



COUNTRY OF ORIGIN INFORMATION REPORT

ZIMBABWE

30 SEPTEMBER 2010

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Preface

- i This Country of Origin Information Report (COI Report) has been produced by COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 3 September 2010. The 'Latest News' section contains further brief information on events and reports accessed from 4 to 29 September 2010. The report was issued on 30 September 2010.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a compilation of extracts of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, the Report is a compilation of extracts produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 20 asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

Country of Origin Information Service

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Website: http://www.homeoffice.gov.uk/rds/country_reports.html

INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>

- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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Latest News

EVENTS IN ZIMBABWE, FROM 4 SEPTEMBER TO 29 SEPTEMBER 2010

The Latest News provides a non-exhaustive selection of significant events since 4 September 2010. Further information may also be available from the list of useful sources below.

The news articles below have been organised thematically and then chronologically.

Politics and politically motivated violence

- 28 September Human Rights Watch (HRW) warned against attacks by ZANU-PF supporters as 13 public meetings of the constitutional outreach programme were cancelled in Harare. HRW reported that violence at outreach meetings had increased since June - an attack claimed the life of an MDC supporter last week.
Human Rights Watch, Violence, Intimidation Mar Constitutional Outreach, 28 September 2010.
<http://www.hrw.org/en/news/2010/09/27/zimbabwe-violence-intimidation-mar-constitutional-outreach>
Date accessed 29 September 2010
- 28 September The chairman of the war veterans national association, Jabulani Sibanda, is reported to be conducting a series of “warning rallies” in Masvingo province. Sibanda is reported to have told villagers in Zaka that “sent outs” who failed to join ZANU-PF before the next elections would be killed.
Radio Vop, 'War Vet' Leader Holds Warning Rallies, 28 September 2010.
<http://news.radiovop.com/index.php/national-news/4591-war-vet-leader-holds-warning-rallies.html>
Date accessed 29 September 2010
- 24 September The MDC has reported that its members who have contributed ideas opposed to ZANU-PF policy at constitutional outreach meetings in Manicaland province have experienced violent attacks. An MDC spokesman for Buhera South stated that MDC officials feared for the life of a colleague who was abducted this week.
SW Radio Africa, Fear for abducted MDC official as ZANU-PF violence continues, 24 September 2010.
<http://swradioafrica.com/news240910/fear240910.htm>
Date accessed 27 September 2010
- 24 September Sources reported that ZANU-PF had begun to deploy “hit squads” in all provinces of the country and that they had also deployed military forces in Bulawyo. A provincial MDC spokesperson reported that ZANU-PF operatives had resumed abducting MDC supporters ahead of constitutional outreach meetings.
The Zimbabwe Mail, Dreaded abduction twin cabs re-emerge across the country, 24 September 2010.
<http://www.thezimbabwemail.com/zimbabwe/6181.html>
Date accessed 27 September 2010
- 23 September The exiled former editor of the Foreign Gazette, Basildon Peta, returned temporarily to Zimbabwe in September to attend a media

conference in Harare. Mr Peta who has been in exile for nine years had previously been threatened with death by the CIO (security service) in Zimbabwe.

The Independent, Exiled journalist's return to Zimbabwe, 23 September 2010.

<http://www.independent.co.uk/news/world/africa/exiled-journalists-return-to-zimbabwe-2087049.html>

Date accessed 23 September 2010

23 September NewZimSituation reported that the recent shooting of Chief Superintendent Lawrence Chatikobo was motivated by a power struggle within ZANU-PF between the Defence Minister, Emmerson Mnangagwa, and retired General Solomon Mujuru. Chatikobo's murder was followed by what was described as the "retalitory killings" of intelligence officers in Bulawayo. Observers are concerned that rivalry within ZANU-PF could break out into civil war.

NewZimSituation, ZANU-PF infighting: Senior police officer, and CIO member executed in political assassinations, 23 September 2010.

<http://newzimsituation.com/zanu-pf-infighting-senior-police-officer-and-cio-member-executed-in-political-assassinations-95779.htm>

Date accessed 23 September 2010

22 September The MDC (Tsvangirai) reported that four of its activists who were assaulted by members of ZANU-PF were arrested by the police after attempting to report the assault.

ZimOnline, Victims of violence arrested: MDC, 22 September 2010.

<http://www.zimonline.co.za/Article.aspx?ArticleId=6355>

Date accessed 23 September 2010

20 September Lawmakers in charge of the constitutional outreach programme decided to temporarily halt the programme in Harare after the MDC leader Morgan Tsvangirai accused "thugs" of trying to intimidate Zimbabweans. Five people were injured in the clashes.

