

# What They Said vs. What They Meant: Decoding the ERC Africa CAB3 Observer Report

*The Election Resource Centre deployed credentialled observers to all 65 public hearing venues. Their statement is careful, measured and diplomatically worded — because it has to be. They operate inside Zimbabwe, under laws designed to silence them. ZHRO, operating from the UK beyond Mangwana's legal reach, translates their findings into plain English. The picture that emerges is damning.*

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## ABOUT THE ERC AFRICA

The Election Resource Centre Africa is a credentialled, non-partisan think tank based at No. 1 Raleigh Street, Harare, Zimbabwe, founded in 2010. It deployed observers to all 65 public hearing venues for the entire duration of the CAB3 consultation. It is not an opposition body. It is precisely the kind of independent civil society organisation that the PVO Amendment Act — signed by Mnangagwa in April 2025 — was designed to intimidate into silence. Read its words with that context firmly in mind.

## WHY THE MUTED TONE

# Understanding Why Observers Cannot Say What They See

Before decoding the ERC statement line by line, it is essential to understand the environment in which it was written. The ERC is a registered organisation operating inside Zimbabwe. Since 2025, the Private Voluntary Organizations Amendment Act empowers the government to deregister any NGO deemed to be acting in a 'politically partisan manner,' seize its assets and criminally prosecute its staff. There is no meaningful judicial recourse. The definition of 'politically partisan' is left entirely to the government's discretion.

**This means that every civil society observer in Zimbabwe who tells the unvarnished truth about a Zanu-PF operation risks being labelled partisan, shut down and jailed. The muted, euphemistic language of the ERC statement is therefore not timidity — it is rational self-preservation in the face of a law built specifically to produce exactly this effect. The Mangagwa organism has pre-silenced its own witnesses.**

## THE LEGAL SILENCING MECHANISM — HOW IT WORKS

Step 1: Pass the PVO Amendment Act, giving the government power to close any NGO it labels 'partisan.' Step 2: Conduct a fraudulent public consultation. Step 3: Watch independent observers self-censor their findings to survive. Step 4: Point to the muted observer language as proof the process was acceptable. This is not incompetence. It is architecture.

THE DECODER — DAY 3 STATEMENT

## ERC Africa's Words, Translated Into Plain English

What follows is a systematic translation of the ERC Africa's Day 3 statement. Every 'WHAT ERC SAID' entry is a direct or near-direct quote from the ERC document. Every 'WHAT ERC MEANT' entry is ZHRO's translation, grounded in the documented evidence from all four days of hearings.

Opening Observations — Political Environment [ HIGH CONCERN ]	
<b>WHAT ERC SAID</b> <i>"A persistent trend of restrictive practices at various venues has been observed, which may inadvertently impede the atmosphere of open and robust debate essential for constitutional deliberations."</i>	<b>WHAT ERC MEANT</b> <b>Zanu-PF supporters systematically shut down debate at venue after venue, across the entire country, over all four days. This was not accidental. It was organised. 'Inadvertently' is doing enormous diplomatic lifting in that sentence.</b>

Political Environment — Violence and Accountability [ HIGH CONCERN ]	
<b>WHAT ERC SAID</b> <i>"The political environment on Day 3 remained tense following scenes of violence witnessed during the public hearing in Harare. The ERC noted that neither Parliament nor the Zimbabwe Republic Police acknowledged the incidents, and it continues to await credible steps to hold perpetrators accountable."</i>	<b>WHAT ERC MEANT</b> <b>People were beaten. Lawyers were assaulted. Phones were stolen. Both the police and Parliament pretended nothing had happened. Impunity was total and official.</b>

