

# **President Morgan Tsvangirai's Address to the Press**

*Harare,*

*26<sup>th</sup> July 2013*

## **Introduction**

Good morning members of the press.

We are now five days away from the most important election in Zimbabwe since 1980 and we thought we could interact with members of the Fourth Estate to share with you and through you, with the people of Zimbabwe, our position regarding the electoral environment and the impending election. This is a watershed election; a defining moment at which the people of Zimbabwe will make a choice between a progressive future under an MDC Government or a return to the dark days of 2008 under an exhausted ZANU PF regime.

This is the first election coming after the highly disputed and violent poll of 2008 which led to a contested outcome and eventually, the formation of the Inclusive Government after SADC-led mediation. One of our collective commitments upon signing the Global Political Agreement (GPA), was to create conditions that would promote a lasting solution to the country's challenges.

The formation of the Inclusive Government was meant to soft-land the Zimbabwe crisis and prepare the ground for a truly free, fair and legitimate election which, ideally, would not breed another contested outcome.

Our signatures to the GPA notwithstanding, we have observed with great disappointment that our partners in the Inclusive Government have not been sincere or willing to take a collective, consensus-based approach to enable a lasting solution to our political challenges. Instead, they have pursued unilateralism, arrogance and literally rail-roaded the nation into an election with all the ingredients for chaos, contestation and controversy.

As I have said before, it is with a heavy heart that we participate in this election because the reforms we have agreed under the auspices of SADC have not been implemented while the regional body's resolutions meant to create an environment for a credible election have been completely ignored. Nevertheless, we are contesting this election because we believe in the people of Zimbabwe and we respect their collective desire for change in the way this country's is managed by its political leaders. The tidal wave of change is self-evident across the whole country. We believe the people of Zimbabwe will come out in

their multitudes to overwhelm a system that is otherwise contrived against transformation. We believe ultimately the people of Zimbabwe will protect and defend their vote.

### **The electoral environment and election preparedness**

While we acknowledge that compared to the orgy of violence that characterised the 2008 Run-off election campaign, there is an absence of overt violence. However, we are concerned at the high level of intimidation, especially in the rural areas. Reports that we have received indicate that traditional leaders in areas such as Gutu South are spreading falsified information designed to hoodwink and intimidate voters.

We also understand that police are not taking action to deal with perpetrators of violence and intimidation on the basis of instructions allegedly received from their superiors. This is unlawful. We encourage police officers to undertake their duties diligently.

The political stability that Zimbabweans presently enjoy is one of the key achievements of the Inclusive Government, which we formed. We wanted to ensure a progressive end of the culture of violence and

impunity and we are pleased to see that with our influence there has been some political stability in recent years. In the past, when we have gone to elections with ZANU PF in sole charge of the country, violence has been the order of the day. Clearly, we in the MDC have made the crucial difference and we want Zimbabweans to continue to enjoy that political stability under our stewardship post-July 31.

Nevertheless, let us be clear and note that the absence of violence is not by itself the sole or supreme indicator of a free and fair electoral environment that will lead to a credible and legitimate election outcome.

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In fact, there are many other software issues that affect the legitimacy of the election. In the past, violence has been the dominant factor but it is by no means the only one factor that determines whether an election is free and fair. I would like all stakeholders, including the media and election observers to be aware of and vigilant to the many other factors, that I highlight in this statement, which pose a grave risk to the legitimacy of the forthcoming election.

Firstly, as we have all observed, the very limited time between the declaration of the election and the polling day has caused chaos in ZEC's election preparations, affecting the credibility of the process. The

guarantors of the GPA, SADC had said the election date should be pushed back to allow for proper preparations for the elections, including the implementation of agreed issues which affect the environment ahead of the election. This did not happen, leading to, by ZEC's own admission, the chaotic situation in the conduct of the Special Vote on July 14<sup>th</sup> and 15<sup>th</sup>.

We are seriously concerned by the manner in which the National Logistics Committee is conducting its operations. In the first place there is severe lack of transparency by the committee which actually runs the election machinery. We understand that this committee has been militarised. For example, civil service drivers have been replaced by personnel from the military.

There is also an attempt to disable JOMIC in its election monitoring duties. All the three co-chairpersons of JOMIC have signed up to ensure that there is a JOMIC representative at every polling station. This is a matter which only required the approval of ZEC. However, we have been advised that the matter has been referred to the Ministry of Justice, which is not in charge of the accreditation of observers.

We urge ZEC to take its responsibility seriously and ensure that JOMIC observers are accredited.

Despite the SADC position on media and security sector re-alignment, we are approaching this election with no movement whatsoever in implementing the resolutions.

