



REPORT ON

A COMPREHENSIVE GAP ANALYSIS OF LAWS, POLICIES, AND BARRIERS THAT PROMOTE OR HINDER THE PARTICIPATION OF WOMEN WITH DISABILITIES IN THE ELECTORAL PROCESSES IN ZIMBABWE

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ACRONYMS

CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CSOs	Civil Society Organisations
DPO	Disabled People's Organisation
EMB	Electoral Management Body
FGD	Focus Group Discussion
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICOD	Institute for Community Development in Zimbabwe
IEC	Information Education and Communication
KII	Key Informant Interview
NPRC	National Peace and Reconciliation Commission
PWDs	Persons with disabilities
RDC	Rural District Council
SADC	Southern African Development Community
UDHR	Universal Declaration of Human Rights
WWDs	Women with Disabilities
ZEC	Zimbabwe Electoral Commission
ZGC	Zimbabwe Gender Commission
ZHRC	Zimbabwe Human Rights Commission

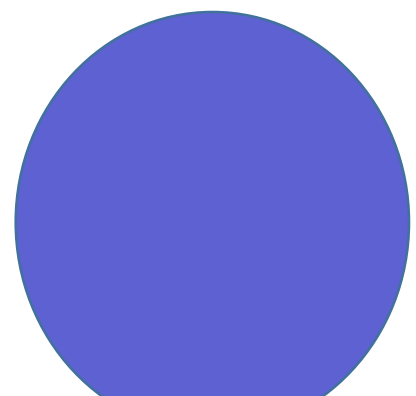
DEFINITION OF KEY TERMS

For purposes for this study the term “**disability**” refers to a situation in which people with physical, sensory, mental and/or intellectual impairments face physical, attitudinal and institutional barriers to participating in life spheres fully and effectively on an equal basis with others. These barriers are imposed by society leading to exclusionary tendencies for people with disabilities.

Political violence: Is the physical, mental and emotional application of force in order to make an individual to do or not to do something. Violence can also be created through putting in place a host of measures aimed at inflicting pain or restriction on someone. It can be done through restrictive laws and policies.

Inclusion: Making sure everybody has the same opportunities to participate in every aspect of life to the best of their abilities and desires. This involves more than simply encouraging people; it requires making sure that adequate policies and practices are in effect in a community or organization.

Political participation: refers to those actions of private citizens by which they seek to influence or to support the government and politics. It includes participation in politics in general and in electoral processes in particular which involves both voting and the ability to take part in the conduct of electoral processes as a public affair and the opportunity to register as a candidate, to campaign, to be elected and to hold office at all levels of government.



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EXECUTIVE SUMMARY

Institute for Community Development in Zimbabwe (ICOD), which focuses at improved policy and legislative influence for the benefit of disabled and non-disabled women from various political, tribal and socio-economic backgrounds, identified women with disabilities inclusion in the electoral processes as a potential program area under its intervention " Civic Engagement for Transparency, Accountability and Inclusiveness in Zimbabwe (CETAIZ)". Within this context, the project seeks to increase citizens' influence on policies and legislative processes for greater accountability, transparency, and conclusiveness. This research report is a comprehensive gap analysis of laws, policies and barriers that promote or hinder the participation of women with disabilities (WWDs) in the electoral processes in Zimbabwe.

The researchers undertook a comprehensive review of the available documents, carried out surveys, Focus Group Discussions, and Key Informant Interviews with women with disabilities, Organisations of people with disabilities, Chapter 12 Commissions, government departments and Women focused Organisations. There were a number of methodological limitations associated with this study. The study was carried out when the election fever was getting high, awaiting the proclamation of election dates by the President and this affected the quality of the study. The researchers could not hold face-to-face interviews with some of the key informants as they were on field work on voter's role inspection and voter education for inspection. Government departments and independent Commissions took very long (two weeks) to respond to written questions. The economic crisis has put a greater spotlight on the situation of persons with disabilities as some could not respond to written questions because of the cost of data.

The major findings of the research are that WWDs in Zimbabwe face multiple barriers and impediments to political participation, including a lack of accessible polling stations and voting materials, negative attitudes and stereotypes, economic barriers, legal barriers and limited access to information about voting procedures, their rights and communication challenges. Women with disabilities focus more on senator with disability competitions and not constituencies, a contested space with able-bodied women. Many polling stations in Zimbabwe are not fully accessible to people with disabilities, which makes it difficult for WWDs to physically access them and cast their vote. In addition to long distances to polling stations, another challenge is lack of accurate disability statistics in general and by disability categories to guide ZEC to adequately prepare the required assistance. Traditionally, people with disabilities have participated in elections as voters and not candidates. Another challenge is limited institutional or organisational capacity to deal with disability issues (Chapter 12 Commissions, DPOs and CSOs).

Women with Disabilities want self-representation so that they are not mis-represented on issues that concern their lives. Some of the emerging recommendations are that disability should be mainstreamed in all economic, public and political and the programmes as stipulated in Section 29 of the CRPD, not as an after-thought for example an invitation to make up numbers at rallies and only to vote. Collaborative work with DPOs and Disability Umbrella bodies would make the work of government, Zimbabwe Election Commission (ZEC), other Chapter 12 Commissions and ICOD more effective.

INTRODUCTION

The participation of women with disabilities (WWDs) in electoral processes is a human rights issue. This basic right is provided for in different local and international legal instruments such as conventions and treaties. The focus on WWDs participation in elections has become a concern with a number of conventions being passed by the international community to address this matter. Such conventions are the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 1979, the Beijing Declaration of 1995, the African Charter on Human and People's Rights on the Rights of Women in Africa and the Convention on the Right of Persons with Disabilities.

This research noted that WWDs participate in elections, but with difficulties which are outlined in this report. The proposed recommendations are meant to serve as an intervention tool that will help promote just and meaningful participation of WWDs in elections. The proposed guideline will serve as a tool of advocacy through which various stakeholders will be reached with a view to improve WWDs participation in the electoral process.

RESEARCH BACKGROUND

Throughout history, people with disabilities (PWDs) were treated differently from those without disabilities. The combination of an impairment and societal barriers restrict persons with disabilities from participating in society on an equal basis with others every day. Because of societal barriers, persons with disabilities face discrimination in accessing services. They are commonly denied their rights to be included in the general school system and the workplace, to live independently in the community, to participate in political, public, sport and cultural activities, to enjoy social protection, to access justice, to choose medical treatment and to enter freely into legal commitments such as buying and selling property.