News Yahoo, Zimbabwe constitution meetings halted by violence, 20 September 2010.

http://news.yahoo.com/s/ap/20100920/ap_on_re_af/af_zimbabwe_constitution

Date accessed 23 September 2010

16 September In a response to a High Court lawsuit filed by former parliamentarians who want by-elections in their former constituencies, President Mugabe said that the country could not afford to run the by-elections at the moment. There are 11 vacant seats in the House of Assembly, and seven in the Senate.

Voice of America, Zimbabwe President Mugabe says government has no money for by-elections, 16 September 2010.

<http://www.voanews.com/zimbabwe/news/Zimbabwe-President-Mugabe-Says-Gvt-Has-No-Money-for-By-Elections-103075074.html>

Date accessed 23 September 2010

15 September A total of 23 constitutional outreach meetings were cancelled during one week in September after ZANU-PF supporters resorted to using guns to disrupt meetings in a number of districts of Manicaland province.

SW Radio Africa, Violence forces cancellation of 23 COPAC meetings in Manicaland, 15 September 2010.

<http://www.swradioafrica.com/news150910/violence150910.htm>

Date accessed 23 September 2010

- 15 September The Washington based Genocide Watch officially classified the Gukurahundi massacres, of predominantly ethnic Ndebele in the mid 1980s, as genocide. Historians believe that tens of thousands of ethnic Ndebele may have been killed by soldiers loyal to President Robert Mugabe.
SW Radio Africa, Gukurahundi finally classified as genocide by leading experts, 15 September 2010.
<http://www.swradioafrica.com/news160910/guku160910.htm>
Date accessed 23 September 2010
- 14 September A survey commissioned by News Day on the voting intentions of Zimbabwean has revealed that the MDC-T will win the next general election while ZANU-PF will come second and the revived Zapu a distant third. The other partner in the current coalition, MDC-M, would come fourth.
The Zimbabwe Mail, Tsvangirai tipped to win next poll by a landslide, 14 September 2010.
<http://www.thezimbabwemail.com/zimbabwe/6096.html>
Date accessed 23 September 2010
- 12 September Prime Minister and MDC leader, Morgan Tsvangirai, announced that he had reached agreement with President Mugabe to hold elections in 2011 with both sides agreeing that either side would not challenge the outcome of the poll.
The Standard, Tsvangirai, Mugabe strike deal on polls, 12 September 2010.
<http://www.thestandard.co.zw/local/26355-tsvangirai-mugabe-strike-deal-on-polls.html>
Date accessed 23 September 2010
- 10 September Prime Minister Morgan Tsvangirai hinted that attempts were underway at re-uniting the two MDC formations, which split in October 2005. However, commentators noted that previous attempts at re-unification had come to nothing.
SW Radio Africa, Tsvangirai, hints at re-unification of MDC factions, 10 September 2010.
<http://www.swradioafrica.com/News100910/MT100910.htm>
Date accessed 23 September 2010
- 7 September In recent weeks there has been mounting speculation about the health of 86 year-old President Mugabe and the consequences for the country should he die in office. Political analysts predict that a succession battle within ZANU-PF would cause wider turmoil in the country.
SW Radio Africa, Analysts predict chaos if Mugabe dies in office, 7 September 2010.
<http://www.swradioafrica.com/news070910/analysts070910.htm>
Date accessed 23 September 2010
- 7 September Fresh violence continues to mar Copac meetings in Nyanga. The MDC-T, Manicaland chairperson, Patrick Chitaka said soldiers clad in civilian attire, and suspected Zanu PF activists yesterday chased away Manicaland province's COPAC teams belonging to the MDC. The police reportedly only arrested MDC members following the incident.
Daily News, More violence mars Copac meetings in Nyanga, 7 September 2010.
<http://newzimsituation.com/more-violence-mars-copac-meetings-in-nyanga-88125.htm>
Date accessed 23 September 2010