The public media are supposed to be impartial and objective but continue to toe the Zanu PF line and to exhibit gross partiality and unfairness in their news coverage in violation of the new Constitution. Presently, we understand that the ZBC is refusing to flight two of our adverts and no reason has been proffered. We are concerned that Zanu PF is being given an opportunity to review our adverts and that it appears the ZBC is not in control. Moreover, I have received information that foreign journalists, especially from the region, have not been accredited to cover our election. What are we hiding from the glare of the world and the region if we are going to be holding a credible election? By refusing media coverage we are only sowing seeds of doubt over the credibility of this election in the eyes of the world.

All SADC asked of the security forces is adherence to the new Constitution requiring service chiefs issue a public statement in fulfilment of Section 208 stating that they will uphold the Constitution and the will of the people. That public statement has not been made and we even have disturbing cases where some officials in the security

forces are standing for election as Zanu PF candidates e.g. Oliver Mandidapaka in Buhera West. One has to appreciate the importance of that public statement as it would cleanse the environment of previous politically partisan statements that have been made by heads of security services and damaged the credibility of the elections.

I have traversed the country during our campaign trail and I have seen cases of intimidation particularly in the Mashonaland provinces. In Mvurwi, the venue for our rally was occupied by Zanu Pf youths who purportedly were playing a football match, notwithstanding that we had booked the venue for our rally. In other areas, we found Zanu PF supporters distributing their party regalia at our venues. In Mudzi, Zanu PF supporters distributing party regalia were taking down the names of the recipients. We have told the people of Zimbabwe who are forcibly given the Zanu PF regalia to just take it so that we maintain peace and their security. We have said to our supporters, it is very cold this winter, please take the yellow and green T-shirts when offered and wear them for protection both from the cold and threat to your security but remember that on polling day it is not the regalia but your heart that votes. We believe that when polling day comes, with the privacy of their

vote guaranteed, they will be able to vote freely for candidates of their choice, their forced regalia notwithstanding.

We also note with concern that the voter registration exercise was not satisfactory given that a lot of people were not able to register and were left disenfranchised. Remember that disenfranchising people is one of the oldest and most crude forms of election manipulation; the principle is that if they won't vote for you, don't let them vote and this is what we have seen over the voter registration exercise. The exercise closed with a lot of people still in the queues. We pleaded with ZEC to allow people more time to register but ZEC ignored our plea. We cited Section 155 of the new Constitution to say that ZEC is obliged to ensure that everyone who is eligible to register must be given an opportunity to register. ZEC rejected our plea on behalf of the people of Zimbabwe.

Then there was the chaos during the special voting exercise. Our question is: If 89 000 people failed to vote in two days, can ZEC deliver a credible election of 6,2 million voters in a day? We hear ZEC has applied to the court to allow those who could not vote on the special voting days to do so on 31<sup>st</sup> July. As a party we believe everyone should be allowed to vote but we ask why ZEC displays double-standards when it rejected our plea to allow Zimbabweans to register so that they could



vote, something that is also required of them under the new Constitution? As an election supervisory body, we expect ZEC to apply similar rules and principles to all people, not to engage in selective application of the Constitution.

## **Voters roll**

The voters' roll is the critical battleground that defines the credibility and legitimacy of this election. The Electoral Act requires ZEC to make freely available the voters' roll to all contesting candidates and political parties. The Sixth Schedule, Part 3 Section 6(3) of the Constitution provides that ZEC must conduct a voters' roll inspection exercise. The intensive voter registration period ended on 9 July, 2013. It is now 17 days later, and only 5 days before the elections, yet ZEC has failed to produce a voters' roll despite our written requests.

Much of our concern stems from the fact that the production of a final voters' roll, audited by the political parties before the proclamation of the election date, was one of our issues for inclusion on the Election Roadmap. A clean voters' roll means that vote manipulation and vote rigging are minimized.

Before we go to an election, we need to be satisfied that the voters' roll is credible and that problems that have been raised in the past have been resolved to pave way for a free and fair election. It is ZEC's duty that the RG's office produces the roll within sufficient time for the political parties to review it, and in fact ZEC must have provided the necessary quality assurances that the roll is indeed clean. We are now 6 days before an election and the roll has not been furnished to us to see for ourselves that all is in order.

We still have not received any assurance that there is a credible voters roll that will be used on polling day; a roll that has been signed off by all the political parties contesting in the elections. In short, with 5 days to go to the election, this country does not have a credible and transparent voters' roll.

The lack of a transparent voters roll is the biggest issue impacting negatively on the credibility and legitimacy of this election. Why ZEC and the RG's Office cannot be open and transparent about this critical document is a serious cause for concern. The RG's Office even had the audacity to go to court to interdict and stop a local civil society organisation which wanted to expose the irregularities in the voters' roll.