In an endeavour towards the equalisation of opportunities for people with disabilities globally, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) covers a wide range of areas including; health, education, employment, access to justice, personal security, independent living, and access to information. Below are a few articles of the convention that relate to State obligations, children with disabilities, accessibility, access to information and education.

Article 4 of the Convention emphasises three fundamental obligations for the State. First, to refrain from engaging in any act or practice that is inconsistent with the present Convention and to ensure that public authorities and institutions act in conformity with the present Convention. Second, is to provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies. Third, is to promote the training of professionals and staff working with persons with disabilities on the rights recognized in this Convention.

DISABILITY AS AN EVOLVING CONCEPT

The Convention's preamble states that disability is an evolving concept. Nevertheless, it reflects a social model of disability as it clarifies that disability results from the interaction between persons with impairments and external barriers that hinder their participation in society. Because of this approach, the notion of "disability" cannot be rigid but rather depends on the prevailing environment and varies from one society to the next. While the Convention recognizes disability as an evolving concept, it clearly endorses the understanding of it as a social construct, when states that disability "results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others".

THE HUMAN RIGHTS APPROACH TO PERSONS WITH DISABILITIES

Zimbabwe is party to the two human rights covenants – the ICCPR and ICESCR. In relation to the other human rights treaties, Zimbabwe is party to the Convention on the Elimination of All Forms of Discrimination against Women, International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and the Convention on the Rights of Persons with Disabilities. The only individual treaty body, complaints procedure that Zimbabwe has acceded to is the Optional Protocol to the Convention on the Rights of Persons with Disabilities. In terms of regional human rights obligations; Zimbabwe is party to the African Charter on Human and Peoples' Rights and is a member of the Southern African Development Community

The human rights approach to disability builds on the social approach by acknowledging persons with disabilities as subjects of rights and the State and others as having responsibilities to respect these persons. It treats the barriers in society as discriminatory and provides avenues for persons with disabilities to complain when they are faced with such barriers. The main duty bearer under this model, in which society delegates the policies on disability, is the State—involving all of its ministries and branches.

There are certain provisions that involve the private sector and there is a specific role for civil society, in particular, persons with disability and the organizations that represent them. Under this model, persons with disabilities have rights and instruments that can empower them to claim their rights. It seeks ways to respect, support and celebrate human diversity by creating the conditions that allow meaningful participation by a wide range of persons, including persons with disabilities. Instead of focusing on persons with disabilities as passive objects of charitable acts, it seeks to assist people with disabilities help themselves so that they can participate in society, in education, at the workplace, in political and cultural life, and defend their rights through accessing justice.

KEY PRINCIPLES OF A HUMAN RIGHTS APPROACH TO DISABILITY

1. Respect for the inherent dignity and individual autonomy, including the freedom to make one's own choices, and the independence of persons
2. Non-discrimination
3. Full and effective participation and inclusion in society.
4. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
5. Equality of opportunity
6. Accessibility.

RESEARCH OBJECTIVES

The Institute for Community Development in Zimbabwe (ICODZIM) commissioned a study to develop an Inclusive election policy and polling station accessibility audit tool. Specifically, the study seeks to:

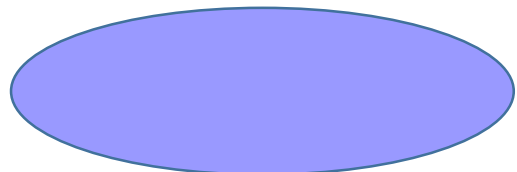
- a) Conduct a comprehensive gap analysis study on the laws, policies and barriers that promote or hinder the participation of WWDs in electoral processes.
- b) Draft an Inclusive election policy
- c) Develop an accessibility audit tool for polling stations
- d) Create a database with all information collected in order to facilitate consultation with stakeholders on the rights of persons with disabilities.
- e) Develop an Inclusive election policy for presentation at a sensitisation Workshop for DPOs, ZEC, CSOs, Legislators, policy makers and other stakeholders.

METHODOLOGY

In coming up with this report, the consultants made use of participatory reinforcing methodologies to assess the circumstances affecting WWDs participation and representation in the electoral processes and decision making forums. Reference was made to general studies carried out by academics and other CSOs in relation to WWDs in Zimbabwe. An analysis of laws and policies promoting or inhibiting WWDs participation and representation in public forums and decision making processes was also carried out. Six FGDs attended by 58 females and 17 males were carried in Chiredzi, Mwenezi and Zvishavane Districts. The consultants conducted 11 key informant interviews with respondents in Government Ministries, ZEC District Election officials, Chapter 12 Commissions, Political Parties, other CSOs, community leaders and representatives of DPOs. 22 PWDs from the three Districts responded to a survey. 14 DPOs completed a structured interview questionnaire.

LIMITATIONS OF THE STUDY

The study timeline was short and the team had to work towards presenting the study before promulgation of the election date by the President. Some of the key informants were outside the districts other than the three visited and others delayed due to mobility problems because of lack of assistive devices. The absence of a Sign language interpreter paused communication challenges with the deaf, however, this was made up through online consultations and completion of structured interview questions. The literacy rate of the WWDs in the three districts is low and this posed a challenge regarding completion of the survey questions. Intermittent power outages caused delays in compilation and analysis of data. Despite these challenges by and large, this study captures the expected study outputs.



OVERVIEW: The Situation of WWDs in Electoral Processes

The study acknowledges the significant steps that have been undertaken by National Commissions, Parliament, DPOs and other CSOs to be inclusive of WWDs, however there are still cultural, social, economic, political and legislative gaps that impede WWDs from exercising their rights as enshrined in the national Constitution. Despite the fact that women constitute 52% of the population, generally, representation of women in the public and private sector is low. There is virtually a dearth of WWDs leaders across all sectors. However, in the three Districts selected for this study, there is a significant number of women in leadership positions at the lower rung such as in village health committees, school development associations and as village heads. At council level the representation is disproportionately very low with all of the 18 Mwenezi RDC councilors being male.