- 6 September Three white commercial farmers from Matabeleland North province are standing trial for posing a security threat to the state after they refused to hand over keys to a gun cabinet to police officers. The prosecution followed the gazetting for acquisition by the state of their farms.
Radiovop, Farmers to stand trial, 6 September 2010.
<http://news.radiovop.com/index.php/permalink/4455.html>
Date accessed 23 September 2010
- 6 September Spokesmen for the United Nations Development Programme, and the NGO World Vision, reported that the government of national unity had made good progress since its inception in 2009.
Daily News, Key donors give inclusive gvt thumbs up, 6 September 2010.
<http://www.dailynews.co.zw/news/34-news/615-key-donors-give-inclusive-gvt-thumbs-up.html>
Date accessed 23 September 2010
- Humanitarian issues**
- 25 September Health and human rights activists raised concerns that a shortage of tuberculosis vaccine in manicaland could seriously compromise the health of new born babies.
The Standard, Shortage of vaccine worries activist, 25 September 2010.
<http://www.thestandard.co.zw/local/26563-shortage-of-vaccine-worries-activists.html>
Date accessed 27 September 2010
- 20 September Amnesty International called on the Zimbabwean authorities to release 83 activists arrested during a peaceful demonstration in the capital Harare on Monday. The 83, who are members of Women of Zimbabwe Arise (WOZA) and Men of Zimbabwe Arise (MOZA) were arrested after they marched on the country's Parliament to highlight concerns around community safety and police behaviour in Zimbabwean communities..
Amnesty International, Zimbabwe must release 83 activists detained at peaceful demonstration, 20 September 2010.
<http://www.amnesty.org/en/news-and-updates/zimbabwe-must-release-83-activists-detained-peaceful-demonstration-2010-09-20>
Date accessed 23 September 2010
- 18 September The Intenational Organisation for Migration (IOM) announced that it was resettling more than 340 Zimbabwean families displaced by farm violence in the east of the country last year.
APANews, IOM to resettle Zimbabwean farm violence victims, 18 September 2010.
<http://www.sokwanele.com/thisiszimbabwe/archives/6048>
Date accessed 23 September 2010
- 7 September The governor of Masvingo province appealed for more money to re-introduce the Food for Work Programme. However, the failure of the government to raise money for the Food for Work Programme comes at a time when some humanitarian food aid agencies have indefinitely suspended working following interference in their operations by politicians, mostly from ZANU-PF.
Daily News, Governor Maluleke appeals for money to avert starvation, 7 September 2010.
<http://www.dailynews.co.zw/news/53-top-story.html>
Date accessed 23 September 2010

Other events

- 26 September The Standard reported that in recent months there has been an increase in the number of violent crimes, including armed robberies, involving police officers and soldiers. Observers have argued that the skill and precision of some of the armed robbers may well suggest that a good proportion of these crimes could have been committed by trained marksmen.
The Standard, Surge in armed robberies: police, army raise the stakes, 26 September 2010.
<http://www.thestandard.co.zw/local/26619--surge-in-armed-robberiespolice-army-raise-the-stakes.html>
Date accessed 27 September 2010
- 22 September An anti-corruption investigator reported that high court judges, magistrates, prosecutors, lawyers and clerks of court were among those receiving bribes and compromising the independence and integrity of the country's judicial system.
The Zimbabwean, Judges take bribes, 22 September 2010.
http://www.thezimbabwean.co.uk/index.php?option=com_content&view=article&id=34386:judges-take-bribes&catid=69:sunday-top-stories&Itemid=30
Date accessed 27 September 2010

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REPORTS ON ZIMBABWE PUBLISHED OR ACCESSED BETWEEN 4 SEPTEMBER AND 29 SEPTEMBER 2010

UK Border Agency <http://rds.homeoffice.gov.uk>
Report of Fact-Finding Mission to Zimbabwe, Harare: 9-17 August 2010,
21 September 2010
<http://rds.homeoffice.gov.uk/rds/pdfs10/ffm-zimbabwe-230910.doc>
Date accessed 27 September 2010

Institute for Democratic Alternative for South Africa (IDASA)
<http://www.idasa.org.za/>
GNU Watch Zimbabwe August 2010, 23 September 2010
<http://www.idasa.org.za/gbOutputFiles.asp?WriteContent=Y&RID=3073>
Date accessed 29 September 2010

