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LEGAL AID BOARD

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Did power sharing resolve political problems in Zimbabwe? Have human rights improved for members of opposition?

The Executive Summary of a *United Kingdom Home Office* report on a fact-finding mission to Zimbabwe, in a paragraph headed “Political environment”, states:

“Most organisations interviewed reported that there had been an opening-up of the political environment since the formation of the Government of National Unity in February 2009. However, uncertainty over the future and doubts about the sustainability of the current governing coalition were a concern. Most organisations reported that the parliamentary constitutional outreach process (COPAC), which is consulting with the public about the content of the new constitution, had led to renewed reports of intimidation and violence. As a result, there were fears that the current situation may deteriorate ahead of national elections which are likely to take place in the next couple of years.” (United Kingdom Home Office (21 September 2010) *Report of Fact-Finding Mission to Zimbabwe, Harare: 9-17 August 2010*)

In a paragraph headed “Political violence” this report states:

“All organisations reported that current levels of violence were down on that experienced during 2008. However, all organisations reported that low-level violence, or the threat of violence, continued, particularly in some rural areas, and that this had increased with discussions about the new constitution. Although, a couple of organisations suggested that recent reports of violence may be exaggerated. While there were some reports of an improvement in the way the police operated, most organisations stated that the police remained politically biased and that they often ignored, or were complicit in, the persecution of Movement of Democratic Change (MDC) supporters and civil society activists.” (ibid)

The Introduction to a report from the *United States Institute of Peace* states:

“The fragile power-sharing deal between Zimbabwe’s political parties is close to breaking down. A deep rift has developed between the main protagonists: President Robert Mugabe and Prime Minister Morgan Tsvangirai. Frustrated with deadlock in the country’s ‘unity’ government, each has publicly called for fresh elections in 2011 as the only way forward. Yet the prospect of a new round of political campaigning raises the specter of a return to state-sponsored violence.” (United States Institute of Peace (3 November 2010) *Zimbabwe: Power-Sharing Deal Under Stress*)

In a section headed “A Growing Impasse” this report states:

“To be sure, the power-sharing arrangement has brought benefits. Zimbabwe in 2010 enjoys a modicum of peace. The brutal widespread violence of the last election campaign—which involved murder, abduction and rape—has subsided for the moment, though arbitrary arrests and farm invasions continue sporadically. The economy has regained a measure of stability due to the adoption of foreign currencies, which has tamed inflation and brought goods back onto the previously empty supermarket shelves. Politically, however, the country remains polarized. From the outset, power in the GNU was divided rather than shared. And the division was never equal. The ZANU-PF retained control of the core instruments of state coercion: the ministries of defense and justice as well as the intelligence service. The MDC gained leadership of the ministries of finance, education and health. So, while the MDC has taken on the demanding responsibility of ensuring socioeconomic recovery (which it calculates will rebound to its electoral advantage), the ZANU-PF has concentrated on shoring up its apparatus of political control and national security (also in preparation for forthcoming elections). In practice, the president—aided by a small entourage of hard-line party and security officials who have benefited from his patronage—has attempted to disrupt, even sabotage, the GNU. A donor-sponsored study in late 2009 found that the unity government had implemented only four out of two dozen GPA clauses. The agreement (now embedded in the constitution) requires that, on important decisions—such as, appointing top officials or announcing government policy—the president is bound to consult the prime minister. Yet Mugabe has repeatedly behaved as if he retains the powers of an absolute ruler by failing to honor the consultation requirement. He has treated Tsvangirai with disdain, refusing him the chairmanship of the Cabinet in the president’s absence and condoning the refusal of army and police chiefs to salute the prime minister. The fledgling prime minister’s office and inexperienced MDC parliamentary delegation have yet to find ways to block these ZANU-PF power plays.” (ibid)

A report published by the *United Kingdom Parliament House of Commons Library*, in a section headed “Events during 2010” (section 1.3), states:

“Since the beginning of 2010, the unity government has limped on. On the positive side, hyper-inflation remains tamed, levels of political violence – while still too high – have dipped somewhat, and there have been the first signs of renewed media pluralism. But opinion remains divided as to whether the MDC is gaining ground through the arrangement or has become ensnared in a ZANU-PF trap.” (United Kingdom Parliament House of Commons Library (7 December 2010) *Zimbabwe since the Global Political Agreement*, pp.4-5)

In a section headed “The IDC’s assessment of the political situation” (section 1.5), this report states:

“In summary, progress on the political front since March 2010 could fairly be assessed as limited and, worryingly, rapidly reversible.” (ibid, p.9)

A fact-finding mission report published by the *Bar Human Rights Committee of England and Wales*, in a section headed “The position after the Global Political Agreement – September 2008 to October 2009” (paragraph 72), states:

“The position of Zimbabwe society after the GPA as regards the rule of law in general and the justice system in particular comprises a miscellany of continued and serious human rights abuses, a total failure to come to terms with the compromising of the integrity of the judiciary and the judicial system and the continuation of the culture of impunity and disrespect for the rule of law on the part of organs of the State.” (Bar Human Rights Committee of England and Wales (June 2010) *A Place in the Sun: A Report on the state of the rule of law in Zimbabwe after the Global Political Agreement of September 2008*, p.25)

An *Amnesty International* report states:

“Despite the creation of the unity government in February 2009, police continue to arbitrarily arrest and detain human rights activists, journalists and political activists aligned to the former opposition parties now sharing power in the inclusive government.” (Amnesty International (11 May 2010) *Zimbabwe authorities must stop harassing opponents of former government*)

See also Amnesty International annual report for Zimbabwe which states:

“The human rights situation improved slightly with the setting up of a unity government in February. However, harassment and intimidation persisted of human rights defenders, political activists and supporters of the Movement for Democratic Change (MDC-T) led by Prime Minister Morgan Tsvangirai. Scores of people perceived to be critics of the former ruling Zimbabwe African National Union (ZANU-PF) were targeted for arrest. State institutions controlled by ZANU-PF continued to target perceived political opponents, putting strain on the fragile unity government.” (Amnesty International (28 May 2010) *Report 2010 – Zimbabwe*)

A *Human Rights Watch* report states:

“Increasing violence in Zimbabwe during community meetings leading up to a constitutional referendum and new arrests of civil society activists highlight the lack of progress in ending human rights abuses and implementing urgently needed human rights reforms, Human Rights Watch said today.” (Human Rights Watch (27 September 2010) *Zimbabwe: Violence, Intimidation Mar Constitutional Outreach*)

A report published by the *Zimbabwe Peace Project* states:

“Politically motivated human rights violations have continued to be recorded in all the country’s ten provinces with Manicaland Province leading the violations chart. The preparations for the ZANU PF conference scheduled for mid December in Manicaland contributed to high cases of human rights violations. Tensions have arisen in many communities as a direct result of calls for the holding of elections next year, with political parties mobilising their party structures. Most of the violations that were recorded during the month of November have been cases of assault, intimidation, harassment and discrimination.” (Zimbabwe Peace Project (17 December 2010) *Summary on Politically-Motivated Human Rights and Food- Related Violations: November 2010*)

A report from the London-based *SW Radio Africa* states:

“Police have in the last week intensified their crackdown on MDC officials and activists, amid fears it may be the beginning of a new wave of political arrests and harassment this year. The partisan police force's unwillingness to tolerate any 'real change' was starkly illustrated in recent days, when several key figures in the MDC were picked up by the police for holding consultative meetings. Analysts told SW Radio Africa that the security services are clearly renewing their efforts to destroy the MDC led by Prime Minister Morgan Tsvangirai. The MDC-T was elected to rule the country two years ago, but they were never allowed to govern, mainly because of the Robert Mugabe loyal military junta.” (SW Radio Africa (12 January 2011) *Zimbabwe: Police in Renewed Crackdown Against MDC Officials*)

A recent *Voice of America News* report states:

“The Zimbabwe Catholic Bishops Conference expressed concern at the failure by the three-party unity government to fully implement the 2008 Global Political agreement. It said this has resulted in Zimbabwe's continued international isolation. The Catholic bishops called on the country's political parties to seriously engage to put the country back on track, failing which, they said, the country would continue to see political violence, intolerance, hate language and fear. The bishops added that the government has not moved the process of national healing quickly enough.” (Voice of America News (14 January 2011) *Zimbabwe's Catholic Bishops Voice Concern Over Rising Political Violence*)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

References:

Amnesty International (28 May 2010) *Report 2010 – Zimbabwe*
<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=4c03a7ef1a>
(Accessed 17 January 2011)

Amnesty International (11 May 2010) *Zimbabwe authorities must stop harassing opponents of former government*
<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=4bf0ee17b>
(Accessed 17 January 2011)

Bar Human Rights Committee of England and Wales (June 2010) *A Place in the Sun: A Report on the state of the rule of law in Zimbabwe after the Global Political Agreement of September 2008*
http://www.barcouncil.org.uk/assets/documents/7351_BHRC_Zimbabwe_Report.pdf
(Accessed 17 January 2011)

Human Rights Watch (27 September 2010) *Zimbabwe: Violence, Intimidation Mar Constitutional Outreach*

<http://www.hrw.org/en/news/2010/09/27/zimbabwe-violence-intimidation-mar-constitutional-outreach?print>

(Accessed 17 January 2011)

SW Radio Africa (12 January 2011) *Zimbabwe: Police in Renewed Crackdown Against MDC Officials*

<http://allafrica.com/stories/printable/201101130145.html>

(Accessed 17 January 2011)

This is a subscription database

United Kingdom Home Office (21 September 2010) *Report of Fact-Finding Mission to Zimbabwe, Harare: 9-17 August 2010*

<http://www.unhcr.org/refworld/pdfid/4c9c92752.pdf>

(Accessed 17 January 2011)

United Kingdom Parliament House of Commons Library (7 December 2010) *Zimbabwe since the Global Political Agreement*

<http://www.parliament.uk/briefingpapers/commons/lib/research/briefings/snia-05793.pdf>

(Accessed 17 January 2011)

United States Institute of Peace (3 November 2010) *Zimbabwe: Power-Sharing Deal Under Stress*

[http://reliefweb.int/rw/RWFiles2010.nsf/FilesByRWDocUnidFilename/SNAA-8BA9GA-full_report.pdf/\\$File/full_report.pdf](http://reliefweb.int/rw/RWFiles2010.nsf/FilesByRWDocUnidFilename/SNAA-8BA9GA-full_report.pdf/$File/full_report.pdf)

(Accessed 17 January 2011)

Voice of America News (14 January 2011) *Zimbabwe's Catholic Bishops Voice Concern Over Rising Political Violence*

<http://www.voanews.com/zimbabwe/news/Zimbabwe-Catholics-Raise-Concern-Over-Rising-Political-Violence-113617914.html>

(Accessed 17 January 2011)

Zimbabwe Peace Project (17 December 2010) *Summary on Politically-Motivated Human Rights and Food- Related Violations: November 2010*

http://www.swradioafrica.com/Documents/ZPP%20November%202010_REPORT_SUMMARY.pdf

(Accessed 17 January 2011)

Sources Consulted:

Amnesty International

Electronic Immigration Network

Human Rights Watch

Refugee Documentation Centre Query Database

United Kingdom Home Office
UK Parliament
UNHCR Refworld
Zimbabwe Peace Project