There exists quite a lot of literature on the challenges that PWDs face in participation and representation in decision making bodies. However, whilst some challenges affect both genders, the situation of WWDs is unique due to intersectionality as they are poor, women and with disabilities hence treble disadvantaged. PWDs generally face barriers in access to health services, education, economic opportunities and employment because of communication, mobility and unavailability of assistive technologies or devices not required by their able-bodied counterparts. WWDs face the same barriers or even worse when it comes to their participation in the electoral cycle and other public forums as they are easily elbowed by other women. Studies conducted by some civil society organisations below highlight challenges women face when it comes to participation and representation in electoral and decision making processes;

- i. Voice, Choice and Access to Information baseline study on gender equity and electoral process in Zimbabwe by ZEC, 2017
- ii. ZEC Gender and Inclusion Policy. 2020-2024
- iii. Making the case for proportional representation: Challenges and opportunities for increasing women's participation in Zimbabwe. RAU 2020
- iv. Implications of Young Women and Women with Disabilities' Marginalization in Leadership and Decision-Making Processes. WALPE 2020
- v. A Research on "The Efficacy of the Parliamentary Women's Proportional Representation Quota system". WALPE 2019
- vi. Research Report on Social Inclusion and the Promotion of the Human Rights of Persons with Disabilities in Zimbabwe for Trócaire and Zimbabwe Peace Project. 2020
- vii. Research on the Impact of Political Violence on People with Disabilities in Zimbabwe: ZPP 2017

A gap analysis study on the laws, policies and barriers that promote or hinder the participation of WWDs in electoral processes

Women with disabilities in Zimbabwe are often left out and marginalised in all facets of life. This is due to discriminatory tendencies, barriers or limitations which are associated with their different disabilities. The Constitution of Zimbabwe, International Conventions, the Electoral Act and other legislation guarantee and promote rights of women with disabilities to participate in election processes through creating a conducive legal environment. However, the legislation does not adequately address barriers which hinder women with disabilities to participate and fully realise their rights in election processes. Several drastic measures have to be taken to adequately promote, respect, protect and ensure the rights of women with disabilities to vote, be voted and to participate in the political arena of Zimbabwe as everyone else.

Constitutional Framework

The Constitution of Zimbabwe (2013) provides for a legal framework that creates an enabling environment for women with disabilities to participate in election processes. Section 3(2) of the constitution of Zimbabwe provides that the principles of good governance which bind the state and all its agencies of government shall, amongst other things, include the rights of people with disabilities. This has major implications for the participation and inclusion of women with disabilities in the political and all facets of life.

Section 6(4) of the constitution provides that the state must promote and advance the use of all languages including Braille and Sign language. This ensures the inclusion of women with disabilities in electoral processes since all the electoral information will be accessible in a language that they may understand.

Section 22(1) also states that the government and its agencies must recognise the rights of persons with physical or mental disabilities, in particular their right to be treated with respect and dignity. This provision plays an important role in the promotion of rights to participate in election processes.

In addition, section 22(2) mandates the state and all its institutions to assist people with physical or mental disabilities to achieve their full potential and to minimise the disadvantages suffered by them. In terms of this section, the government is obligated to take all reasonable steps to ensure that people with disabilities can fully participate in all facets of life without any obstacles.

Section 22(4) mandates the state to ensure accessibility of all public buildings by people with disabilities. Accessibility of polling stations is critical to ensure participation of people with disabilities in electoral processes.

Section 56 of the constitution eliminates all forms of discrimination due to race, colour, creed, religion and disability. This section puts every person equal in the eyes of the Law. The status of a person should not be a stumbling block for them to participate in all spheres of life. This accords women with disability the

right to participate in all electoral processes and allows them to be treated equally to those without disabilities.

Specific to political participation, section 67 of the constitution, deals with political rights. Section 67(3) states that, “subject to this constitution, every Zimbabwean citizen who is over eighteen years of age has the right:

- a) To vote in all elections and referendums to which this constitution and other laws applies, and
- b) To stand for elections for public office, and if elected to hold such office.

International Legal Framework

International instruments play a pivotal role in shaping an electoral legal framework that involves women with disabilities through providing for best international practices. The constitution of Zimbabwe (2013) implores the state to align the laws of the country with international laws to which Zimbabwe is a signatory. The right to universal and equal suffrage is enshrined in international legal instruments such as the Universal Declaration of Human Rights (UDHR); the International Covenant on Civil and Political Rights (ICCPR); and the Convention on the Rights of People with Disabilities (CRPD).

The CRPD is the first contemporary international legal instrument to depart from a health or charity-based approach to an inclusive, human rights approach to disability. This methodology confers persons with disabilities with rights equal to their able-bodied counterparts, and this is embedded in their right to participate in the country’s political activities. The Universal Declaration of Human Rights of 1948 recognises inalienable rights of all human beings. Article 21 of the UDHR provides that everyone has the right to take part in the government of his country, directly or through freely chosen representatives. Although specific groups like persons with disabilities are not explicitly mentioned in the UDHR, the word ‘everyone’ in article 21 is construed to be inclusive of every human being, regardless of whether they are able-bodied or not, rich or poor, educated or not. This implies that the UDHR recognises the rights of women with disabilities to participate in electoral processes.

The ICCPR adds with equal force that all people have a right to participate directly or indirectly in government and public affairs and this covers not only the election of representatives, but the right to stand for election for public office. The CRPD further contains comprehensive rights of persons with disabilities. It also codifies their invaluable voting rights. International law instruments recognise the rights of women with disabilities to participate in all facets of life. They eliminate any form of discrimination so as to accord women with disabilities the potential and the right to fully participate in politics.

The African Charter on the People’s Rights is also one of the vital instruments which guarantee the universal right to participate in elections and politics of their country. Article 13 and 19 recognise that every person is equal and no person shall be subjected to discrimination of any nature. In this regional context it is highly plausible that women with disability are also accorded the right to participate directly in the politics of their country without any discriminatory limitations.

Another important legislation which accords women with disabilities the right to participate in electoral processes is the Electoral Act [Chapter 2:13]. Section 3(b) of the Act confers citizens with several invaluable rights. It codifies international imperatives since it guarantees citizens' political rights. It also importantly acknowledges the need to facilitate the right indiscriminately. This framework applies to all Zimbabweans including women with disabilities. Moreover, section 59 of the Act, guarantees the right of women with disabilities to vote through providing for a manner in which illiterate people and persons with disabilities can cast their vote. The law explicitly allows persons with disability to be assisted by a person of their own choice and other polling officers. This framework safeguards the rights of women with disability to freely cast their vote.