Political Environment — The Chilling Effect [ HIGH CONCERN ]	
<b>WHAT ERC SAID</b> <i>"This environment risks creating a chilling effect on free expression and public participation, with the ERC also receiving reports of deliberate efforts to limit open participation at the West Nicholson public hearing (Gwanda District)."</i>	<b>WHAT ERC MEANT</b> <b>People were afraid to speak. In Gwanda, there was an organised operation to prevent citizens from having their say. 'Deliberate' is the key word the ERC managed to include — and it carries the full weight of the accusation.</b>

Public Hearing Management — Speaker Selection [ HIGH CONCERN ]	
<b>WHAT ERC SAID</b> <i>"The ERC noted varying approaches to managing participant contributions across different regions. The adoption of a uniform, transparent protocol for</i>	<b>WHAT ERC MEANT</b> <b>Zanu-PF operatives and party-aligned chairpersons decided who got the microphone. Opposition voices and independent citizens were</b>

<i>selecting speakers would mitigate concerns regarding partiality."</i>	<b>denied the floor. There was no neutral protocol — there was partisan control masquerading as administration.</b>
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Public Hearing Management — Unidentified Security Personnel [ HIGH CONCERN ]	
<b>WHAT ERC SAID</b> <i>"Reports from locations such as West Nicholson (Gwanda), Maringire Primary School (Chivi), and Chidzikwe Primary School (Masvingo) suggest that the presence of security elements was perceived by some as a barrier to engagement."</i>	<b>WHAT ERC MEANT</b> <b>Armed, unidentified men were present at hearing venues. Citizens were frightened. People with no official identification were standing at public constitutional hearings in a way that stopped ordinary Zimbabweans from speaking their minds. This is what organised intimidation looks like.</b>

Freedom of Expression — Who Got to Speak [ HIGH CONCERN ]	
<b>WHAT ERC SAID</b> <i>"The ERC also noted the absence of a visible and standardized framework for selecting contributors from the floor has created a risk of perceived selective participation."</i>	<b>WHAT ERC MEANT</b> <b>Venues were packed with based-in Zanu-PF supporters who consumed all available speaking time. 'Perceived selective participation' is the diplomatic phrase for: only Zanu-PF supporters were allowed to speak.</b>

Freedom After Expression — Reprisals Against Dissenters [ HIGH CONCERN ]	
<b>WHAT ERC SAID</b> <i>"Concerns persist regarding freedom after expression, with increasing reports of victimisation and reprisals against individuals following their participation. (ERC Day 2 Statement)"</i>	<b>WHAT ERC MEANT</b> <b>People who spoke against CAB3 were targeted afterwards. This sentence, buried in diplomatic language, describes systematic post-hearing punishment of dissenters. Citizens were not merely silenced at the hearings — they were hunted after them.</b>

Venue Suitability — Access and Capacity [ MEDIUM CONCERN ]	
<b>WHAT ERC SAID</b> <i>"Venues across multiple sites monitored today failed to provide adequate access, significantly hindering effective public engagement. Venues in Binga,</i>	<b>WHAT ERC MEANT</b> <b>The government chose venues it knew were inadequate to minimise genuine participation. Failing to provide disabled access at a constitutional hearing is not an</b>

<i>Chimanimani, Gutu, Matobo were not accessible to persons with disabilities."</i>	<b>oversight — Zimbabwe has constitutional obligations to inclusive participation. These venues were selected to limit the public, not include it.</b>
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Conclusion — The ERC's Call to Action [ MEDIUM CONCERN ]	
<b>WHAT ERC SAID</b> <i>"The ERC calls upon the Zimbabwe Republic Police and Parliament to investigate the documented incidents of violence and intimidation."</i>	<b>WHAT ERC MEANT</b> <b>Nobody has been held accountable for anything. The police who watched people be beaten have not been disciplined. The ERC is appealing to institutions that are either complicit or captured. It knows this. It has no other avenue.</b>

Conclusion — The Closing Sentence [ MEDIUM CONCERN ]	
<b>WHAT ERC SAID</b> <i>"We encourage all citizens to exercise their democratic right by participating fully in this constitutional process."</i>	<b>WHAT ERC MEANT</b> <b>This is the most painful line in the document. Having documented violence, reprisals and systematic exclusion over four days, the ERC is still obligated to encourage participation. The gap between this sentence and everything preceding it is the precise measure of Zimbabwe's democratic collapse.</b>

*"The atmosphere at the public hearings was tense and subdued but underpinned by palpable tensions."*

— ERC Africa Day 2 Statement. Translation: people were frightened. 'Palpable tensions' means fear you could touch.

