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Wedza based CSO petitions Minister

By Staff Writer

The Wedza Residents Development Initiative Trust (WERDIT) recently filed a petition to Mashonaland East Minister of State Nyasha Chikwinya.

The petition follows an alarm raised by WERDIT where a number of community members in Chigwedere, Garabha, Magamba, Goto and many other surrounding areas are enraged as inputs distributed under the Presidential Input Scheme were being distributed on partisan grounds.

The petitioners beseech the Minister of State for Mashonaland East to investigate the unfair and political distribution of agriculture inputs and food in Wedza, as well taking disciplinary action on all the culprits. The petition also calls for government to protect vulnerable citizens of society by enforcing provisions of Section 77(a) of the Constitution on Wedza Rural District Council and all government departments to ensure that citizens enjoy both administrative justice and procedural safeguards during the distribution and execution of all government programmes.

Partisan distribution of inputs and other donations are common in Zimbabwe especially in the run up to elections. In 2016, the Zimbabwe Human Rights Commission (ZHRC) called for the investigation and disciplining of senior government officials, who are behind partisan distribution of agricultural inputs and food aid as it unveiled its 2016 report.

Based on evidence gathered, the commission, came to the conclusion that there was indeed discrimination and exclusion of certain citizens in the distribution of food aid and inputs in many parts of Zimbabwe. It is against that evidence that the commission called for those errant public servants to be disciplined by the Public Service Commission in terms of Statutory

Those errant public servants have to be disciplined by the Public Service Commission in terms of Statutory Instrument 1 of 2000 (SI 1/2000). The regulations require public officials to be apolitical and discharge their duties impartially and objectively.

In its report, the commission recommends that the Zimbabwe Republic Police should at all times act impartially in investigating criminal violations of human rights.

CSOs target political hotspots in BVR campaign

By Staff Reporter

Chinhoyi: The Centre for Community Development in Zimbabwe in partnership with Crisis in Zimbabwe Coalition launched a brave voter registration campaign targeting peri-urban farming and mining communities.

Launched in Chinhoyi, the campaign is expected to at least register One Million people throughout the country.

Speaking at the meeting CCDZ Advocacy Officer Mr. George Makoni told citizens in attendance that the two organisations are aiming at registering One Million new voters and will equip citizens with adequate information on the Biometric Voter Registration process.

“We will demystify a lot of myths that are being peddled to discourage people from registering to vote and will share with you the actual procedures for registering to vote and information on registration centres,” said Makoni.

The campaign builds from a Local Governance programme implemented by CCDZ earlier this year and links social and economic justice issues such as social service delivery, local governance and economic performance with political participation.

Speaking during the outreach meeting, CiZC Programmes Manager, Thulani Mswelanto urged citizens **to go out and register in their numbers, saying “the constitution provides for every citizen 18 years and above to register to vote and participate in all local and national governance processes.”**

Mswelanto emphasised that those who do not register to vote are only perpetuating the deep seated economic and political crisis in Zimbabwe.”

Responding to fears that the 2018 elections will be rigged, Mswelanto indicated that the only way to counter rigging is to register and participate in all electoral processes.

“It will be difficult to rig elections if we all register to vote and participate in all electoral processes before, during and after elections.”

Mswelanto further pointed out that the biometric voter registration process should not be used to intimidate people and that myths circulating in Chinhoyi that citizens will be tracked using photos and cameras placed at polling stations were false and unfounded.

“Those people who are requesting your serial numbers are wasting their time, no one can tell where you have voted, your vote still remains your secret,” said Mswelanto.

Citizens at the meeting expressed concern that most registration centres did not have a commissioner of oaths forcing them to seek proof of residence from

seating councilors, however, ZANU PF Councilors Makaka Muriravanhu (ward 2) and Charles Mtisi (ward 7) have been denying to assist known opposition supporters with proof of residence.

“Once they know that you are an opposition supporter they will send you away, we are in a dire situation because we cannot afford to pay commissioners of oaths to certify our affidavits. We now have a situation where ordinary citizens who are not in ZANU PF structures can’t register to vote while ZANU PF is registering its supporters,” said one participant.

Meanwhile other citizens bemoaned the fact that they can’t access identity documents and fear that they will be left out in the voter registration phase 2.