Analysis of Gaps in the Framework

The international legal instruments, the Constitution of Zimbabwe and the Electoral Act contain provisions that guarantee the rights of women with disability to participate in electoral processes. However, the legislation does not adequately address challenges and obstacles faced by women with disabilities. Both the National Disability Policy and the Disabled Persons Bill of 2019 are sympathetic to WWDs. The 1992 Disabled Persons Act is silent about WWDs participation in elections. The proposed Bill is alive to article 29 of the UNCPRD on Participation in political and Public life which accommodates WWDs. It states that the Minister responsible shall take necessary measures to ensure 5% of decision making bodies like the public commissions, boards of public entities and other related institutions be held by PWDs but does not specify WWDs. Women with disabilities continuously face challenges in participating in electoral processes either to vote or be voted for especially by fellow PWDS. These challenges include:

- Lack of privacy in the voting process
- Lack of Braille ballots or enlarged print for easy reading
- Inaccessible polling stations
- Lack of information on the electoral procedures
- Lack of trained personnel to help people with visual impairment
- Lack of Sign language interpreters
- Lack of financial resources to mount serious campaigns
- Invisibility in political party proportional representation lists or party positions
- Being elbowed by able-bodied women in women quotas like 30% in Local authorities for 2023 or 60 proportional representation women in parliament

The current legislation does not suffice to address most of the challenges discussed above. Section 57 of the Act regulates the manner of voting. Firstly, voting must be by ballot and must be conducted in a manner that is stipulated in the electoral law. Secondly, it must contain the names of the nominated candidates in alphabetical order. However, most persons with disabilities find it cumbersome if not impossible to cast their vote in the way prescribed in section 57(c) (i); (ii) and (iii) of the Act. The law provides that a vote should be cast in secrecy. However women with disabilities do not enjoy privacy

since they are required to cast their vote with the assistance of the presiding officer, the police and observed by political party agents.

Furthermore, the constitution of Zimbabwe (2013) provides for two senatorial positions representing people with disabilities who are elected in terms of section 45 of the Electoral Act [Chapter 2:13]. The manner in which these members are elected does not fully represent women with disabilities since a selected few who may get an opportunity to participate in the Electoral College are accorded a chance to nominate the representatives. This can be witnessed by the 2018 harmonised elections in which the members in the judicial college were nominated in terms of SI 126 of 2018 which set out a list of institutions and private voluntary organisations which were entitled to participate in the Electoral College. Only 170 delegates were invited in the election. This number does not fully represent over a million people with disabilities across all provinces. It is suggested that the election of the members should be done on the general election on which eligible voters with disabilities can find an opportunity to select their representative. This will increase full participation of women with disabilities in the electoral process since all persons with disabilities will be accorded an opportunity to participate in this election.

In addition to that, section 59 and 60 of the Electoral Act, prescribe a manner in which illiterate voters and other voters with physical disabilities may cast their vote. However, the section does not cater for the needs of women with mental disabilities. This implies that women with mental disabilities cannot realise their right to participate in electoral processes due to the fact that there is no prescribed manner in which they can express their will in elections.

In conclusion, with the promulgation of the 2013 constitution, there has been notable progress in inclusion of women with disabilities in the electoral processes. There is need however to come up with a legal framework which adequately addresses all the challenges faced by women with disabilities as they endeavour to participate in the electoral processes of their country. If these challenges are not fully addressed, participation of women with disabilities will remain between a dream and a nightmare.

RESEARCH FINDINGS

This part of the report presents research findings specifically related to the participation of WWDs in all electoral processes as follows;

STIGMA AND DISCRIMINATION

Despite ongoing efforts to promote disability inclusion, discrimination and stigma against WWDs still present significant barriers to their participation and representation in decision-making platforms. These include social, economic and political barriers. Disability is seen as a curse. WWDs highlighted incidents of stigma and discrimination perpetuated against them by their families, spouses, private and public institutions and office bearers. These discriminatory practices are generally practised against women and PWDs but it is worse for WWDs who then feel demotivated to participate in any forums. WWDs revealed that they face discouragement in their families. They are told that it is dangerous to participate in politics and their participation may bring harm to the rest of the family. When public gatherings are announced, WWDs are told to stay at home and they will be given feedback when able bodied people return. Society at large looks down upon PWDs and as such WWDs are shunned even before they stand up to make contributions in public spaces.

LACK OF FINANCIAL RESOURCES

Taking part in electoral processes as a candidate requires substantial financial resources. WWDs raised concern that they are generally deprived of economic opportunities and therefore do not have the funding for activities such as gathering people, paying for venues, accommodation, meals, transport and support services. These limit the ability of WWDs to fully participate in decision-making platforms. WWDs remarked that in most instances WWDs are financially dependent on men or male relatives. Communities expect something in return for their vote and WWDs do not have much to give back. The freebies expectations of electorates was aptly summed up in Mwenezi as follows *'tokunwa, tokudya, tokuputa'* WWD's capacity to offer themselves as candidates is eroded as they have no claim to property and other production assets. Participants pointed out that this 'poverty' makes the electorate doubtful if a WWD can deliver when they are voted into office. This lack of assets and financial resources places them in a weak position to be able to participate in political processes especially as candidates. Activities at household level such as agriculture and vending are generally allocated to women and are time consuming and leaves no room for political participation. WWDs are therefore forced to concentrate more on income generating activities than participating in decision making processes.

LIMITED ACCESS TO PUBLIC MEETINGS VENUES

National and local Government have lately been convening public dialogue forums e.g. Constitutional Amendment Number 2 and budget consultation meetings. WWDs deplored the fact that when it comes to participation, many of the platforms are held in venues far away from their residential places. They require transport to attend as well as move around. This was supported by the survey where 59.1% cited distance as an impeding factor to their participation. Another discouraging factor is that venues for public consultations and meetings are inconsiderate of PWDs. In Rutenga, WWDs gave an example where meetings are held at the local bus terminus which is just an open and dusty site. There are no toilets and no sitting arrangements for PWDs. In almost all these meetings, there is no assistance with a sign language interpreter. Again, in Rutenga, some WWDs travel as much as eight kilometres to come to the centre for consultation meetings. They either borrow donkey drawn carts for transport or pay for hiring private vehicles.