What is there to hide in a public document that should be open to public scrutiny?

## **Ballot Papers**

Section 52A of the Electoral Amendment Act places a legal obligation on ZEC to “without delay” provide details of where and by whom the ballot papers are being printed. We have received reports that ballots are being printed at Police Headquarters which would be flouting the laws regarding tender procedures. ZEC itself has refused or ignored our requests to give us this information which we say is a direct violation of the Constitution. This information was not provided before the special vote and even when we went to court, ZEC opposed our application requiring compliance with the law. In this last week before the election, it should be open knowledge who is printing the ballots and where. We are not demanding this information because we want to be troublesome but because this is what the law requires of electoral authorities. We are concerned that vagueness in ballot paper printing, the voters’ roll, the handling of the postal vote provides cover for electoral manipulation, otherwise referred to as rigging. All we demand is transparency in compliance with the law and all doubts will be removed.

Further, we are concerned that the ballots are still being printed, giving rise to fears that the chaos of ballots arriving late or not all seen with the special vote, is going to be repeated on the 31 July election day, when ZEC will only have one day and will not be able to cope with the demands.

But perhaps the most glaring case is where ballots cast during the special vote were discovered in a bin. These are ballots that had been cast in my favour but were discovered discarded in a bin. The question is how many such ballots were thrown away and what replaced them? This is yet another crude form of vote manipulation. The evidence is there. This goes to the core, not only of the credibility of the special vote, but of ZEC and the forthcoming election as well.

### **Decrease in polling stations in Harare**

ZEC has announced that there will be 9670 polling stations countrywide, up from 9113 in 2008. However, we are concerned that there seems to have been a decrease of polling stations in Harare which is one of the largest provinces in Zimbabwe. The voting population of Harare has

grown since 2008 and we expected at least 1,000 polling stations in the capital.

In May 2013, Zesn estimated that ZEC should establish an additional 489 polling stations (227 in Harare) in order that all voters have a reasonable and equal opportunity to vote as enshrined in the Constitution. Zesn's analysis shows that because of new voters who have turned 18 since the 2008 elections as well as already eligible voters who have changed residence, there are 232 wards with an insufficient number of polling stations. This did not cause a problem during the constitutional referendum because citizens were permitted to vote at any polling station in the country. However, it is likely to cause serious delays in processing voters on the 31<sup>st</sup> of July.

We have asked ZEC to explain why Harare province has only been allocated 830 stations, when it has over 1,2 million estimated voters (the highest in all of the provinces). Midlands has been given 1341 polling stations with an estimated voting population of a little over 762,000 (Zesn research). We have not received an explanation or information from ZEC which we believe to be necessary for us to participate effectively in the election in terms of the Constitution. We believe the low number of polling stations in Harare, which is traditionally an MDC

stronghold is designed to deliberately slow down the voting process, frustrate voters and eventually disenfranchise them.

### **Counting of votes at polling station not at ward**

Part of the political parties negotiations of the Electoral law amendments included the provision that counting of votes be done at the polling station and not at the ward level. This was further fortified in the amendment law we agreed in Cabinet this year.

Our election agents are being advised by ZEC's constituency officers that counting will commence at the ward level. This is of concern to us because it is an important anti-rigging mechanism that results not only are counted, but are also known and are verifiable at each polling station. Without this important information at the polling station level, the election can be stolen. ZEC needs to orient its officers on the provisions of the law.

### **Conclusion**

What we have seen on the ground so far is clear evidence that the credibility of this election is at serious risk. There is clear evidence of manipulation and a desperate attempt to subvert the people's will. We

have engaged observer missions and given them our position on some of these issues.

However, unless ZEC takes steps up to address these concerns, and the guarantors intervene to press for a credible poll, we could be destined for a manipulated result, despite the clear position of the majority of Zimbabweans that they want change and real transformation. The tragedy is that when we agreed the GPA in 2008, the objective was to soft-land the crisis and create conditions that would lead to a lasting solution to the national challenge but the behaviour of our counterparts in recent weeks has shown an inclination towards a chaos scenario which would lead to inconclusiveness, controversy and contestation of the outcome.

But we have immense belief in the people of Zimbabwe. I have travelled to many corners of this country and I have seen for myself the palpable desire for change. I have spoken to the old and the young and they have all assured me that come July 31 they will be stepping up and voting for progress and MDC-T represents progress. We are humbled by this overwhelming show of support. I urge all Zimbabweans to join me on July 31 in the queue for change. They will try to delay things and

frustrate us but let us go early; let us sleep overnight at the polling stations; let us remain in the queues until we cast our historic votes.

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