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Zimbabwe: Forthcoming Elections

On July 30, 2018, Zimbabwe is slated to hold presidential, parliamentary and local elections—the first since the November 2017 transfer of presidential power from Robert Mugabe to Emmerson Mnangagwa. Mugabe’s departure, after 37 years in office, raised hopes for the resolution of a persistent economic crisis and for a democratic transition ending a long pattern of human rights violations and undemocratic governance—and an end to the years of international condemnation, sanctions, and isolation generated by such trends. Mnangagwa, a former close Mugabe ally, has committed to a range of economic and governance reforms. He has also pledged that these elections will be free, fair, and peaceful.

The elections’ credibility will determine the relative legitimacy of the next government and its ability to mend relations with the international financial institutions (IFIs) and Western governments. This, in turn, could bolster the government’s ability to negotiate a sovereign debt arrears payment deal, a critical step toward returning the economy to health. A dearth of capital is a major factor underpinning the dire economic situation, and Zimbabwe’s longstanding debt arrears have cut it off from new credit. A legitimate election could also spur increased foreign investment and trade. Western donors view free and fair elections as a key prerequisite for increased cooperation and engagement.

Election Players and Prospects

The presidential front-runners are Mnangagwa, aged 75, the presidential candidate of the Zimbabwe National Union-Patriotic Front (ZANU-PF), and Nelson Chamisa, aged 40, of the MDC Alliance. The MDC Alliance consists of the main Movement for Democratic Change (MDC) political party and former MDC splinter factions. A June/July 2018 poll by *Afrobarometer* found that ZANU-PF, the majority party, was favored by 40% of respondents (48% in rural areas and 26% in urban areas), while 37% (49% in urban areas and 30% in rural areas) favored the MDC Alliance.

Both parties face internal divisions, as well as many smaller rival parties—including two minor opposition party coalitions and two parties started by Mugabe supporters—and there are currently 22 presidential candidates (down from 23). ZANU-PF’s primary elections featured fierce intra-party competition, and incumbent legislators won only 28% of these races. Chamisa is opposed by a rival MDC leader, Thokozani Khupe, who is running on a separate MDC ticket. She disputed Chamisa’s selection by party leaders to serve as the MDC’s presidential candidate after the early 2018 death of Morgan Tsvangirai, the MDC’s longtime leader and former prime minister (2009-2013).

Many believe a ZANU-PF victory is likely, given the party’s national reach and opposition disunity, but not inevitable. Broad support for Mugabe’s ouster and optimism about Mnangagwa’s reform pledges may prompt many voters to give ZANU-PF the benefit of the doubt. ZANU-PF’s rural strength—and citizens’ memories of past

violence and intimidation by ZANU-PF militants and the state security apparatus—may also aid the party.

Close links between Mnangagwa and the military could be another advantage. An April/May 2018 *Afrobarometer* poll found that 41% of those surveyed viewed the military’s intervention as “the right thing to do,” and another 40% saw it as “wrong but necessary.” ZANU-PF-military ties, however, also carry risks for the party. Large majorities of respondents to the survey disapproved of a military role in governance or politics.

Mugabe’s 2017 Resignation

Mugabe resigned as president in 2017 to preempt a parliamentary impeachment vote orchestrated by pro-Mnangagwa elements of ZANU-PF. The ZANU-PF action followed an armed intervention led by Constantino Chiwenga, then head of the armed forces and now Vice President. It was spurred by rivalry between ZANU-PF factions over the succession of Mugabe, then aged 93, as head of the party and as president. Mugabe’s apparent decision to sideline a pro-Mnangagwa old guard faction linked to the security forces in favor of one led by Mugabe’s wife prompted the military to intervene and facilitate Mugabe’s removal.

Electoral Administration

To demonstrate its commitment to free and fair elections, the government invited Western monitors to observe the vote for the first time since the early 2000s. Eleven international organizations, including two U.S.-funded groups, 26 countries, and other entities, are slated to send monitoring teams. In addition, Mnangagwa publicly called on ZANU-PF to respect fair political competition.

The Zimbabwe Electoral Commission (ZEC) has made substantial election preparation progress since a change in the agency’s leadership in early 2018, and levels of public trust in ZEC have risen moderately since 2017, according to *Afrobarometer*. The ZEC has biometrically registered 5.6 million voters, and put in place measures to prevent multiple voting, allow voters to digitally verify their registrations, and improve the integrity of assisted voting.

The ZEC has also increased engagement with parties and civil society organizations (CSOs), and opposition parties have faced fewer restrictions on their ability to campaign and organize than in past elections. The ZEC and political parties have strengthened an existing political party code of conduct, and many parties have signed an elections peace pledge. The High Court recently upheld a constitutional ban on partisan political activity by local chiefs, although the plaintiff is appealing the decision.

Free and Fair Elections?

Despite positive progress by the ZEC, CSOs and opposition parties have expressed a range of concerns regarding allegedly non-transparent and legally or procedurally

questionable actions by the ZEC. Such actors have filed several public interest suits aimed at preventing post-election challenges and ensuring constitutionally compliant, legitimate elections.

