

News24.- 07.08.2023

Lenin Ndebele

## The road to Zimbabwe's tense general elections

### *Дорога до напружених загальних виборів у Зімбабве*

*Лідер Громадянської коаліції за зміни Нельсон Чаміса звинувачує президента Еммерсона Мнангагву у тому, що він привів Зімбабве до хаосу на виборах. Нельсон Чаміса зазначив, що президент Е. Мнангагва фактично провокує нестабільність. Він порушує закон. Він руйнує інститути країни. Виборчу комісію Зімбабве звинуватили у фальсифікації виборчого акту через затримку бюлетенів поштою. Е. Мнангагва під час свого мітингу в Машоналенді заявив, що опозиція ніколи не правитиме країною. Дослідження «Виборча політика в Зімбабве» показало, що для кращої практики та забезпечення незалежності міжнародним партнерам слід підтримувати виборчі процеси Зімбабве, щоб вони стали прозорими.*

<https://www.news24.com/news24/africa/news/analysis-the-road-to-zimbabwes-tense-general-elections-20230807>

Opposition leader Nelson Chamisa accuses President Emmerson Mnangagwa of leading Zimbabwe into a chaotic election.

Zimbabwe Electoral Commission accused of tampering with the electoral act over postal ballot delay. The European Union observer team says it will base its findings on direct observation not hearsay or rumours.

In just over two weeks, Zimbabwean citizens will vote in a poll that some fear will be yet another disputed election in the country's 43-year-old democracy.

The traditional recipe of political violence, a compromised electoral commission, and an uneven campaigning field are joined by unconstitutional changes to the electoral laws, lawsuits, and appeals at every turn.

In an interview with the Associated Press, Citizens Coalition for Change (CCC) leader Nelson Chamisa summed up what he saw ahead of the polls as chaos.

"He [President Emmerson Mnangagwa] is driving the country into chaos. He is actually instigating instability. He is violating the law. He is tearing apart institutions of the country," he said.

But Mnangagwa said during his rally on Saturday in Mashonaland West that the opposition would never rule the country because he has a huge support base, and even if they "vote with their hands and ears", they won't come close.

Lawfare

A Zanu-PF activist, Lovedale Mangwana, last month filed a court challenge claiming that former Zanu-PF political commissar Saviour Kasukuwere was not eligible to stand as a presidential candidate because he had been out of the country for more than 18 months.

Kasukuwere's lawyers went to almost every court in the land to argue his case without success.

Last week, the Zimbabwe Electoral Commission (ZEC) began printing presidential election ballot papers without Kasukuwere's name.

But ZEC was forced to stop the process after Kasukuwere's lawyers informed them that they had mounted another appeal.

The appeal will be heard at the last avenue, the Constitutional Court, on Tuesday.

In Bulawayo, an opposition stronghold, Zanu-PF activists filed their court appeal against 17 parliamentary candidates from opposition parties, 12 of those from the CCC, over a month ago.

The argument was that they submitted their papers to the Nomination Court past the 16:00 deadline, which the ZEC said was not the case.

After numerous appeals against the judgment, it was finally solved last week when the candidates were allowed to stand.

Postal vote crisis

The delays ate into the time frame for the postal vote — a reservation for those working in embassies abroad, or police, healthcare workers, and the army, who won't be available to vote due to work commitments of national interest.

According to Section 74 of the Electoral Act, the chief elections officer must receive a request for a postal ballot paper no later than noon on the 14th day following the election's nomination day. This disenfranchised at least 17 000 voters, which the ZEC said qualified for the postal vote — a first for Zimbabwe.

The ZEC said the delay in printing ballot papers for the postal votes was due to the numerous matters before the courts.

With a quandary on its turf, late last week in a government gazette, the ZEC enacted the Statutory Instrument 140A of 2023 to amend the Electoral Act to create room for the postal vote.

But CCC lawyer David Coltart argues that what the ZEC did was illegal.

His sentiments were shared by Professor Jonathan Moyo, a former Zanu-PF cabinet minister under the late Robert Mugabe.

Moyo argued that once an election date was proclaimed, the electoral laws should not be tampered with.

"After an election has been called, no change to the electoral law or to any other law relating to elections has the effect for the purpose of that election," he said.

Moyo said:

If ZEC, the minister of justice, or any other authority were to have the power to make or change electoral law in the middle of an election, it would be a jungle election, in which it would be impossible to have a free, fair, and credible election.

An unfit electoral body

A new study titled *Electoral Politics in Zimbabwe, Volume I: The 2023 Election and Beyond* by Esther Mavengano and Sophia Chirongoma argued that the ZEC was highly compromised to run the general elections.

The study believed Zimbabwe was headed for another disputed election.

The study found:

The 2023 Zimbabwean elections could witness another sad electoral history of having disputed elections and accusation of rigging unless ZEC presents transparency in its handling of the elections to the satisfaction of the electorate.

The study suggested that for best practice and to ensure the independence of the ZEC, international partners should support Zimbabwe's electoral processes so that they become transparent.

"International organisations such as the European Union should also continue to support electoral processes so as to enhance and promote transparency in elections. Local and international observers should continue monitoring the electoral environment to boost citizens' confidence in the electoral process," the report said.

#### Political violence

On Monday, Chamisa led a procession of party supporters at the funeral of Tinashe Chitsunge, who last week was killed in skirmishes with Zanu-PF supporters.

The Zanu-PF supporters drove away the CCC activists from a football field in Harare's Glen Norah township, where they were set to host a rally.

While chasing them away, they threw stones at them, leading to Chitsunge's death.

The police have since arrested two people in connection with the killing.

Amnesty International's deputy regional director, Southern Africa, Khanyo Farise, said the death of Chitsunge presented "a grim picture of the human rights environment" ahead of the polls.

The Zimbabwe Peace Project (ZPP) said it had recorded a trend of arson attacks on opposition party members by suspected Zanu-PF supporters.

ZimRights, a local body, said "50% of the community activists were living in a state of fragile peace. There is also an observation that elections presented a nightmare rather than an opportunity for Zimbabweans – all of which is avoidable with the correct mindset and political will."

The Judicial Services Commission (JSC) deployed 75 provincial magistrates to deal with cases of political violence.

The European Union (EU) observer mission leader, Fabio Massimo Castaldo, said they were observing the elections in "a fact-based manner".

"We base our findings on direct observation only and will not use any hearsay or rumours in our assessment," he said.

He said his team had met with civic society, election candidates, government officials, and the media across the country.