“We are worried that by the time the mobile Identity registration teams arrive in Chinhoyi phase 2 of the BVR process will be long over and as it stands we have a significant number of people who do not have identity documents. We also have wards that are spaced out and a number of people do not have money for transport to visit the District Registration Centres,” said Peter Liwanda, the Coordinator of Chinhoyi Residents Trust.

The meeting also gathered that some of the ZEC employees at the registration centres do not have adequate information on the allocation of wards and polling stations for registrants with over 20 people from Chikonohono No.1 – 244 in ward 5 moved to polling stations in wards 6 and 7. Given the geographical distance between the wards this will see a number of people not able to elect local government.

CCDZ and CiZC have also begun to engage with partner institutions to deploy Commissioners of Oaths at voter registration centres so that every citizen will have the opportunity to register to vote while CCDZ Community Action teams have been deployed to Chinhoyi residents and neighboring communities such as Lusaka, Cherutombo and Banket to register to vote.



NO TO MUGABE BEING A REFREE AND A PLAYER IN ELECTIONS



CIZC Spokesperson Dumisani Nkomo

Crisis in Zimbabwe Coalition noted with great displeasure President Mugabe remarks that seek to deny non-governmental organization to observe 2018 harmonized elections. CiZC is concerned with Mugabe's sentiments as he wants to remove independent observers from observing next year's much awaited general election in a country which is believed to be

democratic. How can a player be in the field, both playing the match and refereeing it at the same time, it's impossible.

It is an irresponsible act marred with dictatorship tendencies for Mugabe to shamefully denounce the credibility of CSOs to observe the 2018 election in front of the Chinese media accusing them of working tirelessly to remove incumbent Presidents giving an example of Kenya. These are mere allegations meant to give ZANU-PF monopoly over next year's election and to impinge a conducive environment for Mugabe and his party to do what they have perfected the most thus rigging every election. This is a vivid indication that ZANU-PF will do whatever possible thing to be re-elected in the impending elec-

tions even if it means imploring their usual tactics which includes the diabolic violence and intimidation scenarios.

We are aware and at the same time denouncing the fact that, ZANU-PF is zealous to revive the 2008 predicament whereby scores of people were brutalized and others even killed in their operation "BHORA MUGHEDI" as incidences of violence and intimidation have already been noticed in different parts of the country in this era of the Biometric Voter Registration process.

Section 239(i) of the Constitution empowers ZEC to accredit observers of elections and referendums. Just like voter registration, this power over accreditation of observ-

ers has been conferred upon ZEC and it must therefore exercise it as any of its other responsibilities. At present, the Electoral Act, via Section 40H provides for an Observers Accreditation Committee which is made up of five Commissioners of ZEC and four political actors who are Government ministers, thus compromising the independence and integrity of ZEC. This is not in accordance with the Constitution. It is ZEC's constitutional function and responsibility to accredit election observers. It is therefore important to correct this anomaly so that the Electoral Law recognizes ZEC's sole responsibility and function to accredit election observers. More particularly the independence and impartiality of ZEC must not only be there but must be seen to be there at all operational levels of its constitutional mandate.

Mugabe must uphold the Constitution

By Staff Reporter

Advocate Ray Goba has made history by becoming one of the shortest serving Prosecutors General in the country following a recent reversal of his appointment by President Mugabe within a record 44 days following his appointment.

Advocate Goba's appointment was reversed by President Robert Mugabe through an Extraordinary Government Gazette, General Notice 642 of 2017, issued and signed by Misheck Sibanda, the Chief Secretary to the President and Cabinet on Friday 27 October 2017. This notice repealed the General Notice 493 of 2017 issued by Sibanda through an Extraordinary Government Gazette on 13 September 2017 confirming Advocate Goba's appointment.

Goba's was appointed as the country's PG following his participation in public interviews to select a new PG conducted by the Judicial Service Commission (JSC) in August 2017. The interviews were conducted in terms of section 259(3) of the Constitution.

Prior to his appointment, Goba took over as acting PG from Johannes Tomana who was dismissed on account of alleged gross incompetence and misconduct.

The presidents move to reverse Goba's appointment has been interpreted by civil society as a serious and unacceptable assault on the rule of law and constitutionalism.