WHAT THE ERC COULD NOT SAY

## The Accusations Missing From the Report — and Why

The following are things fully documented by other credentialed observers, journalists, lawyers and participants — but which the ERC, operating under the PVO Amendment Act inside Zimbabwe, could not say explicitly without risking being labelled 'politically partisan' and shut down.

× **That the entire process was designed to fail.**

Compressing 90 constitutionally required days of consultation into four, with one hour per venue, is not a logistical shortcoming. It is a deliberate subversion of constitutional requirements that the ERC could document but not name.

× **That Zanu-PF bused supporters in to fill venues.**

Every independent report confirmed this. The ERC noted 'overcrowding' and 'capacity mismatches.' It could not say: the crowds were manufactured by the ruling party to crowd out genuine citizens.

× **That the chairpersons were party operatives.**

Multiple reports named specific Zanu-PF officials controlling microphones. The ERC noted 'varying approaches to managing participant contributions.' It could not say: party loyalists ran the hearings and selected only their own to speak.

× **That lawyer Doug Coltart was assaulted by a named Zanu-PF office-bearer.**

The ERC noted 'scenes of violence' and called for investigation. It could not name the perpetrator or describe the assault in the terms it deserved.

× **That the result was predetermined.**

Zanu-PF holds the parliamentary supermajority. The 'consultation' was theatre for a vote that was already counted. The ERC could observe the performance. It could not name it as one.

× **That this is a constitutional coup.**

The Zimbabwe Solidarity Movement said it. Opposition leaders said it. International legal scholars said it. The ERC could only note that the process was 'encountering difficulties in fully realizing constitutional benchmarks.' That sentence and 'constitutional coup' describe the same reality. One of them is survivable in Harare.

## THE REAL SIGNIFICANCE

# Why This Muted Report Is Actually Devastating

Here is the paradox the Mangagwa organism has created with its PVO Amendment Act: by forcing independent observers to speak carefully, it has inadvertently made their reports more damning to an informed reader, not less. When a credentialed, non-partisan organisation that has spent sixteen years building a reputation for scrupulous neutrality uses the words 'deliberate efforts to limit open participation,' the word 'deliberate' carries the full weight of documented institutional evidence behind it.

When the ERC says it 'continues to await credible steps to hold perpetrators accountable,' it is recording, for the international historical record, that violence occurred, it was witnessed, the authorities did nothing, and impunity was total. Every word is chosen. Every word is evidenced. The restraint is the testimony.

**ZHRO's role — and the role of every diaspora organisation, every international human rights body, every foreign government with diplomatic relations with Harare — is to receive that restrained testimony and amplify it into the language that the ERC's situation prevents it from using. We are the translation**

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**layer that the PVO Amendment Act was designed to eliminate. It has not eliminated us.**

**ZHRO CONCLUSION — THE ERC REPORT DECODED**

**The Election Resource Centre deployed observers to every venue. They documented violence, intimidation, partisan speaker selection, inadequate venues, post-hearing reprisals against dissenters and total official impunity — across all four days, in every region of Zimbabwe. They said so in the only language that keeps their organisation alive under the PVO Amendment Act. ZHRO says it in the language they cannot use: the CAB3 public consultation was a fraud. It was violent, rigged, and designed from the outset to produce a predetermined result. The ERC's own evidence proves it. The Mangagwa organism silenced the witnesses. It did not silence the evidence.**