

COMMISSIONS WATCH

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ZHRC Reports on Politically Partisan Distribution of State Aid During Elections

The Zimbabwe Human Rights Commission (ZHRC) has released a series of reports about politically partisan distribution of food and other State aid before and after polling in the 30th July election. The ZHRC received numerous complaints over the manner in which food aid and agricultural inputs from the State were being distributed, and conducted investigations into the veracity of the claims. In investigating the claims the ZHRC sought to interview both the complainants and those accused of politically partisan distribution of State aid during elections.

The reports describe the ZHRC's investigation of complaints from districts listed below. Each report records the findings arrived at by the ZHRC after the investigations, and its recommendations for remedial action by various State authorities and political parties.

The districts concerned were: Gokwe, Chirumhanzu [both in Midlands Province] and Buhera and Chimanimani [both in Manicaland Province]. Each district was the subject of a separate report.

Soft copies of the complete reports are available on the ZHRC website www.zhrc.org.zw; but please note that ZHRC have been having problems with the website.

The reports are also available on the Veritas website using the following links: Gokwe [\[link\]](#); Chirumhanzu [\[link\]](#); Buhera [\[link\]](#); Chimanimani [\[link\]](#).

Findings

The reports find most of the complaints to have been justified. They uncover a systematic use of food aid and agricultural inputs from the State as a tool to persuade the recipients to support ZANU PF, the ruling party; and/or to punish persons, otherwise entitled to aid and inputs, for being or perceived to be, or to be related to, supporters of opposition parties.

Methods varied, but a common one was for a ZANU PF party official to take over the distribution of aid and inputs from officials, resulting in ZANU PF supporters getting preferential treatment and others either no aid at all or less than ZANU PF supporters.

The reports unearth a structure involving District Committees, Ward Councillors, local ZANU PF chairpersons and traditional leaders [mainly headmen] who together were involved in the distribution of food aid and often demanded or expected loyalty to the incumbent party. The reports reveal a neglect of duty on the part of these community leaders.

Constitutional provisions the ZHRC found to have been violated include:

- section 194(1)(d), which states that "*services must be provided impartially, fairly, equitably and without bias*". The act of denying food inputs or any other form of assistance emanating from the State, on account of political allegiance or belief, as revealed in the ZHRC reports, constitutes a violation of the legal rights of those citizens who were deprived of these benefits.
- section 77, which cites a right to food as a fundamental human right: "*Every person has the right... to sufficient food.*" Any partisan coercion based on peoples' need of food and the receipt of or hope of getting food is a violation of this right.
- section 67(1)(b), which enshrines political rights, for example, "*Every Zimbabwean citizen has the right to make political choices freely*".
- section 281(2), which prohibits traditional leaders from being members of political parties or engaging in partisan activity or "*furthering the interests of any political party*"

The ZHRC also points out that section 133A(d) of the Electoral Act, which lists acts of intimidation prohibited in the context of elections, makes "*withholding or threatening to withhold from a person any assistance or benefit to which that person is legally entitled*" a serious criminal offence. Also highlighted by the ZHRC is section 5(1)(t) of the Traditional Leaders Act, which places a duty on Chiefs to assist "*drought and famine relief agencies in coordinating relief and related matters in his area.*"

Recommendations by ZHRC to the Authorities

Each of the four reports ends with a long list of recommendations, addressed to the following: complainants and concerned members of the public; to ZANU PF and other political parties; the Ministry of Local Government, Public Works and National Housing [regarding misconduct and ignorance on the part of traditional leaders]; the Ministry Lands, Agriculture, Water, Climate and Rural Resettlement [regarding the need for better administration, control and monitoring of distribution of agricultural inputs]; and the Ministry of Public Service, Labour and Social Welfare [regarding the need for need for better administration, control of monitoring of food aid]. The reports speak of responsible Ministry officials being sidelined by the party office-holders who had completely taken over the distribution of State aid and blatantly used their de facto power to give preferential treatment to ZANU PF supporters. This explains the standard recommendation to the two Ministries concerned – to empower and protect their officials in the provinces and districts to perform their duties without interference from politicians and other stakeholders.

Veritas Comment

Opposition MPs have for years been raising complaints of partisan distribution of State aid in both Houses of Parliament. The standard Ministerial response has been that of course State aid must be distributed on a non-partisan basis and that mechanisms exist to ensure that it is, coupled with requests for details of particular cases so that remedial action can be taken. These reports are replete with such details, and should be taken seriously..

It is to be hoped that both ZHRC and MPs will press responsible Ministers for information on steps their Ministries have taken or propose to take to implement the ZHRC's recommendations in these reports. The time to start correctional measures is now – there are by-elections to be held and a pattern of equal distribution of State aid must be established well before the next election.

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