INAPPROPRIATE INFORMATION CHANNELS

Despite the fact that there are now several digital communication platforms available, WWDs lamented that they do not receive information on time e.g. recently CVs and documents required for contesting political primary elections. In Chiredzi district, one WWD cited that she received the application criteria late and by the time she finalised her documents, the deadline had already passed. There are now several community radio stations and newspapers, but one has to travel to the stations. WWDs have access to social media though as cited in Rutenga and Zvishavane, data costs are prohibitive and network is not always reliable. There are fewer people with disabilities with smart phones to access social media with someone relying on relatives to relay messages. Among the WWDs, there is also a challenge of sign language interpretation since some of the deaf people are not conversant with the national sign languages; especially those who have no prior training.

POLITICAL VIOLENCE

Previous violence epochs have tended to make WWDs shy away from elections. A number of studies point out the fact that elections in Zimbabwe are violently conducted especially the campaign period. The pre and post-election period is usually marred by hostilities, allegations of vote buying and rigging, harassment, intimidation and defamation of character. This impact more on women than men. WWDs pointed out that in the case of violence, they are the last to leave home. They are not agile enough to escape and the responsibility of motherhood dissuades them from leaving their families. In the three selected districts of this study, WWDs highlighted that this time around there are fewer incidents of politically instigated violence, harassment and intimidation.

PATRIARCHY

Patriarchal tendencies are prevalent in political parties. Men view it as they are doing WWDs a favour when they nominate WWDs for positions. Men dominate senior political positions and in the process push a male agenda in political parties. This leads to subordination of women's issues, needs and perspectives over men. WWDs noted that in the political parties the candidates' selection process is marked by '*silencing of women's voices*'. Undemocratic internal party structures are used as a cover for discriminatory activities. WWDs lack political knowledge and networks for manoeuvring the competitive political terrain. Gradually WWDs become cynical of political leadership and withdraw from taking part in elections and leadership issues. WWDs indicated that they are made to mobilise participants for political rallies, '*titsvakireiwo vakaremara vauye kumusangano*'. When calling for rallies, there is no consideration by political parties for PWDs transport needs and venue infrastructure.

In some instances, derogatory gender terms like "*hure, man snatcher, and madhafinya*" are used to discourage women from participating or seeking to represent their constituencies. It is worse for WWDs as their disability is used to discourage them from participation in political processes. In a subtle way, religion is used to discourage WWDs from participation. WWDs mentioned that religious messages contribute towards reinforcing gender stereotypes, making men the head of the house and in turn the man decides on what roles are suitable for WWDs. Patriarchy" WWDs raised concern that women electorates tend to vote for men. Other respondents in this study concur with this observation. To an extent patriarchal tendencies contribute to this voting trend. WWDs remarked that they are not confident to put themselves up as candidates as they feel they are not highly educated and lack self-confidence to stand as candidates. In addition, at party level, the organisations lack democratic nomination procedures. In Zvishavane participants cited an example where the position of PWDs representative in one political party was assigned to an able bodied person.

LIMITED ACCESS TO PUBLIC MEETINGS VENUES

National and local Government have lately been convening public dialogue forums e.g. Constitutional Amendment Number 2 and budget consultation meetings. WWDs deplored the fact that when it comes to participation, many of the platforms are held in venues far away from their residential places. They require transport to attend as well as move around. This was supported by the survey where 59.1% cited distance as an impeding factor to their participation. Another discouraging factor is that venues for public consultations and meetings are inconsiderate of PWDs. In Rutenga, WWDs gave an example where meetings are held at the local bus terminus which is just an open and dusty site. There are no toilets and no sitting arrangements for PWDs. In almost all these meetings, there is no assistance with a sign language interpreter. Again, in Rutenga, some WWDs travel as much as eight kilometres to come to the centre for consultation meetings. They either borrow donkey drawn carts for transport or pay for hiring private vehicles.

INEQUALITIES

WWDs face education and employment inequalities which impact on their participation in decision making forums. There are few opportunities for WWDs to access education opportunities beyond primary school. Very few have access to skills training. Instead WWDs are relegated to agriculture roles and as caregivers. Within households, the division of labour entails that there is no time for WWDs to engage in political participation forums.

ACCESSIBILITY

WWDs in Zimbabwe face multiple barriers to political participation, including a lack of accessible polling stations and voting materials, negative attitudes and stereotypes, and limited access to information about voting procedures and rights. Many polling stations in Zimbabwe are not fully accessible to people with disabilities, which can make it difficult for WWDs to physically access the polling station and cast their vote. In Chiredzi participants pointed out that one of the polling stations is located on a hilly site which makes it difficult for those using crutches and wheel chairs to access.

Across all three districts, participants bemoaned the absence of disability friendly toilets. There is lack of communication between WWDs and election officials. DPOs among them DHAT commented that a significant number of persons with disabilities do not participate in elections especially the deaf, intellectually challenged and down syndrome. This was corroborated by Agnes Chindimba of --- herself deaf but the Director of the organisation. They remarked that electoral officers have negative attitudes towards persons with such impairments.

REPRESENTATION IN NATIONAL BODIES

The voice and representation of PWDs is still thin at national representative institutions. A few PWDs such as Senators N. Mashavakure, A. Shiri, W. Khupe, R. Timire and Dr J Malinga have made it into the Senate but this is still significantly low with their voice overshadowed during national discourse in Parliament and Senate. In the 2013 elections a WWD, Anna Shiri was elected to the Senate, becoming the first WWD to hold a senatorial seat in Zimbabwe. In 2018 Rejoice Timire was also elected WWD Senator, followed by Nasper Manyau in 2022.

This was a significant milestone for WWD in Zimbabwe and a sign of progress towards greater inclusion and representation in political leadership. PWDs in general are gradually becoming part of institutions such as ZEC who engage them as polling officers and election observers. In Chiredzi, Mwenezi and Zvishavane, WWDs have been elected into committees such as the school development committees, dip tank committees and village health committees. Here they are proving to communities at large that WWDs are equally capable leaders.

