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QUARANTINE
CONDITIONS** >pg3

Covid-19 WATCH	287 cases	46 recoveries	4 deaths
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ZEC's suspension of elections quarantines democracy

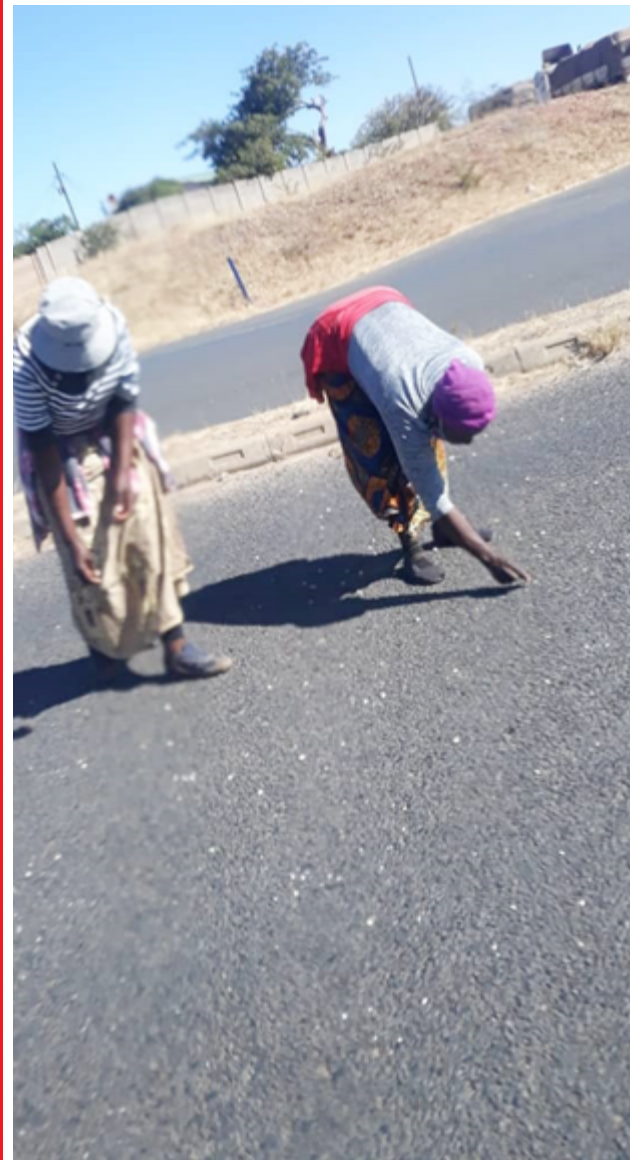
The Zimbabwe Election Support Network (ZESN) notes with concern the the continued suspension of electoral activities by the Zimbabwe Electoral Commission (ZEC) without consulting key electoral stakeholders. Initially, on 25 May, ZEC announced the indefinite suspension of all electoral processes. While announcing plans to resume some electoral activities, the ZEC's Press Release dated Friday 5 June 2020 notes; "The Commission would like to remind the public that those electoral activities that require gatherings will remain suspended to avoid violating lockdown measures currently in place."

Whilst acknowledging the risk that the novel coronavirus exposes those involved in elections to, ZESN reiterates its position that ZEC could have reached a decision after engaging key stakeholders such as political parties, CSOs, and even citizens. Engagement with regards to whether or not to suspend electoral activities could have been done through virtual or any other means adhering to measures aimed at preventing the spread of Covid-19. In the absence of these consultations, ZEC could at least have considered postponing, rather than suspending

electoral activities. But even postponement cannot be indefinite. ZESN is the position that ZEC could proceed with by-elections and other electoral activities, ensuring Covid-19 preventative measures are in place for voters, polling officials, political party agents as well as observers. This is particularly so because the Covid-19 pandemic may be here to stay, no one knows for how long if it is for months or years.

ZESN notes that the suspension of electoral activities was not done in terms of the law. Sections 158 (3) and 121 (a) of the Constitution provide that ZEC should conduct polling in by-elections to fill vacancies in Parliament and local authorities, fix the polling dates for local authority by-elections within 90 days after the vacancies occur. Section 132 allows ZEC to change dates but does not mandate ZEC to change without giving notice of its decision in the Gazette and in the media and beyond 90 days.