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Background information

1. GEOGRAPHY

- 1.01 Jane's *Sentinel Security Assessment: Zimbabwe*, dated 16 September 2009, noted that: "Zimbabwe is a landlocked country located in southeast Africa. It borders Zambia to the north, Mozambique to the east, South Africa to the south and Botswana to the southwest. The country's longest border is with Mozambique (1,231 km), followed by Botswana (813 km), Zambia (797 km) and South Africa (225 km)." [90j] (Geography)
- 1.02 Europa World Online, undated, accessed 13 May 2010, noted that the principal towns (those with a population of over 100,000) are Harare (the capital), Bulawayo, Chitungwiza, Mutare (Umtali) and Gweru (Gwelo). [1b] (Area and Population)
- 1.03 The most recent estimate for the size of the Zimbabwean population was made by the United Nations (UN) in 2009 – it estimated that the population was slightly above 12.5 million. (Europa World Online, accessed 13 May 2010) [1b] (Area and Population) A joint report published by Food and Agriculture Organisation of the United Nations, and the World Food Programme, entitled *FAO/WFP Crop and Food Security Assessment Mission to Zimbabwe*, dated 9 August 2010, noted that: "About 30 percent of Zimbabwe's total population lives in urban and peri-urban areas. An estimated 60 percent of this urban population is concentrated in two urban provinces of Harare and Bulawayo." [104a] (p22)
- 1.04 The majority of Zimbabweans are Shona, with the Shona making up around 75 per cent of the population. The Ndebele comprise about 20 per cent with the Tonga, Venda and smaller ethnic groups such as the Hlengwe/Shangaan, San, descendants of white settlers and Asians making up the remaining 5 per cent of the population. (Jane's Sentinel Security Assessment: Zimbabwe, 16 September 2009) [90k] (Demography)
- 1.05 Europa noted that: "The official languages are English, ChiShona and SiNdebele. About 55% of the population are Christians. A large number of the African population follow traditional beliefs, while the Asian minority comprises both Muslims and Hindus." (Europa World Online, accessed 13 May 2010) [1a] (Location, Climate, Language, Religion, Flag, Capital)

Please see the sections on [Ethnic groups](#) and [Freedom of religion for more information](#).

- 1.06 Europa World Online, accessed on 13 May 2010, noted the following national holidays: "1 January (New Year's Day); 2–5 April (Easter); 18 April (Independence Day); 1 May (Workers' Day); 25 May (Africa Day, anniversary of OAU's foundation); 11 August (Heroes' Day); 12 August (Defence Forces National Day); 22 December (National Unity Day); 25–26 December (Christmas)." [1f] (Public Holidays)

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MAP

- 1.07 The following links provide a selection of different maps of Zimbabwe. The Multimap and Google maps are searchable.



UN OCHA - Political and Administrative Boundaries
As Updated in 2008

<http://www.unhcr.org/refworld/pdfid/4af146d60.pdf>

United Nations

Provincial map of Zimbabwe with district boundaries:

<http://ochaonline2.un.org/Portals/161/zimbabwe%20-%20provincial%20and%20district%20boundaries.pdf>

UNHCR map:

<http://www.unhcr.org/cgi-bin/texis/vtx/publ/opendoc.pdf?tbl=PUBL&id=3dee2cf00>

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2. ECONOMY

- 2.01 The Foreign and Commonwealth Office *Zimbabwe Country Profile*, updated 19 June 2009, noted that:

“In spite of having once had a well-developed infrastructure and financial systems, Zimbabwe's economy has declined rapidly since the late 1990s as a direct result of the poor governance of the Mugabe regime. GDP has fallen by half since 1998. All sectors of the economy have been affected, especially agriculture. According to the IMF, the economy contracted by 14.1% in 2008 but is expected to expand by 2.8% in 2009. Budget revenue in 2008 was \$133 million, while donors gave \$670 million in aid. Electricity is severely restricted and there are frequent water shortages. Unemployment is reportedly around 94%. ... Agriculture is the most important sector of the economy, but has been severely disrupted by land resettlement. This has led to a collapse in investor confidence and the flight of capital. Agricultural production has shrunk by over 50% since 1996 and there will be no commercial grain crop in 2009. ... Zimbabwe was suspended from voting at the IMF as a consequence of its non-compliance with obligations under the Fund's Articles of Agreement and its failure to co-operate with the Fund on policy advice. This is an issue the international community may review as part of a package of measures to support and encourage economic reform.” [13d] (Economy)

- 2.02 The Economist Intelligence Unit's (EIU) *Zimbabwe May 2010 report* noted that:

“As part of the power-sharing agreement, the Ministry of Finance has been placed under the control of Tendai Biti of the MDC - which means that the MDC is set to lose support as it makes only limited progress tackling the economy. Economic policy will continue to be driven by political considerations, with the struggle for influence in the power-sharing government between ZANU-PF and the MDC overshadowing policy reform. The most pressing example of this is the spat over indigenisation legislation – under which all companies operating in the country are supposed to be majority controlled by indigenous (black) Zimbabweans – with the MDC claiming that the measures will be modified (with the asset threshold raised, for example), and ZANU-PF insisting that they will be enforced as they currently stand.” [24c] (p5)