LACK OF PRIVACY

The polling booths lack privacy and are not designed in a disability friendly style. They also cited that voting material is not in accessible formats. On the ballot paper, the candidates' pictures are too small and worse in the 2018 elections there were so many candidates listed. Those on wheel chairs find the polling both too small for them to enter and there is usually no one to push the wheel chair or to give assistance to move. A sticky issue is that WWDs are usually assisted to vote citing illiteracy. The assistance is given by polling officers and WWD cited that they are not comfortable with this arrangement where a person whom they have no confidence in makes a selection on their behalf. In the 2018 elections 55,000 voters were assisted in one way or another, some concerns were raised that the assisted-voter programme was a tool to intimidate voters into casting votes in a certain direction. WWDs therefore stay away from voting as they are afraid of repercussions should they vote for a candidate who is from the opposite party of the polling officer.

WWD NOMINATIONS

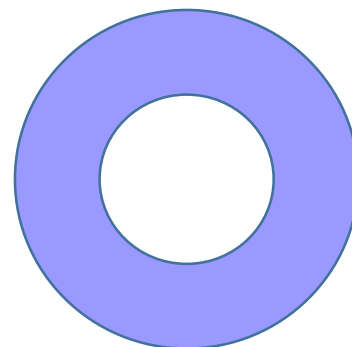
In Zimbabwe, a significant number of persons with disabilities especially women with disabilities have been nominated by political parties or to contest as independent for 2013 and 2018 elections. This could be due to the following reasons: mellowing of negative societal attitudes and discrimination against PWDs, improvement of accessibility through better infrastructure, conscious policy support from and governing institutions and political parties to be inclusive of persons with disabilities. However, during this study, there is no significant number of WWDs who have been nominated for public office.

SELF-CENSORSHIP

There seems to be self-censorship among some DPOs as they do not want to be seen as being involved in 'politics.' So advocacy work among WWDs remains subdued and the concentration is on supporting welfare approaches. In the survey, 68.2% of the respondents know of Government institutions that have a mandate for promoting the participation of WWDs in elections. The three districts are serviced by very few WWDs organisations as revealed through FGDs and the KIIs. This makes it difficult to have a sustainable approach to addressing WWDs issues.

APATHY

Previous participation of WWDs has been marked by apathy as no one addressed disability issues when voted into office and Political parties' election manifestos spoke of disability as a vote winning gimmick. This time, in the three districts where the survey was undertaken, all the respondents affirmed that they were registered voters. At national level, reports from ZEC show a pattern where the registration process has been largely successful. Awareness raising contributed to this upsurge in registered voters with 54.5% of the survey respondents indicating that they heard of the voter registration process through political parties, 27.3% through radio and newspapers and 22% hearing about it during church meetings.



INCLUSIVE ELECTION GUIDELINES

Introduction

This section of the research examines issues of WWDs participation and representation in the whole electoral process in Zimbabwe. Specifically, it looks at existing gaps in WWDs participation in the electoral cycle, WWDs access to election related information, barriers to WWDs participation, WWDs willingness to vote, to be candidates at the national and local government levels.

Women with disabilities face multiple barriers to political participation and leadership, including a lack of accessible infrastructure, negative attitudes and stereotypes, and limited access to education and training opportunities.¹ The overall representation of women with disabilities in decision-making positions in Zimbabwe remains low. During the 2018 harmonised elections, of the 4,7 million registered voters, only 29,803 were PWDs.² According to the 2018 elections results 12,4% of women were directly elected to the National Assembly outside the 60 seats reserved through proportional representation, at local Government level only 13,3% were elected.

Context

It is the right of every citizen to choose whoever they want to represent their interests at all levels of government. Voting is essentially a manner in which an individual asserts his/her place in society. This is of significance to persons with disabilities because their interests are usually not represented adequately at a governmental level. When such a process is denied to an already disadvantaged group because of accessibility or practical challenges, the level of their expression and participation in society is also limited. Zimbabwe's Constitution provides a relatively strong legal framework for the development of an electoral framework that delivers inclusive, credible and free and fair elections in the country. The fundamental pillars essential for gender-responsive good governance and the respect for human rights and women's rights as human rights are enshrined in the Constitution; and, it promotes the enjoyment of these rights in a peaceful and prosperous society.

The international and regional human rights instruments such as the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (the Maputo Protocol), the Southern African Development Community Gender and Development Protocol (SADC Gender Protocol), and the Beijing Platform for Action, among others, inform many of the articles and provisions in Zimbabwe's Constitution.³

Much work remains to be done to ensure that WWDs have equal access to political participation and representation. Ongoing efforts are needed to address the barriers that WWDs face and to promote

¹ ZEC Gender and inclusion policy

² ZEC gender and inclusion policy

³ ZEC- Voice, Choice and Access to Information: Baseline Study on Gender Equity in the Electoral Process in Zimbabwe

disability-inclusive policies and practices in all aspects of society. According to the Inter-Censal Demographic Survey of 2017, persons with disabilities represent nine per cent of the population (amounting to 1,299,600 persons). It is also estimated that at least seventy per cent of the population of persons with disabilities live in rural areas (ZIMSTAT, 2017)⁴. A key policy document that has a bearing on WWDs is the National Disability Policy (NDP) that was launched on 9 June, 2021. It attempts to synchronise the government of Zimbabwe's policy direction with the goals of the CRPD. Hence, in the absence of an enabling Act, the NDP is premised on the equality and non-discrimination clauses in the Constitution. When it comes to the WWDs, Section 3.17 has a number of provisions that seek to protect them. Of interest is Section 3.17.3 that states: "Women with disabilities must be enabled to realise their right to legal capacity, including with respect to health decisions, financial and bank transactions, the right to work, and to participate in public and political life such as the right to vote and stand for election must be ensured."

Guiding Principles

The political arena history is fierce, unpredictable and unsafe. WWDs rarely participate in politics because of violence; hence many WWDs shun participating in politics. Political parties do have departments that address women concerns. However, the women issues are all lumped together and there is no tangible strategy that focuses on WWDs. An inclusive policy should look into ways that facilitate WWDs representation, participation and protection.

There has been significant progress in coming up with legal framework that guarantee and promote participation of women with disabilities in electoral processes. However, women with disabilities are still facing challenges which require a legal framework that addresses all the obstacles to participation of women with disabilities in the electoral processes.