ZESN envisages to see a comprehensive Covid-19 Electoral Practice Policy that is reflective of key electoral stakeholders' input. Consultations and stakeholder engagement is one of the progressive provisions in the current ZEC Strategic Plan. "Electoral stakeholders play a key role in creating public confidence in ZEC and ensuring public support in its policies and



Women picking grain dropping from trucks delivering to GMB in Bulawayo

programmes. To ensure trust in the electoral process, there is need for the Commission to institutionalize stakeholder engagement and to develop an operational culture that makes it responsive to the needs of the stakeholders," reads the ZEC Strategic Plan 2019-2024, page 23.

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Recently, ZESN noted that Parliament has been engaging with stakeholders and ZEC should have taken a cue from that so as to enhance trust and confidence. Indications are that Parliament may soon embark on public hearings on Constitutional Amendment Bill No.2. Given that a number of countries have so far held electoral activities amid Covid-19, ZEC could draw lessons to guide the conduct of elections under more or less similar circumstances so as not to quarantine democracy. Furthermore, Zimbabweans queue on a daily basis for basic commodities, cash outs at banks and money agents, social welfare and food aid from different organisations whilst observing safety measures. ZESN is of the view that ZEC could proceed with electoral activities including voting and consider the following measures, among others:

- In developing the Covid-19 policy, ZEC should be informed by views and inputs gathered from consultations;
- In order to accommodate additional activities in setting up polling stations due to Covid-19, polls could now commence at 8.30 am and close earlier;
- Perhaps ZEC should consider postponing by-elections if vacancies occur in areas where the incidence of Covid-19 positive cases is high. However, ZEC should note that any postponement beyond 90 days from the date a vacancy arises as provided for in Section 158 (3) of the Constitution is potentially illegal and unconstitutional;

● ZEC could consider mandatory Covid-19 testing for ZEC staff before and after deployment for elections;

● ZEC should institute preventative measures such as body temperature screening, hand sanitizers, face masks, and safe distancing for voters, polling officials, political party agents, security personnel, and observers and provide personal protective equipment to polling officers during by-elections;

● ZEC could develop and widely disseminate ahead of election days a Code of Conduct for Voters detailing information on voting amid Covid-19;

● ZEC could ensure that, prior to the commencement of polls, the Presiding Officer or ZEC officers read out loudly to voters the contents of the Code of Conduct for Voters;

● ZEC could use tags and twines to ensure crowd control and maintenance of safe distance;

● ZEC could ensure safe distancing inside and out of polling stations by indicating using signs

and marks strategically placed throughout the voting premises;

● ZEC could introduce a two-tier queuing system at polling stations where voters will be brought into the voting area periodically to prevent overcrowding;

● ZEC could ensure that the layout of polling stations complies with distancing requirements;

● ZEC could disinfect polling stations before, during and after polling and regularly disinfect voting compartments, ballot stamps and other election materials;

● ZEC could have voters temporarily lower or remove their face masks to facilitate their identification;

● Where any are close to such facilities, ZEC should move polling stations away from long term care facilities and facilities housing older persons to minimize Covid-19 exposure among older individuals and those with chronic medical conditions;

● ZEC could limit the number of people in the same room at any given time;

● ZEC could allow voters who are under Covid-19 self-isolation to vote at polling stations after the closing of polling stations for all other voters, with strict protective measures adhered to on the part of both the voters and election administration officers; and

● ZEC could ensure safe distancing amongst all in collation centres.

Besides the above proposed measures that would help ensure elections are conducted in a manner that reduces chances of spreading Covid-19, there is need to institute reforms that will ensure the credibility in elections and electoral processes. ZESN restates the need for ZEC to ensure that electoral processes done during the Covid-19 pandemic era are conducted in a transparent, accountable, credible and verifiable manner.

There is need to strike a balance between ensuring the health and safety of all stakeholders and upholding the law. ZESN thus recommends more dialogue between ZEC and electoral stakeholders on alternative methods of conducting other electoral processes that will ensure the health and safety for all involved. Overall, ZEC's decision on the way forward regarding conducting electoral processes amid Covid-19 should be informed by an inclusive consultative process that taps into the views of all concerned stakeholders.// ENDS 7PROMOTING DEMOCRATIC ELECTIONS IN ZIMBABWE

For comments and further details contact:
Zimbabwe Election Support Network



Church concerned with squalid quarantine conditions

Church leaders in Bulawayo have expressed concern over the inhumane living conditions for people at quarantine centres. This follows a revelation by a returnee who was quarantined at Bulawayo Polytechnic.