- 2.03 The EIU went on to note that government forecasts for growth in the economy over the next five years were “unrealistic”. The Ministry of Finance has forecast economic growth of 12.5 per cent in 2010 followed by “... an annual average of 15% over 2010-15 ...” The EIU stated that continuing political problems, the impact of high levels of HIV/AIDS infection and the recent introduction of indigenisation legislation (requiring 51 per cent black Zimbabwean ownership of all companies) will slow economic growth to around 2.5 per cent in 2010. The EIU also observed that growth is likely to pick up in 2011 and reach around 6.3 per cent, though “... the IMF predicts that there will be zero growth in Zimbabwe in 2011.” [24c] (p7)
- 2.04 The Foreign and Commonwealth Office's *Annual Report on Human Rights 2009*, published in March 2010, noted that one of the first actions of the government of national unity was “... the scrapping of the Zimbabwean dollar

...”, ending a period of hyperinflation. [13e] (p169) The EIU noted that the inflationary ‘highs’ experienced in 2008/9 (by January 2009 inflation had risen to 65 Quindecillion Novemdecillion (65 followed by 107 zeros) per cent per annum [10af]) were replaced by a short period of deflation. However, rising food costs, and above inflation wage demands caused prices to creep upwards with prices rising by 2.8 per cent in the first quarter of 2010. The EIU forecasted that inflation would continue to rise but stated that it is likely to level out between 7 and 8.5 per cent during the latter half of 2010 through to 2011. (Economist Intelligence Unit, Country Report: August 2010) [24b] (p7-8)

- 2.05 An article written by Dr Kate Adams and published in the *British Medical Journal*, dated 7 August 2010, noted that: “The average monthly wage is [US]\$150 (£95; 110 Euros), 90% of adults are unemployed ...” [116a] (p302) The *African Travel Guide*, dated 4 May 2010, reported that: “More than 75 per cent of Zimbabwe’s 13 million people live on less than US\$1 ... a day, according to the Consumer Council of Zimbabwe ...”. [110a] A report published by the Civil Society Monitoring Mechanism, covering events during January and February 2010, noted that: “While the stabilisation of the economy has normalised life in tangible ways, the benefits of this remain outside the reach of many.” [48a] (p8) The Consumer Council of Zimbabwe noted in a report dated 1 November 2009 that an average family of six needed at least US\$496 a month for a basic basket of goods, including food, transportation costs, electricity and water etc. [111a]
- 2.06 The Inter Press Service News Agency reported on 24 January 2009 that a large number of Zimbabweans rely on remittances (cash/credit) sent by relatives working abroad. It was estimated by the Global Poverty Research Group (attached to the universities of Oxford and Manchester) that “... in 2006, 50 percent of all households surveyed in Zimbabwean cities and towns were regular recipients of money, food and other goods ...” [15a] The *Zimbabwe Standard* reported on 20 February 2010 that: “Remittances from the Diaspora topped US\$190 million last year ...”. [20d] A joint report published by Food and Agriculture Organisation of the United Nations, and the World Food Programme, entitled *FAO/WFP Crop and Food Security Assessment Mission to Zimbabwe*, dated 9 August 2010, noted that: “Diaspora remittances play a major role in supporting household food needs and alleviating poverty. ... There are no solid data on remittances coming from abroad. The Reserve Bank of Zimbabwe estimates them to amount to between USD 50 and USD 100 million, others believe that this number is much underestimated and may neglect informal channels.” [104a] (p23-24)
- 2.07 A report by the Solidarity Peace Trust entitled *Gone to Egoji*, dated 30 June 2009, found that remittances, far from providing a regular source of foreign exchange and food, was something that only a small proportion of Zimbabweans with family members in the diaspora, could count on. The report went on to note that poorer rural families were less likely to receive remittances than the urban middle classes. [65c] (p5&7)

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Targeted sanctions

- 2.08 The website European Union Business, dated 17 February 2010, noted that the European Union renewed its sanctions targeted against ZANU-PF members of Robert Mugabe's government, senior government officials, military figures and some businesses with close links to Mugabe. Under the sanctions, which have been extended until February 2011, key figures in the regime are prevented from travelling to Europe and are subject to an asset-freeze. [36a] BBC news reported on 16 February 2010 that "The EU sanctions target 200 people and 40 firms ..." [3d]

Details of the ban can be found here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:049:0015:0017:EN:PDF>

A list of Zimbabweans subject to sanctions/travel ban can be found at the following link:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:172:0089:01:EN:HTML>

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3. HISTORY

This section provides a brief history since the 19th century, with the main focus on events since the mid 1980s. It is not intended to be a comprehensive or detailed account but to provide historical context to current events.