⁴ UN Department of Economic and Social Affairs, CRPD: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html> Zimbabwe. 2017. Inter-Censal Demographic Survey. http://www.zimstat.co.zw/sites/default/files/img/ICDS_2017.pdf

ELECTORAL CHALLENGES FACING WWDS

The general economic outlook in Zimbabwe is gloomy with the majority of people involved in the informal sector. WWDS are already marginalised and do not have access to capital and assets for productive use. In recognition of their disadvantaged position, over the years, the Government has launched funds to empower youths and women⁵. WWDS do not have any specific allocation in these funds. Therefore, inclusive financial support consideration is necessary to alleviate the plight of WWDS in decision making forums.

WWDS who find it difficult to be mobile because of transport costs and long distance to voting/registration centres. 36.4% WWDS strongly agree and 59.1% agree that distance and venue accessibility prevent WWDS from attending events related to women participation and representation. The decentralised registration blitz conducted by ZEC is one way of addressing this and it contributed to the number of WWDS who indicated that they are now registered voters.

PRINCIPLES THAT CAN LEAD TO WWDS INCLUSIVE IN ELECTIONS

There are misgivings concerning proposal representation of women in decision making institutions.⁶ Of the local Government's Women's quota of 30%, a proportional percentage should be set aside for WWDS. Noticing cited cases of WWDS lacking self-confidence, more effort could be directed towards establishing WWDS role models, mentorship courses, awareness raising on constitutional provisions, able bodied to be taught about PWDs, sensitisation of decision makers at local authorities' level, political parties, parliament, private sector and churches. This provision apart from increasing the number of female councillors has the added advantage of reducing negative female leadership stereotypes and to build the capacity of WWDS.

1. Parliament should speed up the alignment of discriminatory legal frameworks to the 2013 Constitution and international best practices on gender and disability rights advancements. These include the Disability Act, the Electoral Act and the Mental Health Act [chapter 15:12]
2. The UNCRPD should be domesticated urgently as measures should be taken to include women with disabilities.
3. The government should come up with a legal framework that reserves seats for a considerable number of women with disabilities in the parliament not only the single seat in the senate.
4. The Electoral Act should protect the constitutional right of visually impaired people to vote in secret, just like any other voters in Zimbabwe.

⁵ [AfDB approves US\\$3,5mln Zim youth/women fund | The Chronicle](#)

⁶ Making the case for proportional representation: Challenges and opportunities for increasing women's participation in Zimbabwe. RAU 2020

ACTIVITIES TO BE UNDERTAKEN TO SUPPORT WWDs IN ELECTORAL PROCESSES

There are a number of initiatives floating around to increase the participation of WWDs. These include a strategy on women empowerment and gender equality in political participation and decision making which was developed and launched by the Government early this year, the National Disability Policy, the pending Persons with Disabilities Bill, the current drive on disability inclusive development; the work of the recently established Disability Parliamentary Caucus and the Women Parliamentary Caucus, the coalition between the women and the disability movements signed by two OPD umbrellas, NASCOH and FODPZ, and the Women's Coalition of Zimbabwe in 2022, the advent and advocacy work of women led OPDs; the UN Disability Inclusion Strategy; increased consciousness on gender equality and women's rights by WWDs. This section proposes actions that can enhance WWDs participation and representation in the electoral cycle. Section 11 of this report, outlines detailed recommendations and roles that the different stakeholders can play.

- 1) The inclusion of WWDs should take advantage of the advancement of technology which is enabling WWDs to receive and disseminate information.
- 2) At Government level, make available assistive technologies and communication tools to increase access and participation of WWDs in elections.
- 3) In the 2023 Budget, a total of \$5billion was allocated for the Constituency Development Fund translating to \$23million for each Constituencies. These funds aid MPs in their respective constituency development programs. Pressure could be put on all MPs to ensure that a pre-determined percentage of the CDF is allocated to address barriers that prevent WWDs from participating in the entire electoral cycle.
- 4) As noted by key informants, WWDs are involved in electoral planning and management to a lesser extent. Involving WWDs means they can bring their unique perspectives and insights to the table, which can help to identify and address issues that may have been overlooked or ignored in the past.
- 5) Strengthen the capacity of DPOs that work with WWDs to plan effectively the monitoring of the electoral processes, provide training in leadership, advocacy and influence.
- 6) Addressing communication challenges through improved communication skills such as training of Sign Language at every level, designing and printing of Braille and other easy formats of disability-friendly materials.
- 7) DPOs and women's organisations can play the role of advocating for the inclusion of WWDs in elections, and raise awareness about the barriers that WWDs face in the electoral cycle. This includes engaging with policymakers, the media, and the public to promote disability-inclusive policies and practices.
- 8) DPOs work should target both public and private institutions to put in place accessible infrastructure such as accessible polling stations and public buildings, to enable WWDs to participate at all stages in the electoral cycle.
- 9) Mobilise funding for WWDs in electoral processes. OPDs lack resources to fully promote the inclusion of PWDs in general and WWDs in particular. DPOs and OPDs cited a decline in funding for their activities with some having to scale down or shut operations.

Expected Outcomes

This section outlines the desired results of an inclusive WWDs election policy.

The following are expected changes that should result from the actions of the above policy guidelines.

- a) Accessible and inclusive voter civic education programmes and materials suitable for WWDs available on websites and social media platforms.
- b) An increase in percentage of WWDs who have access electoral processes information.
- c) Appointment of WWDs as rights focal point programmes persons at ZEC
- d) Deliberate policies at election management bodies for hiring of permanent and temporary staff, election monitors and election observers
- e) Trained EMB staff and poll workers who understand and communicate well on WWDs inclusion issues.
- f) Advisory role of OPDs in procurement of assistive devices and accessible election technology
- g) Accessible voter registration and candidate nomination locations, polling stations, and counting and results centres
- h) From the Political Parties Finance Act, lobby for the creation of access funds for WWDs candidates

POLLING STATIONS ACCESSIBILITY AUDIT TOOL

Why polling stations should be audited?

General goal: To ensure equal conditions for exercising the voting right for all citizens of in the selected districts.