Speaking to the Crisis Report, CiZC Sally Dura said; "this latest move comes just less than a year to the 2018 elections and should be seen as a move to capture the judiciary who

are bestowed with the mandate and sole responsibility to preside over electoral disputes."

as the new PG. It is disconcerting that the government has decided not to adopt the provisions set out in section 187 of the Constitution,

ence and ensure the government abides to the true letter and spirit of the constitution.



"President Mugabe is consolidating the power he had lost with the enactment of the new constitution and citizens should be prepared to defend the constitution. Where the constitution is lacking, it should be the prerogative of parliament to strengthen it and not for President Mugabe to wantonly violate and weaken it," said Tineyi Mukwewa.

President Mugabe's government has been on record making moves that seek to inter-

In statement, Zimbabwe Lawyers for Human Rights said, "the decision to reverse the appointment of Advocate Goba is a clear violation of the Constitution, and an attack on the Office of the PG as well as the JSC as an institution. Advocate Goba's appointment was made from the shortlist of names submitted by the JSC as required by the Constitution."

ZLHR further added that "It is unconstitutional for President Mugabe to seek to remove Advocate Goba by changing his mind forty-four (44) days after having exercised his executive powers by appointing Advocate Goba

which outlines procedures for the removal of the PG, which according to section 259(7) is the same as that for removal of a judge from office. Section 187 of the Constitution, provides that the PG just like a judge may be removed from office only for inability to perform the functions of his or her office due to mental or physical incapacity, gross incompetence or gross misconduct."

Tineyi Mukwewa, Director at Abameli Lawyers for Human Rights said that this is a wakeup call for Zimbabweans to defend judicial independ-

fere with the appointment and composition of the judiciary in Zimbabwe. This recent attack on the judiciary follows a decision to amend the constitution with regards to the appointment of the Chief Justice. Through the amendment, the government has subjected judicial appointments to be a sole responsibility of the president, a move that will undermine the principle of separation of powers and subject the judiciary to Executive interference.

Red flag over Charumbira's utterances

By Staff Reporter

Chief Fortune Charumbira, a well known ZANU PF ally, recently tore the line when he publicly instructed traditional leaders to 'go into bed' with Robert Mubage come 2018 elections.

The affiliation and active participation of traditional leaders in party politics as displayed by Charumbira compromises the impartial discharge of their traditional leaders and violates the constitution.



ments by Charumbira confirm civil society's viewpoint that traditional leaders are a captured lot, who serve the interests of the ruling party violating the constitution. "Charumbira has become notorious for turning government platforms into ZANU PF meetings and clearly he does not understand his obligations in terms of the law."

"In previous elections we have seen these traditional leaders intimidating the electorate to vote for ZANU PF while they have gone to the extent of expelling opposition supporters from

their land. In 2008 we saw an increase in internally displaced persons following this intimidation and violence organized by traditional leaders," said Nkomo.

"We continue to call upon the government to reign in on these unscrupulous traditional leaders to uphold the constitution," added Nkomo.

In a statement the Zimbabwe Lawyers for Human Rights said, "Such statements by a public servant are not only reckless but dangerous and have far reaching implications. Chief Charumbira's statements interfere with the basic freedom of all traditional leaders and community members to exercise their right to support candidates of their choice without fear of reprisals.

Earlier in 2017, the Crisis in Zimbabwe Coalition approached the government with 10 key demands for electoral reforms and one of the recommendations was the review of the conduct of traditional leaders and the military who have become a protégé of the ruling ZANU PF.

"The provisions of the Constitution on traditional leaders are very clear. They call on all traditional leaders, as provided in section 281(1)(a) of the Constitution to act in accordance with the Constitution and treat all persons in areas under their jurisdiction equally and fairly, see section 281(1)(c). It goes without saying that once traditional leaders dabble in party politics and openly declare their support to one political party they will not be able to discharge their traditional roles and duties impartially," further read the statement.

Civil society has expressed shock following President of Chiefs, Chief Charumbira's remarks expressing allegiance to ZANU PF's Presidential Candidate in the 2018 Elections. On 28 October at the official opening of the 2017 National Conference of Chiefs in Bulawayo, Chief Fortune Charumbira, who is the President of the Chief's Council, called upon chiefs to campaign for President Robert Mugabe in the 2018 national elections.

