and told them that observers should "observe, not monitor, the election process".

Conclusion

As the 2023 Harmonised elections beckons, Zimbabwe's political environment remains largely peaceful with sporadic human rights abuses being recorded. ZESN calls for all stakeholders to foster peace ahead of the elections in adherence to Section 155 (a) (d).

ⁱ <https://twitter.com/ProfJNMoyo/status/1663923547188740097?t=r1VC2qNSdDRNowtMjVc3zw&s=08>

ⁱⁱ https://www.veritaszim.net/sites/veritas_d/files/Criminal%20Law%20%28Codification%20and%20Reform%29%20Amendment%20Bill%20-%20H.B.%2015%202022_0.pdf

ⁱⁱⁱ <https://www.zimlive.com/zmc-urges-media-to-shun-hate-speech-during-election-coverage/>

²⁴ <https://www.news24.com/news24/africa/news/eu-to-deploy-election-observer-team-to-zimbabwe-next-week-20230702>