Last week, the Masvingo Mirror ran a story of an inmate who revealed how people in quarantine centers were going through a difficult time as they waited to be tested or get their results. The person, who requested anonymity, also highlighted some of the challenges that people on quarantine are facing which include food, medical supplies, blankets, sanitisers and personal protective equipment shortages.

Apostle Pedzisai Sithole of Crown of Glory Ministries said there was a need for the church to engage local authorities and map out a way that the church can complete government efforts. He mentioned that spiritual support was key to both people in quarantine centres as well as those in authority.

“We need to be proactive before the situation escalates out of control. Something needs to be done by the Church community so that we start providing the support that these people in quarantine are in need of,” he said.

Pastor Lyton Moyo of Agape Ministries said although the church could be overwhelmed, there is need for an intervention as soon as possible which could be in the form of food, blankets or tents. He said all people need to live a dignified life hence the need to pay attention to the challenges that are being raised by the people in quarantine centres.

“The church and her arms are called upon to swiftly move in and provide camping tents to help with the congestion at the centres. Since those who are in quarantine are not convicts, I am sure it is allowed for family members to bring food supplies and blankets to push them through till they are released,” he said.

The church leaders who engaged through virtual engagement also said the issue of accountability was key and that the state should be held accountable for all the Covid-19 donations and that there reach the intended beneficiaries.

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Distraught Nketa family appeals for assistance

Gogo Chakufa from Nketa 8, who last week lost property worth thousand of dollars in a fire inferno, is appealing for well wishers to assist her. She is appealing to members of the community to help her acquire some of the valuables that she lost in the inferno. Some of the lost items include academic and identification certificates.

Last week Zimbabwe Christian Alliance in partnership with the Mzilikazi District Development Coordinator (DDC) visited the Chakufa family and donated food.

Gogo Chakufa stays with her daughter who is currently unemployed as well as her 37 year old son who suffers from cancer. She also stays with her grandchild who is epileptic. Stating her ordeal, Gogo Chakufa mentioned that they experienced a fire which resulted in the burning down of her 4 roomed house.

“Still now we are not sure of what caused the fire. We did not have electricity for the whole day and when electricity came back we saw the house on fire and we tried by all means to stop it but it was already late,” she said.

The Chakufa family lost all their property including clothes, certificates and food items. Gogo Chikafu said the sudden fire has worsened

their situation as there is no one working in the family to help them replace the property that they have lost.

“I don’t even know where we will begin with replacing what we lost in the fire. This is a huge blow for our family, on the other end we have to deal with the troubles that have surfaced due to Covid-19 whilst on the other hand we are dealing with the loss that we have incurred,” she said.

Last week the Mzilikazi District Development Coordinator shared the tragedy with the Zimbabwe Christian Alliance who in turn donated a food hamper to the family. However despite the availed donation, the family is still appealing for more assistance in food, clothing or any household appliances.

“We sincerely ask for cement to plaster the house as the walls were burnt and the windows were broken down. There is a lot of dust coming into the house, this could cause a serious health problem especially now when we are in winter.

Any form of assistance including stove, clothes, and blankets would be greatly appreciated. We also need help in reacquiring some of the certificates that were burnt in the fire, that would make a huge difference for us,” she said.

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The church leaders also said that if the state at various provincial centres could be open in what has been donated and what gaps need to be filled.

“We have to bring the government to account for what has been donated which should be enough for the quarantine centers. What has been donated needs to be delivered to quarantine centres. It is clear that some people might have helped themselves to the donations and created a death trap for citizens in the quarantine centres,” said one pastor.

One cannot overlook that some of the challenges that are faced by returnees at quarantine centres are the contributing factors that lead isolated people to escape from the centres. Some probably could be afraid of contracting the virus as they wait to be tested or collect their results.

It is reported that a total of 150 people have escaped from quarantine centres countrywide with only 23 having been apprehended and fined. The government has also released a wanted persons list of individuals that have escaped from quarantine centres.

Lockdown arbitrary arrests: An abyss for Human Rights violations

It is imperative for citizens to be aware of their rights as enshrined in the Constitution. The lockdown period has seen many citizens either been arrested or harassed by state security apparatus. The past week was also laden with arrests of opposition party's members, members of the press and ordinary citizens alike. Charges levelled against those who have been arrested include violation of lockdown rules.

