



Ballot Update

Bulletin

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CSOS CALL FOR COMPREHENSIVE REFORMS TO ENSURE DEMOCRATIC ELECTIONS



Civic Society Organisations called for comprehensive legal, political and administrative reforms before the 2018 harmonised elections

53 Civil society organisations (CSOs) have expressed concern over the half-hearted attempts and lack of political will to reform the laws and institutions governing the conduct of elections in Zimbabwe. The CSOs' demands for comprehensive legal, political and administrative reforms before the 2018 harmonised elections came out of an All Stakeholders Conference convened by ZESN under the theme "2018 Elections: Dialogue Towards Democratic Elections in Zimbabwe".

In a Communique released soon after the Conference the CSOs stated that without substantive reforms and the alignment of the electoral law with Constitution the 2018 elections will be unconstitutional and cannot be free and fair.

One of the key asks from the CSOs regarding the administration of elections is for Parliamentary oversight of the Zimbabwe Electoral Commission (ZEC) to ensure its independence and professionalism in the management of elections. Currently, ZEC reports to the Ministry of Justice, Legal and Parliamentary Affairs a situation that has raised fears of executive interference in directing and controlling the Commission.

The civic groups called for the creation of an enabling political environment conducive for the conduct of free and fair elections to be created before 2018. The CSOs committed to continued monitoring of the political environment, documenting and exposing cases of human rights abuses

and other electoral malpractices before, during and after elections. The CSOs further called for electoral regulations that will enable the creation of an environment that will allow for the participation of citizens including women, youths, people living with disabilities and other disadvantaged groups. "There is need for legislation that enforces strict adherence to the Political Parties' Code of Conduct to address electoral violence, vote-buying and other malpractices. Legislation to register political parties with clear regulations spelling out funding mechanisms for political party election

campaigns including disclosure requirements and limits on funds that political parties may receive and spend on election campaigns must be enacted," reads part of the Communique.

The CSOs pledged to continue with civic education activities in order to enhance awareness on electoral rights and facilitate meaningful citizen participation including the participation of persons living with disabilities, youths, women and other disadvantaged groups in the electoral processes.

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Masangano anoona nezvekuchengetedzwa kwekodzero dzeruzhinji arikuti mitemo inofanira kuvandudzwa zvizere kuti sarudzo dziitwe nenzira inokoshesa zvido zveruzhinji



A Cross section of delegates at the ZESN stakeholders conference held in Bulawayo

Masangano makumi mashanu nematatu (53) anoona nezvekuchengetedzwa kwekodzero dzeruzhinji ataridza kushushikana zviku pamusoro pekusavandudzwa zvizere nekushaikwa kwechido chekugadzirisa mitemo yesarudzo nemapazi anoona nezvekufambiswa kwesarudzo muZimbabwe. Masangano anoona nezvekuchengetedzwa kwekodzero dzeruzhinji arikuti, panofanira kuve nekuvandudzwa zvizere kwemitemo yesarudzo, yezvematongerwo enyika neyekufambiswa kwesarudzo.

Izvi zvinofanira kuitwa sarudzo dzeMubatanidzwa dza2018 dzisati dzaitwa. Pfungwa idzi dzakabuda pamusangano wemasangano ese ane chekuita nesarudzo wakarongwa neZESN uine dingindira rekuti "Sarudzo dza2018: Huru kuro nechinangwa chekuti Sarudzo dziitwe nenzira inokoshesa zvido zveruzhinji muZimbabwe."

Muchinyorwa chakabuditswa mushure nemusangano uyu Masangano anoona nezvekodzero dzeruzhinji akati, kana mitemo yesarudzo ikasavandudzwa kana kushandurwa zvizere kuti iyenderane nezviri muBumbiro

reMutemo, sarudzo dzemuna2018 dzichaitwa nenzira isingaenderane nezviri muBumbiro reMutemo uye hadzikwanisi kuitwa zvakasununguka pasina kubiridzira.