Given past regime repression—and Mnangagwa’s own leading role therein—some critics doubt the government’s commitment to a free and fair vote. ZANU-PF and the executive branch have long used procedural and legal manipulation, violence, and other means to ensure the party’s electoral dominance. This was notably so in 2008, when the opposition won a parliamentary majority and claimed to have won the presidency, despite widespread human rights abuses by ZANU-PF militants and the state security apparatus. An ensuing deep political impasse led to a regionally mediated government of national unity.

Electoral Challenges

Opposition parties and CSOs have identified multiple electoral process issues, notably challenges relating to the voters’ roll. The ZEC released the roll, as required by law, but only after delays and a successful opposition legal suit requiring that it do so. There are also concerns over what data was included in the version of the roll that was released. This has implications for verification of the roll’s accuracy by parties or others, including an ongoing independent audit of the roll by a group of CSOs.

ZEC transparency regarding the printing, chain of custody, transport and format of the ballot is another matter of concern. Opposition parties were supposed to be able to monitor the entire ballot production process, but report that access has been highly restricted. The ballot design also reportedly favors Mnangagwa, who appears at the top of a two-column list of candidates. Reportedly inadequate voter registration rates in some areas—notably cities, a locus of opposition support—are also concerns, as is disenfranchisement. Despite a constitutional requirement that all Zimbabweans be able to vote, those abroad cannot do so, apart from state officials.

Some ZANU-PF supporters also appear to be seeking to undermine trust in the electoral process. Many voters have faced legally tenuous official demands for their voter registration serial numbers or documentation. In addition, in early July, voters across the country received constituency-specific ZANU-PF campaign message cell phone texts. This raised fears that the ZEC had colluded with ZANU-PF by providing it with voter phone and identity data. The ZEC denied this, and ZANU-PF claimed it had used its own data.

Opposition parties and some analysts view such tactics as a form of tacit intimidation in favor of ZANU-PF. They see it as exploiting fear among some voters that their voting registration data and choices will be accessible to ZANU-PF, leaving them vulnerable to retaliation. The opposition also views the military’s widespread deployment of troops to rural areas as a form of voter intimidation.

There are reports that residents, notably in rural areas, are being coerced into joining ZANU-PF political meetings and purchasing party membership cards. There also are increasing reports of threats against opposition supporters in ZANU-PF strongholds, of partisan distributions of farm inputs and food aid, and of a moderate rise in political violence. In late June, a grenade exploded at a Mnangagwa

political rally, injuring several high-level ZANU-PF figures and killing two attendees. The attack remains unattributed.

“The MDC Alliance will not be frog-marched into a sham election”—MDC Alliance Presidential Candidate

State media, which have a virtual monopoly on rural audiences, have shown bias toward ZANU-PF, notwithstanding some coverage of opposition parties. Observers have also noted that despite a decline since late 2017 in the application of laws that allow authorities to restrict assembly and expression, these laws remain on the books. That fact, and the authorities’ extensive use of such measures during past elections, may have a chilling effect. Executive branch oversight of the ZEC has also continued, despite a constitutional requirement that the ZEC be independent. CSOs are also concerned that the ZEC staff includes many current and former military and intelligence personnel, though the ZEC has denied such claims.

Congress and the U.S. Role

U.S. benchmarks for the 2018 elections, as set out by the State Department, include the independent, nonpartisan administration of the vote by the ZEC; voter roll transparency; freedom to campaign and equal access to state media for all parties; and an absence of security force participation in voter intimidation or election administration. Within the past year, Congress has examined prospects for a democratic transition and free and fair elections in Zimbabwe in Senate and House subcommittee hearings, and on June 29, 2018, the Senate also confirmed a new ambassador to Zimbabwe, Brian Nichols.

On July 25, 2018, the Senate and House passed S. 2779 (Flake), a bill to amend the Zimbabwe Democracy and Economic Recovery Act of 2001 (ZDERA, P.L. 107-99). Among other provisions, ZDERA prohibits U.S. support for IFIs and bilateral debt relief and credit for Zimbabwe unless free and fair elections are held and other policy conditions met. S. 2779 modifies these conditions. It also seeks to foster improved bilateral relations, if the Zimbabwean government satisfies certain policy criteria. These criteria center on electoral integrity, alignment of Zimbabwe’s laws with its 2013 constitution, military nonpartisanship, economic reforms, and law enforcement measures.

Congress has also used appropriation laws to restrict bilateral aid and maintain U.S. opposition to IFI loans to Zimbabwe. Nevertheless, diverse U.S. bilateral aid development programs are funded, including ones that support voter education and mobilization, election monitoring, and election administration support. Other bilateral governance and democracy (D&G) programs seek to increase civic engagement, government accountability, and democratic participation. D&G programs and related human rights efforts, however, recently faced a hurdle; U.S. officials recently suspended funding for three program implementers pending financial reviews of their operations.

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