Responding to the statement, CiZC Spokesperson Dumisani Nkomo noted that the recent senti-

Election Update: Will people vote without fear or intimidation?

As the Zimbabwe Electoral Commission (ZEC) conducts the second phase (October 29 – November 13) of the registration blitz, human rights observers such as ZIMRIGHTS has received worrying reports from civil society monitors of unscrupulous activities in many parts of the country. According to the reports corroborated by different monitors such as Heal Zimbabwe have reported that unknown people and some traditional leaders like village heads suspected to be aligned to the ruling party are demanding to see registration slips and their serial numbers from new registrants, at places stationed close to the registration centers or at the headmen's homesteads.

Heal Zimbabwe has reported that village headman Vurandi is charging \$1 for proof of residents for MDC-T supporters, also headman Nyamahumba and village head Nyakutandwa are forcing people to submit registration slips. These unlawful activities have been recorded, among other places, in Mt. Darwin, Muzarabani, Chizhanje in Mabvuku, and Murehwa. These serial numbers will be used to identify those who do not follow the instruction to vote for the ruling party Zanu-PF in the 2018 harmonized elections. These intimidation tactics

create fearful communities; at this moment in time we can't declare BVR process to be free and fair as this greatly affects the freedom aspect of the forthcoming elections and compromise the voter registration process currently underway.

As we all try to do the right thing, it seems ZANU-PF is not ready to create a democratic nation.

ZEC should urgently investigate political players, who are engaging in these dreadful activities and put a stop to the intimidation, as well as hold the political parties to the Code of Conduct during voter registration. ZEC must publicly reject the poisonous misinformation, and through its voter educators, clearly counter the claims that BVR is meant to remove the secrecy of the vote.

Human Rights observers must also urgently investigate the reported activities as they infringe on citizens' fundamental political rights outlined in Section 67 of the Constitution. The 2018 elections should be free, fair and divorced from intimidation.



A week in civil society

BUPRA : The Bulawayo Progressive Residents Association has been coordinating door to door voter mobilisation campaigns throughout the week in various suburbs across Bulawayo Metropolitan Province. This effort is aimed at encouraging people to exercise their constitutional right to vote.

Z.E.S.N. : The Zimbabwe Electoral Support Network is observing the Biometric Voter Registration (BVR) exercise which commenced on 10 October 2017. The network will deploy a total of 2000 observers to cover all the Four phases of the BVR blitz, to date 938 observers have been deployed.

N.V.U.Z.: The National vendors Union of Zimbabwe held a meeting on Tuesday 31 October in Harare. After the meeting, NVUZ members together with willing participants joined forced and orchestrated a solidarity march against the collaborative efforts by ZRP and Harare City Municipal police to rid the streets of any and all vendors. The march was characterised by whistle blowing at various points of the proceedings symbolising foul play against

basic human rights of citizens to sell commodities on the streets.

C.H.R.A. : (CHRA) on October 31, 2017 hosted a meeting to discuss the proposed 2018 budget for the Harare City Council. Attendants at the meeting included Harare City Council officials, residents' associations from the Harare Metropolitan province as well as CHRA community coordinators. During the meeting, residents raised concern over the Harare City Council's failure to consult properly before coming up with a proposed budget which is now awaiting approval. The attendants argued that due to the low attendance that characterized the budget consultative meetings, the proposed 2018 budget for the Harare City Council was not in any way responsive to the needs of residents.

ZIMRIGHTS : The 10x10 voter mobilisation campaign which was launched on the 16th of October under the motto "tese kunovhota/ sonke siyavota" has made tremendous progress. It has covered Masvingo, Chiredzi, Chitungwiza, Mutare and most notably Harare. The campaigns are characterised by road shows which have proven to be a huge crowd puller.

ERC: In an effort to enhance voter registration and citizen participation in electoral and democratic processes, the Election Resource Centre (ERC), through its Call Centre, has created a platform to provide legal services to persons who have been denied the right to register as voters. In that light, the ERC will be lodging notices of appeal to the Magistrates' Court on behalf of the disenfranchised citizens.