Chimwe chikuru chakakumbirwa neMasangano anoona nezvekuchengetedzwa kwekodzero dzeruzhinji ndechekuti, Zimbabwe Electoral Commission (ZEC) ishande iri pasi peDare reparamende kuti ikwanise kushanda yakasununguka uye nemazvo panyaya dzekufambiswa kwesarudzo. Parizvino, ZEC iri kushanda iri pasi pebazi reHurumende rinoona nezvekutongwa kwedzimhosva, mitemo nekufambiswa kwedare reParamende.

Mamiriro aya ari kuita kuti pave nefungidziro yekuti Vatungamiri venyika vanogona kunge vachipindira mukufambiswa kwesarudzo.

Masangano anoona nezvekuchengetedzwa kwekodzero dzeruzhinji akati mamiriro ekunze panyaya dzezvematongerwo enyika anofanira kunge achikurudzira kuti sarudzo dziitwe vanhu vakasununguka pasina kubiridzira.

Izvi zvinofanira kugadziriswa sarudzo dza2018 dzisati dzaitwa. Masangano aya akazvipira kuti acharamba achiongorora kuti mamiriro ezvematongerwo enyika akamira sei, kunyora zvinenge zvichiitika nekubuditsa pachena panenge patyorwa kodzero dzevanhu.

Akati acharamba achibuditsa pachena zvimwe zvichakaniswa musarudzo dzisati dzaitwa, dzichiitwa uye dzichinge dzapera kuitwa.

Masangano aya akati mitemo yesarudzo inofanira kugadziriswa zvare kuti zvizvarwa zvese zvikanise kuwana mukana wekupinda mune zvmatongerwo enyika kusanganiswa vanhukadzi, vechidiki, vanhu vanorarama neherema pamwe nemamwe mapoka evanhu vanotarisirwa pasi.

"Panofanira kuiswa mitemo inoona kuti Mapato ematongerwo enyika atevadzera zviga zviri muMutemo unotaura zvinofanira kuitwa neMapato ematongerwo enyika panyaya dzebhurizhongwa pasarudzo, kupa ruzhinji mari kana zvinhu kuti bato rivoterve nezvimwe zvisingatirisiwi.

Panofanira kuve neMitemo inotevedzwa pakunyoresa Mapato anoda kukwikwidza nemitemo yakajeka inobuditsa pachena mavanirwo emari dzinoshandiswa nemapato ezvematongerwo enyika.

Mitemo iyi inofanira kujekesa kuti mapato ezvematongerwo enyika anofanira kubuditsa pachena kunobva mari dzavanoshandisa pakuzvishambadziwa pamwe nekutaura muganhu wehuwandu hwemari inofanira kupiwa kumapato aya uye muganhu wehuwandu hwemari inofanira kushandiswa pakuzvishambadziwa." Izvi ndizvo zvimwe zviri muchinyorwa chakagadzirwa pamusangano uyu.

Masangano anoona nezvekuchengetedzwa kwekodzero dzeruzhinji akazvipira kuramba achidzidzisa vanhu kuti zavize kodzero dzavo panyaya dzesarudzo. Izvi zvinobatsira kuti zvizvarwa zvenyika zviite rupande rwavozo nemazvo panyaya dzezvematongerwo enyika. Zvizvarwa zvenyika zvinosanganiswa vanhu vanorarama neherema, vechidiki, vanhukadzi nevamwe vanotarisirwa pasi panyaya dzesarudzo.



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Inhlanganiso ezizimeleyo zikhuthaza inguquko ezakwenza ukhetho lubeqotho

Inhlanganiso ezizimeleyo ezingamatshumi amahlanu lantathu (53) seziveze ukukhathazeka ngexya yokusweleka komfutho lokungakhathali kukahulumende ekugquleni imithetho kanye lokusebenza kwengatsha eziphatha ukhetho kweleZimbabwe. Inhlanganiso lezi bezisemhlanganweni yokudingida lokubonisana ngezindlela zokukhuthaza kokhetho oluqotho ngo-2018. Umhlangano lo ube uqoqwe yi-ZEN.

