





Thursday, 13 June 2013



PM for Election

Deadline Extension



PM Receives
Civil Society
Petition to
SADC



Crisis in Zimbabwe Coalition launches research paper

## PM for Election Deadline Extension

THE Right Honorable Prime Minister, Morgan Tsvangirai said he was taken aback by the election date ruling issued by the Constitutional Court (ConCourt) adding that in order for Zimbabwe to adequately prepare for a "free, fair, credible and legitimate election" President Mugabe should approach the court for an extension.

The PM was speaking at a Civil Society-State Interface Forum attended by almost 100 civil society leaders held at the Crisis in Zimbabwe Coalition (CiZC) Head office in Harare on Wednesday, June 12.

The ConCourt ruled on May 31 in favor of Jealousy Mawarire who is the Director of Center for Elections and Democracy in Southern Africa (CEDSA) who had filed an application against President Mugabe to proclaim an election date for the harmonized elections due in 2013 citing infringement of his rights as a registered voter in Zaka.

Trust Maanda, a lawyer with the Zimbabwe Lawyers for Human Rights (ZLHR) might have correctly predicted at a CiZC debate last week that the ruling "robbed Peter to pay Paul", warning it respected the right of an individual while it infringes on the rights of others.

The ConCourt ruling has since been challenged by CiZC Programs Manager Nixon Nyikadzino in his personal capacity among other citizens who have complained to the court that holding elections by July 31 will infringe on their constitutional rights.

"You are aware of the recent court ruling which directed that elections must be conducted by July 31. Our only conclusion was that it was a political directive given legal effect.



Right Honorable Prime Minister, Morgan Tsvangirai speaking at a Civil Society Interface Forum





"The issue is not about the date of the election but the conditions under which those elections must be held," the PM said.

The PM said his concern with the ruling did not indicate a disdain of the decisions made by the judiciary but his concern arose from the fact that there were outstanding reforms that the government has been patiently laboring to implement, which needed to be concluded.



Civil Society members networking after the interface forum

"The laws must be aligned to the new constitution especially laws which impact on how elections are held," Rt. Hon. Tsvangirai said.

The PM said that the security forces must be non-partisan as provided for in the new constitution adding that there was need to work on a code of conduct on how security forces should behave during elections.

He pointed out that some members of the forces are currently electioneering on behalf of his rival party, the Zimbabwe African National union -Patriotic Front (Zanu-PF).

"The constitution is clear that there has to be an environment where everyone has access to the state media," Rt. Hon. Tsvangirai said, adding that laws such as Public Order and Security Act (POSA) and Access to Information and Protection of Privacy Act (AIPPA) had to be repealed.

The PM outlined some of the reforms which are provided for in the new Constitution and that have to be carried out before elections such as voter education, voter registration, voter inspection, sitting of the nomination court and the 30 days for "electioneering". Moreover, the PM noted that there was need to amend laws to cater for the new voting system in the local government elections.

"If you calculate that, it makes July 31 impossible at law.

"The logical escape from the tight spot is to do what we did with the by-elections," said PM Tsvangirai.

President Robert Mugabe failed to comply with a court order sought by three MDC legislators ordering by-elections earlier this year and was later granted relief from abiding by the High Court order after his lawyers argued that the timelines were impracticable.

The PM said if his partner in the coalition government, President Robert Mugabe, wanted to stampede the country into an election he will not be part of that flawed election process, emphasizing that the Executive had already set up a mechanism for determining the timing of the next polls.

The PM also revealed that the framework involved the working together of Legal and Justice Minister Hon. Patrick Chinamasa and Constitutional and Parliamentary Affairs Minister Hon. Eric Matinenga, adding that the Office of the Prime Minister will assist the Office of the President in the decision as required by law.

## **PM Receives Civil Society Petition to SADC**

THE Right Honorable Prime Minister, Morgan Tsvangirai has received the joint petition endorsed by close to 100 civil society organizations based in Zimbabwe and the region.

Civil society Leaders intend to present the petition to the SADC Heads of State and Government at the bloc's forthcoming Special Summit on Zimbabwe tentatively penciled for Saturday June 15, in Maputo, Mozambique.

The PM received the joint petition at a Civil Society-State Interface Forum held at the Crisis in Zimbabwe Coalition (CiZC) Head office on Wednesday June 12, 2013.

Rt. Hon. Tsvangiral expressed his confidence in the regional bloc to recommend the correct course of action to the next harmonized elections, a position that dovetails with the petition and Zimbabwe Civil Society's expectations with regards to reforms needed to pave way for elections.

"The SADC Summit as you may have all heard is going to be held on Saturday.

"I am sure SADC, having helped us for the last four years, will want to ensure that the election will not be contested.