Objectives:

- a) To establish the factual situation at the polling stations in order to tackle the problem of polling station accessibility for the people with different abilities and collect data about the locations of polling stations and provide recommendations.
- b) To ensure long-term tackling of the problem concerning the accessibility of public polling stations, which are utilized by the citizens of the selected districts.

Election Management Bodies in this case the Zimbabwe Election Commission, ZEC:

- (a) Must ensure the accessibility of polling stations for the people with different abilities
- (b) Shall determine the locations where the voting right is exercised.
- (c) The locations must meet the basic conditions for ensuring personal, free and secret right to vote,
- (d) Therefore, the locations must be adjusted in order to be accessible for people with different abilities (PWDs).

In order to ensure that the above conditions are fulfilled, a polling station assessment audit tool must be developed with relevant questions for guidance. A team comprising three people one of whom **must** be a person with a disability. An election management official and an officer from the responsible organisation completes the team. A one day training session for the assessment team is required on how to use the measuring equipment and what to measure at the selected polling stations.

An audit tool is Annex

CONCLUSION

Women with disabilities in Zimbabwe face barriers to political participation, such as difficulties accessing polling stations and voting materials, negative attitudes and stereotypes, and limited access to information about voting procedures, how one can be voted into office and rights, financial resources and support from political parties.

The overall number of women in political leadership positions in Zimbabwe remains low and WWDs continue to face barriers to participation in politics and public life. Efforts to promote the participation and leadership of WWDs in Zimbabwe's political and public spheres are ongoing, and there is a growing recognition of the importance of promoting gender equality and disability rights in all aspects of society. WWDs still face negative societal attitudes and discrimination related to their disability, gender, or other intersecting identities, which can limit their opportunities for political participation and representation.

Furthermore, they face physical, communication, or other access barriers that limit their ability to participate in political activities, including campaigning and attending political events. WWDs are underrepresented in political parties. Without resources and support, including funding, mentorship, and networking opportunities, WWDs are limited in their ability to run for political office. Political parties have no disability inclusive policies only 'developing' one towards elections.

RECOMMENDATIONS

Overall, it is important to address identified barriers in order to promote the full participation and representation of WWDs in politics. This requires ongoing advocacy, awareness-raising, and support for WWDs to ensure that they have equal access to opportunities for political participation and representation.

Legislature

For the House of Assembly:

- (a) Ensure that the country's annual budgets allocate funds to facilitate the effective implementation of the provisions 2021 National Disability Policy to guarantee improvements in the social and economic lives of women with disabilities.
- (b) Conduct strict legislative oversight to enforce and ensure public and private institutions implement and comply with the Disability policies and legislations providing for inclusion and protection of persons with disabilities.

Zimbabwe Electoral Commission (ZEC)

- (a) Ensure the 2023 budget allocation of \$101.6 billion is used to enable persons with disabilities to actively participate in all electoral processes responding to their specialised needs in ways that evidence credibility, citizen inclusion and participation.
- (b) Work with DPOs to recruit and train PWDs as election staff and election observers in order to dispel any fears of exclusion or helplessness especially in election periods.
- (c) Strengthen its co-operation and collaboration with other national Commissions such as ZHRC, ZGC and NPRC to make election campaigning safe for WWDs.

Political Actors Dialogue (POLAD)

- (a) Intensify inter-party dialogue to press home the need for parties to promote peaceful elections in order not to disenfranchise vulnerable persons such as WWDs who need guaranteed protection to participate and contribute to the credibility of the elections.
- (b) Press political parties to include WWDs in their quota systems.
- (c) Support WWDs candidates with financial, moral and material support during campaign periods.

The Media

- (a) Raise awareness on positive disability policies and practices to justify the demands by WWDs.
- (b) Promote the adoption of an inclusion culture that enables women with disabilities to participate and contribute in community development associations
- (c) Disseminate content that discourages discrimination against women with disabilities.
- (d) Highlight stories that celebrate success stories of WWDs inclusion in decision-making structures.
- (e) Use politically correct disability vocabulary in reports/stories

Economic, Political, Social and Physical Security

- (a) More girls with disabilities should be sent to education institutions for them to grow up as bold and confident women who are equally capable leaders.
- (b) Dedicated funding for women with disabilities in form of grants that improve their economic disposition, protect their dignity and assist self-reliance.
- (c) Elimination of all forms of electoral violence to enable women with disabilities participate in elections.
- (d) Building the capacity of all service providers to professionally respond to the physical and psycho-social needs of women with disabilities.
- (e) Legislate councils, government and private institutions for rural and urban planning Infrastructural development laws that promote the dignity of WWDs

Civil Society

- a) Undertake awareness raising and campaigns/debates on voter education and information (involve disability musicians and poets).
- b) Produce and disseminate accessible information education and communication (IEC) materials (such as large print, braille, simplified language, pictorial).
- c) Strengthen collaboration and synergy to support each other in closing capacity gaps and provisioning for persons with disabilities through all the election processes, particularly on election day
- d) Ensure effective election monitoring to scale up information that leads to the mitigation of any challenges WWDs may be at risk of or are actually victims.
- e) Lobby for more support in the form of resources and efforts towards disability inclusion.

ICODZIM

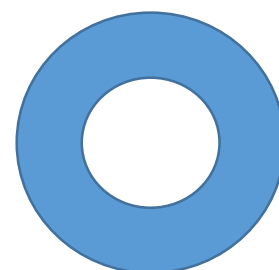
- a) Engage political parties and advocate on the change of their policies regarding the place of WWDs vis-à-vis election cycle.
- b) Monitor and report on efforts by the government and EMBs with a view to ensure voting rights of WWDs are not threatened
- c) Collect data on WWDs in the areas of operation as disability statistics are scanty.

WWDs

- a) Sensitise WWDs and their families on Civic, political and economic rights regarding participation and representation.
- b) To strengthen their participation in electoral processes, WWDs to attend trainings on confidence building and self-esteem for WWDs
- c) Organise themselves at the lowest level to jointly speak with one voice on issues concerning WWDs.

Development partners

- (a) Sustain the calls to government, politicians, security and the election management bodies to conduct credible elections in which no one is excluded through the deployment of best practice and context aligned political frameworks and processes.
- (b) Recognize and address potential opportunities and threats in order to promote the full participation and representation of WWDs in decision-making platforms.
- (c) Make available specific grants targeting DPOs supporting WWDs programming.



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