Embikweni owethulwe ngemva kwembizo le, zikubeke kwacaca izinhlanganiso ukuthi nxa kungaguqulwanga umthetho olawula ukuqhuthsha kokhetho ukuze

uhambelane lesisekelo sombuso sakuleli, ukhetho lomnyaka ka-2018 ngeke lubesemthethweni njalo ngeke lubeqotho. Okumgoka phakathi kwezicelo ezimbalwa zalezi nhlanganiso yikuthi ikhomishini ebona ngezokuphatha kokhetho kuleli (i-ZEC) izimele yodwa njalo ilawulwe yiphalamende hatshi umphathintambo. Okwamanje i-ZEC ingaphansi kogatsha olubona ngezokubunjwa kwemithetho lokulingiswa.

Lokho sokwenze kwaba lula ukuthi abaphathintambo lomangameli bagxumukele ekuqhuthsheni kokhetho. Izinhlanganiso ezizimeleyo lezi ziphinde zaqoqosela ngokuqakatheka komumo ovumela

ukuqhuthsha kokhetho oluqotho, u-2018 engakafiki. Inhlanganiso lezi zizinkikele ekwenzeni umsebenzi wobunhloli ukuze ziveze ububi bonke ukhetho lungakafiki, mhla wokhetho lanxa solwedlule. Ziphinde njalo lezi nhlanganiso, zakuthaza ukubunjwa kwemithetho ezakwenza wonke umuntu, abatsha, abagokekileyo, abesifazane, abanganakwayo, baphatheke ngokukhululeka.

"Kuyadingeka ukuthi kubelomthetho ophoqa amabandla ezombusazwe ukuthi alandele izivumelwano mayelana ngokuziphatha kwawo ngesikhathi sokhetho. Lokhu kuzakwenza ukuthi kuvikelwe

ububi obufana lokuthengwa kwevoti, udlame lokunye.

Umthetho njalo odingekayo ngolawula ukubhaliswa kwamabandla ngokusemthethweni, ukuthi inali yawo kumele ivele ngaphi njalo ibe ngenangani esetshenziswa kukhankaseleniivoti," utsho njalo umbiko okhuthswile yilezi nhlanganiso.

Inhlanganiso ezizimeleyo ebezisemhlanganweni lo ziveze ukuzimisele ekwenzeni umsebenzi wokufundisa uzulu mayelana ngezokhetho ziphinde njalo zimhase ukuze apatheke ekhethweni, kunakelwa kakhulu labo abavame ukunganakwa.

ZEC Urged To Adopt 'Open Data Policy'

Transparency is a key principle for credible elections and electoral processes as it allows for stakeholders to observe and scrutinize processes. In order to enhance trust and confidence in electoral processes in Zimbabwe the Zimbabwe Electoral Commission (ZEC) must adopt the 'Open Data Policy'.

Zimbabwe is scheduled to hold elections in 2018 and calls have been made by civic organisations in Zimbabwe for the Commission to adopt the Open Data Policy. These calls come at a time when ZEC is set to implement changes such as the introduction of the Polling Station Based Biometric Voter Registration systems. According to Mr Raphael Musau of the Kenyan Elections Observation Group (ELOG) transparency, efficiency and timely information sharing in key electoral processes such as the Results Management reduce tensions as it eliminates doubts and assumptions in the process.

Election data should be made available as quickly as necessary for it to be useful. Timely publication of election data is essential because it feeds into several decision making and participatory processes.

Citizens need information on how to register, which parties or candidates are running and where to vote so they can participate in the process and make informed decisions. The election information should be available at the finest possible level of detail such as election results at the polling station level.

The provision of electoral information at the granular level is essential for promoting transparency and accountability. In the previous elections held in 2013, political parties and civic society organisations faced challenges in accessing the voters' roll in its complete and analyzable state.

In order to enhance transparency, delegates at the ZESN Stakeholders' Conference called upon ZEC to release complete electoral information in both hard copy and digital machine readable formats.

"Access to election data that is 'analyzable' is key in assessing the integrity of an electoral process. It is critical in electoral transparency for members of the public to be able to perform their own independent analysis of the raw data and verify the EMB's analysis," said Mr Musau.