"As leaders of the five political parties we have already written to SADC that the constitutional position must be upheld," said the PM, referring to a recent inter-party dialogue meeting held by opposition parties in the capital, Harare.

The new Constitution, which President Robert Mugabe signed into law on May 22, caused urgency for the implementation of a raft of reforms before the forthcoming elections such as media reform, adequate preparation of the voters' roll and security sector realignment.



Prime Minister, Morgan Tsvangirai

The PM said the reforms did not require much time if there was political will, pointing out:

"It does not take time change the board of ZBC, or to change the editorial policy of Zimpapers," to which he added that there is need to craft an election code of conduct for the security forces.

Progressive Teachers Union of Zimbabwe (PTUZ) Secretary General Raymond Majongwe expressed concern that the international community may be moving away from recommending a "free and fair election", but a "credible election" meaning only a peaceful election.

"We want a free and fair, credible and legitimate election.

"Can you please remind these people that you cannot have a credible election if the conditions are not conducive," the PM said.

The PM, who said the Inclusive Government had been four years of struggle, urged opposition political parties to remain united on common interest matters.

Commenting on the recent coming together of the parties to lobby SADC to guarantee reforms and the possibility of presenting a united opposition front in the elections, the MDC-T Leader said:

"I find it difficult to understand why particular individuals are being mentioned, this is not an elite pact.

"If we have come out clear for the necessary reforms in the last four years, I think we will be motivated by the national interest."

Rt. Hon. Tsvangirai lauded the role played by civil society in the broad process of democratizing the country.

"I just want to assure the members of civil society who are here that we appreciate your role and criticism as long as it is not unconstitutional," the PM said, imploring civil society organisations to help with raising awareness about crucial reforms.

The Crisis in Zimbabwe Coalition (CiZC) Chairperson Okay Machisa asked the PM to facilitate in ensuring that ZEC expeditiously accredits Civil Society in time for observing and carrying out voter education whilst the ongoing mobile voter registration process is afloat.

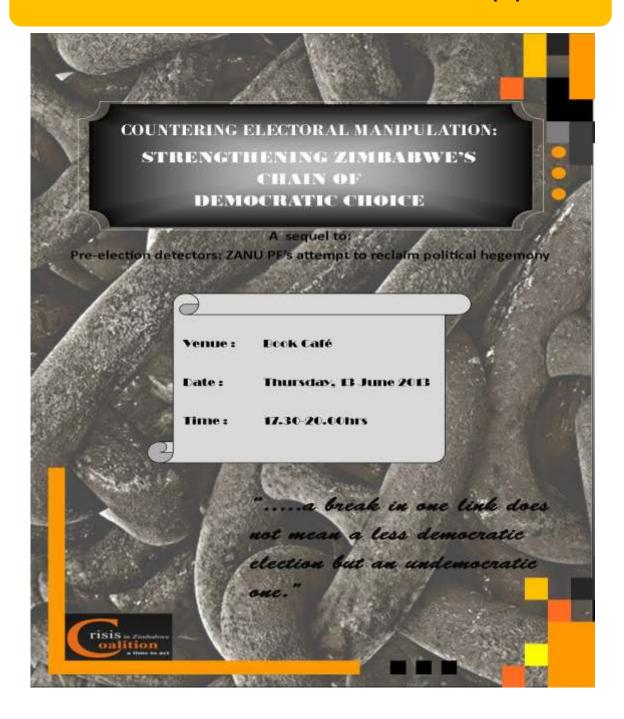


Crisis Coalition Chairperson Okay Machisa

"I think the urgency of your intervention is needed so that CSOs are accredited to do voter education," said Machisa, who argued that there was lack of awareness of key processes by the ordinary people, adding:

"I would ask that you give a promise that you will deal with it by Friday," to which the PM responded that there was no law prohibiting civil society from doing its work and promised to make a quick intervention, while encouraging civil society to keep on engaging government on national issues.

## **Crisis in Zimbabwe Coalition launches research paper**



This paper is a sequel to our previous edition, *Pre-Electoral Detectors: ZANU PF's attempt to reclaim political hegemony*. In the previous report we argued that the Zimbabwean state exhibits tenets of a competitive electoral authoritarian regime. In terms of real empirics it was our submission that the ZANU PF ruling elite would prefer to shift from naked violence to more subtle ways of electoral manipulation. In this paper, we proffer context specific interventions that can ensure Zimbabwe gets a free and fair election. This is premised on building a robust case for consensus on the five links that can build Zimbabwe's chain of democratic choice. These are information, inclusion, insulation, integrity and irreversibility as we explain in the paper. The consensus should be at a local, regional and international level emphasizing that a break in one link does not mean a less democratic election but an undemocratic one.