However in spite of the lockdown regulations due focus should also be channelled towards the realisation of rights. The 2013 Constitution is laden with a plethora of human rights that one can refer to if they feel their constitutionality is infringed upon. Primarily due referenced to human rights is located in Chapter 4 where economic, political and civil rights can be interpreted. However the supremacy of any Constitution is not viable if there is a general lack of government will to enact legislation that promotes the fulfilment of rights.

In a bid to raise awareness to citizens on their rights and responsibility, Zimbabwe Christian Alliance is running a serialised Covid-19 and human rights campaign. Herewith below is an excerpt of Chapter 4 of the Zimbabwean Constitution. This chapter in its entirety pursues to enhance citizens' awareness of their rights and responsibilities specifically during the Covid-19 crisis.

PART 2: FUNDAMENTAL HUMAN RIGHTS AND FREEDOMS

48 Right to life

Every person has the right to life but the law may permit the death penalty imposed as final judgement by a competent court for murder committed in extreme circumstances. The death penalty does not apply to a woman or a person who was less than 21 years or above 70 years at the time of committing the crime. A person sentenced to death has the right to seek mercy and cancellation for the crime from the President. An Act of Parliament must protect the lives of unborn children, and outline the situations when abortion will be allowed.

49 Right to personal liberty

Every person has the right not to be detained without trial nor to be deprived of liberty without a just cause. No person may be imprisoned for failure to fulfil terms and conditions of a contract.

50 Rights of arrested and detained persons

Any person who is arrested has the following rights:

He or she must be told the reasons for arrest at the time when he or she is arrested;

He or she must be allowed to communicate with a person of his or her choice, consult with his or her lawyer and consult his or her doctor if needed;

He or she must be treated with respect;

He or she must be released unconditionally or on reasonable conditions whilst awaiting trial unless there are strong reasons for keeping him or her in prison (remand);

He or she must be allowed to challenge the lawfulness of his or her arrest in court and must quickly be released if the arrest is unlawful.

A person who is arrested must be brought before a court within 48 hours unless detention is extended by a court authorised to do so by law.

In addition, an arrested person has the following rights:

The right to remain silent;

He or she should not be forced to make a confession or admission;

He or she must be told the crime that they are alleged to have committed by the presiding judicial officer when he or she appears in court for the first time, and be asked whether he or she is denying or admitting the crime (plead 'not guilty' or 'guilty' i.e. 'be charged') or be told the reason for continued detention if not charged or released.

A detained or sentenced prisoner must be informed of the reason for detention and is entitled to the following rights:

To speak to his or her lawyer in private;

Communicate with or be visited by a person of their choice;

To stay in hygienic conditions, eat adequate nutritious food, exercise and receive medical treatment;

To challenge the lawfulness of their detention before a court of law and to be quickly released if the detention is unlawful.

Any person detained pending trial must be tried within a reasonable time or else he or she must be released without conditions or on reasonable conditions.

When a person has been detained illegally or when there is reason to believe that a person has been detained but one is not sure of his or her whereabouts, one can approach the High Court for an order to have the person brought to court or requiring that a detained person be released or for the whereabouts of the detained person to be disclosed, if not known.

A person who has been illegally arrested or detained can apply for compensation from the people responsible, unless they were public officials acting in good faith and not from ignorance or neglect.

51 Right to human dignity

Every person has the right to dignity both in their private and public life and the right to have that dignity respected and protected.

Additional material sourced from the Constitution of Zimbabwe (2013)

Cities and Towns Updates

TSHOLOTSHO: Police officers were arresting people who were not wearing masks and were taken to the police camp. Social distancing was not observed and some people could be seen shaking hands and hugging each other. Bottle stores are selling illegally, after the stipulated working hours. Honda Fits are overloading passengers. Monday's are usually busy with people coming as far from Nyamandlovu and Bulawayo come to sell their produce. These products are sold in forex.

KWEKWE: There are allegations that soldiers are allowing the operation of illegal restaurants to operate during the lockdown. The Anti-corruption Trust of Southern Africa (ACT-SA) has petitioned the Kwekwe Central Police Station and the Zimbabwe Anti-Corruption Commission (ZACC) to investigate the conduct.

HURUNGWE: Many people are flocking to the central business centre and the prevailing situation defeats the purpose of the national lockdown. People in the CBD are not observing social distancing and wearing masks. Clinics are offering services to the community but the residents cannot access the drugs since these clinics do not have them.