10 POINT PLAN TOWARDS DEMOCRATIC ELECTIONS IN ZIMBABWE #WILLTOREFORM

1. Government needs to immediately align all electoral laws with the Constitution of Zimbabwe. DEMONSTRATE THE WILL TO ALIGN AND ADHERE TO THE RULE OF LAW.
2. Enhance the Zimbabwe Electoral Commission independence and capacity, STOP EXECUTIVE INTERFERENCE WITH ZEC OPERATIONS, REVIEW OFFENDING CLAUSES IN THE ELECTORAL ACT AND STOP ACTIONS THAT COMPROMISE MAY BE DEEMED TO COMPROMISE THE INDEPENDENCE OF ZEC.
3. The ZEC must be given the authority to conduct its own voter registration exercise, to be held at least 18 months before the general election, and to be conducted in a transparent and accountable manner.
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Strengthening of Conflict Management Mechanisms crucial before 2018 elections

The Zimbabwe Election Support Network (ZESN) believes that it is imperative for conflict management mechanisms to be strengthened around the electoral cycle before 2018.

This follows observations of the Norton by-election whose campaign period was marred by violence, intimidation, and vote buying and hate-speech in violation of the Political Parties' Electoral Code of Conduct.

The failure to set up the Special Police Liaison Committee on time as provided

for by Section 133(H) of the Electoral Act impeded investigation of incidents of politically motivated violence that were reported to both the Zimbabwe Human Rights Commission and the Police.

In order to create an even political landscape there must be expeditious resolution of election related disputes within reasonable timeframe. As a deterrent to violence and intimidation, the Zimbabwe Electoral Commission should strengthen the Political Parties' and Candidates' Code

of Conduct to include punitive measures and sanctions for offenders. ZESN stated in the Norton by-election preliminary statement that the gaps in the regulatory framework on campaign financing opened up the electoral process to the undue influence of money and other incentives like food aid, residential stands and farming inputs which made the electoral playing field uneven.

"In contravention of Section 134 of the Electoral Act Chapter 2:13 there were individuals who were recording voters'

names on their way from polling stations. This gave observers the impression that voters in Norton were under surveillance therefore may have felt compelled to vote in a particular way," said ZESN.

Is it important therefore that legal provisions and mechanisms to eliminate political violence must be fully implemented in order to build a conducive political environment which guarantees the enjoyment of fundamental freedoms before the 2018 elections.

Zero tolerance to violence key to women's full political participation



The "Ten Point Plan towards democratic elections in Zimbabwe" launched by civic society organisations in Bulawayo calls for zero tolerance to political violence and the need to create enforceable punitive measures to eliminate political violence.

The use of violence in contemporary Zimbabwean politics which was inherent in the colonial era has developed into a political culture which successive political systems are failing to dismantle.

The Zimbabwe Constitution includes principles and rights to guarantee the participation of women in politics, attitudes and social structures are difficult to break. In order to ensure the full participation of women and other marginalized

groups, there is need for electoral regulations that create an enabling environment for free and fair elections. Women are easy targets when there is political violence because of their physical vulnerability as well as their care-giving roles and domestic responsibilities which inhibit them from running away or protecting themselves.

Sustained dialogue is thus essential to advocate for the creation of a conducive and enabling environment which warrants that women's participation in the 2018 elections is not compromised by a volatile environment.

Enforceable punitive measures to eliminate political violence should be guaranteed and instigators of such transgressions should be punished.

WHAT THEY SAID



Professor Lloyd Sachikonye

"It is imperative for ZEC to report to Parliament instead of the Ministry of Justice, Legal and Parliamentary Affairs in order to enhance confidence and transparency. Measures must be put in place to ensure that electoral residue to be accessible to key stakeholders."



Honourable Jessie Majome

"The Constitutional Framework we adopted in 2013 is our biggest success, there is need to amend the Electoral Act and other statutory elements that impinge heavily on elections such as AIPPA, POSA and BSA."



Taona Mwanalisa - Elections expert

"The ability to exercise the democratic right to vote is premised on the existence of a comprehensive and inclusive electoral register, which is rigorously maintained to ensure that each eligible citizen is registered to vote once."



Utoile Silaigwana - ZEC

"ZEC will be compiling a fresh polling station based biometric voters' roll. The Voters' Roll will be accessible to stakeholders upon request and there will be a claims and objections process."