- 3.01 The Foreign and Commonwealth Office (FCO) *Zimbabwe Country Profile*, updated 19 June 2009, noted that:

"Until the 19th century the area was ruled by a succession of Shona kingdoms, including the builders of the famous Great Zimbabwe complex (from which the country takes its name). By the 1820s internal and external pressures had led to the collapse of the Shona polities, laying the country open to occupation. Nguni conquerors from South Africa occupied what is now Matabeleland, and in 1890 Cecil Rhodes' British South Africa Company (BSAC) founded Salisbury (now Harare) and took control of the rest of the country by 1893. The BSAC's defeat of the 1896 Shona and Ndebele rebellion (the 'First Chimurenga') secured the country for widespread European settlement. In 1923, after a referendum which rejected union with South Africa, the country became a self-governing colony. In an attempt to pre-empt black majority rule the white-controlled Rhodesian parliament made a Unilateral Declaration of Independence in 1965, leading to a 15 year guerrilla war (the Second Chimurenga')." [13d]

- 3.02 Europa World Online – Zimbabwe, undated, accessed 14 May 2010 noted that following the unilateral declaration of independence (UDI) by Ian Smith in 1965 black nationalists organised the fight for majority rule. The principal nationalist groups were the Zimbabwe African People's Union (ZAPU), led by

Joshua Nkomo, and the Zimbabwe African National Union (ZANU), led initially by the Reverend Ndabaningi Sithole and later by Robert Mugabe. ZAPU and ZANU merged their military efforts in 1976 in the uneasy Patriotic Front alliance. In 1979, according to Europa, the UDI administration concluded an 'internal settlement' with some black nationalists, under which Bishop Abel Muzorewa became Rhodesia's first black Prime Minister. Later in 1979, all parties to the conflict participated in the Lancaster House Conference in London, which agreed an independence settlement. Initially Mugabe adopted a conciliatory stance towards Nkomo but relations became strained and in February 1982 Nkomo was removed from the Cabinet, with two colleagues under suspicion of plotting against the government. [1d] (Recent History)

MATABELELAND MASSACRES 1983–87

- 3.03 Europa stated that the alleged discovery of large caches of arms on ZAPU-owned properties in Matabeleland in 1982 led to Joshua Nkomo's dismissal from government office. Dissidents from Nkomo's former guerrilla force, Zimbabwe People's Revolutionary Army (ZIPRA), perpetrated indiscriminate acts of violence. The Government responded by sending the North Korean-trained Fifth Brigade to Matabeleland in early 1983 to quell dissent. The mainly Shona Fifth Brigade was accused of committing atrocities against civilians in its 'pacification' campaign and it alienated support for the Government amongst Matabeleland's Ndebele population. [1c] (p1254-55) A book entitled *Zimbabwe - Years of hope and despair*, written by Philip Barclay a former FCO official in Harare, published by Bloomsbury 2010, noted that: "Between 1983 and 1985, Mugabe broke the Ndebele as a rival political force by means of a militarised programme of terror, 'Gurkurahundi', in which at least 20,000 people were killed." [59a] (Introduction xv) A figure of 20,000 deaths during the 'Gurkurahundi' was also reported by the *The Independent* on 30 March 2010. [4b]
- 3.04 Europa noted that a unity agreement between ZANU-PF and ZAPU was reached in 1988. The merged party retained ZANU-PF's name and Nkomo became one of two vice-presidents and took a senior cabinet post. An amnesty in 1988 led to a rapid improvement in the security situation in Matabeleland. Constitutional changes in 1987 ended reserved seats for whites and created an executive Presidency, replacing the ceremonial post of President formerly held by Canaan Banana and incorporating the post of Prime Minister. Mugabe became Zimbabwe's first executive President at the end of 1987. [1c] (p1255)
- 3.05 *The Independent* noted in an article dated 19 October 1999, that at Vice-President Joshua Nkomo's funeral, President Mugabe expressed his regret for the actions of the Fifth Brigade in Matabeleland during the 1980s. At a memorial service for Nkomo in October 1999, Mugabe announced the willingness of the Government to compensate the families of the thousands of people killed during the insurgency. [4g] Further promises of compensation projects were made in June 2002 by John Nkomo, the then Minister for Home Affairs, but according to the *Zimbabwe Standard* on 13 July 2003 this compensation had not been paid. [20f]

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SIGNIFICANT EVENTS (1989 – 2007)

- 3.06 Jane's Sentinel *Country Risk Assessment: Zimbabwe*, dated 10 September 2009, noted that:

“A merger between ZANU-PF and ZAPU was finally achieved in December 1989 and Mugabe became leader of the united ZANU-PF party. He then publicly called for a one-party state. Mugabe replaced the bicameral parliament with a one-chamber parliament but had to fight the 1990 elections against four other parties. ZANU-PF's overwhelming victory, winning 116 of the 120 seats available, led to Mugabe reiterating his call for the introduction of a one-party state while the rest of the continent was rejecting authoritarianism in favour of multi-party politics. In July 1990 the state of emergency that had been in force since 1965 was lifted. In the following year ZANU-PF officially renounced its dedication to Marxism and the one-party system.” [90e] (Internal Affairs)

- 3.07 Jane's Sentinel *Country Risk Assessment: Zimbabwe*, updated on 10 September 2009, noted in the section on Internal Affairs, that in 1996:

“Discontent rising from the perception that only the government and party faithful were enjoying economic success led to widespread dissatisfaction that was manifest first by a strike at the national airline, Air Zimbabwe. With the ongoing economic reforms, the cost of living had been increasing at an average of over 20 per cent a year, while wages and salaries did not keep up. The general dissatisfaction persisted and further demonstrations and strikes paralysed large sections of the manufacturing industry as the time for the yearly July wage increases were due to be negotiated.” [90b]

- 3.08 Jane's continued:

“Facing a shortage of funds to finance both land reclamation and financial compensation for the war veterans, in late 1997 the government sought to raise taxes. ... Already burdened by high taxes and the eroding purchasing power of their money, workers reacted angrily by threatening a general strike. The strike was organised by the ZCTU (Zimbabwe Congress of Trade Unions) secretary general, Morgan Tsvangirai. Threats by government ministers carried in the media soon hardened attitudes. It was not long before demonstrations turned violent and, in response, the army was mobilised across the country to quell the riots, only returning to barracks in February 1998.” [90b] (Internal affairs)

- 3.09 Jane's also noted that:

“It is possible to interpret 1998 as a year of political and economic crisis for Zimbabwe. Despite some positive signs, such as the IMF agreeing to restore USD183 million in aid, which had been suspended in 1995 following governmental failure to achieve first phase economic reform targets, the overall pattern of the economy showed a downward trend. An attempt to halt the economic malaise afflicting the country came in May 1998, when the new Zimbabwe Programme for Economic and Social Transformation (ZIMPREST) reforms were announced at the second National Economic Forum, coinciding with the welcome release of ZWD1 billion (USD59 million) by the IMF.” [90b] (Internal affairs)

- 3.10 The Economist Intelligence Unit's Zimbabwe Profile 2008, dated 9 May 2008, noted that sections of the union movement, led by Morgan Tsvangirai's ZCTU (Zimbabwe Congress of Trade Unions):
- “... eventually formed an opposition political party, the Movement for Democratic Change (MDC), in September 1999.
- “It led a successful campaign against Mr Mugabe's proposed amendment of the constitution (which included some controversial clauses on land reform), which culminated in a 'no' vote in a national referendum on the issue in February 2000 that was widely perceived as a vote of no confidence in the government.” [24n] (p4)
- 3.11 Europa World Online, undated, accessed 9 October 2009, reported that in the aftermath of the failed national referendum, the “... Government embarked on a campaign to restore its popularity prior to the legislative elections, which, it was announced in March 2000, were to be held in May rather than April.” As part of its drive to improve its popularity, the government oversaw the “... Illegal occupations of white-owned farms by black 'war veterans' (many of whom, too young to have taken part in the war of independence ...” However, “Mugabe repeatedly denied that his administration was behind the occupations, but made no secret of his support for them. The invasions became increasingly violent, and two farmers were killed in April [2000]. ...” [1d] (Recent history)
- 3.12 The BBC Timeline for Zimbabwe, last updated on 11 August 2010, noted that Mugabe's party (ZANU-PF) narrowly fought “... off a challenge from the opposition Movement for Democratic Change (MDC) led by Morgan Tsvangirai, but lost its power to change the constitution.” [3ag] Europa, undated, accessed 12 June 2009, noted that there were widespread reports of violence and polling irregularities. International observers declared that the elections had not been free and fair. [1d] (Recent history)
- 3.13 Throughout 2000 and 2001 the government issued thousands of notices appropriating white farms, providing farmers with little in the way of a right of appeal. Europa, undated, accessed April 2009, noted that in November 2001 the government “... amended the Land Act by decree. According to the revised legislation, any farm issued with a 'notice of acquisition' would become the property of the state with immediate effect; previously, a farm owner had been served 90 days' notice.” During this time, there were reports of continuing violent land seizures against white farmers by militia groups such as the 'War Veterans'. [1d] (Recent history)
- See also Humanitarian issues, [Land reform](#)
- 3.14 In March 2002 Mugabe was re-elected in presidential elections and was declared the “... winner on 13 March, with 56.2% of the valid votes cast; Tsvangirai secured 42.0%.” Europa went on to note that the elections were condemned as seriously flawed by the opposition and foreign observers with reports of “... widespread electoral fraud and intimidation of the electorate and of observers by members of ZANU-PF.” [1d] (Recent history)
- 3.15 Europa noted that:

“Immediately after the election the Government enacted the Access to Information and Protection of Privacy Act [AIPPA], which required all journalists reporting in Zimbabwe to be approved by the state; seven journalists had been detained under the Act by early May [2002]. In April the NCA [National Constitutional Association] organized demonstrations in support of demands for a new constitution and a rerun of the presidential election, at which more than 80 demonstrators were arrested. Violence directed at supporters of the MDC intensified following the election, allegedly committed by ZANU-PF supporters, and more than 50 people were reported to have been killed between the election and the end of April.” [1d] (Recent history)

3.16 Europa noted that:

“Land seizures ... escalated, and in late March 2002 the Government listed almost 400 white-owned farms for compulsory acquisition, bringing the area scheduled for redistribution to the black population to around 85% of total commercial farmland. In June Mugabe issued an order listing some 2,900 white-owned farms for seizure ... In September the Land Acquisition Act was amended to allow the eviction of white farmers within seven days, as opposed to the 90 days previously required.” [1d] (Recent history)

3.17 Europa noted that in Parliamentary elections held in March 2005, Mugabe won two-thirds of the votes allowing him “... to amend the Constitution. International observers from the African Union (AU) and the Southern African Development Community (SADC) [initially] endorsed the results ...” but “... later reversed their opinion and called for investigations into allegations of electoral fraud.” The opposition, US and EU governments again condemned the results citing widespread electoral fraud. [1d] (Recent history)

3.18 Europa noted that: “In late May 2005 the Government launched Operation Murambatsvina (‘Sweep Away the Rubbish’), which targeted black market trading—principally in foreign currency and fuel—and ‘general lawlessness’. The MDC claimed that it was a punitive action against the urban poor who had voted against ZANU—PF in the elections in March.” Planned and unplanned poor urban developments “... razed to the ground in Harare and other major cities, including Bulawayo and Gweru. The operation attracted widespread international condemnation and, according to a report by UN-Habitat published in late July [2005], some 700,000 people were made homeless ...” [1d] (Recent history)

3.19 Europa noted that:

“In late August 2005 the House of Assembly approved a bill which ... provided for the reintroduction of a 66-member Senate (abolished in 1990) as the second chamber of the legislature; senatorial elections were held in late November 2005. The MDC was deeply divided over the issue of participating in the elections. Tsvangirai opposed electoral participation, advocating mass protests and ‘democratic resistance’; however, a faction led by the party's Secretary-General, Welshman Ncube, fielded 26 candidates. ZANU-PF won 43 of the 50 elected seats, receiving 73.7% of the vote; MDC candidates took the remaining seven seats with 20.3% of the vote. The MDC effectively split in two, a ‘pro-Senate’ faction electing Arthur Mutumbara as its leader in February

2006. The rump [the largest part] of the party re-elected Tsvangirai as its President in late March ...” [1d] (Recent history)

3.20 Europa stated that:

“In mid-February 2007 police used tear gas and water cannons to prevent an MDC rally from proceeding in Harare, despite the organization obtaining a High Court order allowing the rally to take place. In late February anti-Government protesters took control of Budiriro township in Harare for several hours, setting up roadblocks of boulders and burning tyres. Political tensions intensified further when Tsvangirai was arrested in mid-March along with five other members of the MDC after riot police violently dispersed a ‘Save Zimbabwe’ prayer meeting in Harare’s Highfield township. One activist was killed by the police and Tsvangirai suffered severe injuries while in police custody. The Government stated that the rally breached a recently introduced three-month ban on political gatherings. The incident provoked widespread international condemnation and demands for the release of those detained. Following an SADC summit in Dar es Salaam, Tanzania, in late March, it was announced that Mbeki had agreed to mediate between the MDC and the Zimbabwean Government; however, there were further reports of the mistreatment of MDC activists in police custody, provoking renewed opposition protests and repeated calls for Mugabe to relinquish the presidency. Nevertheless, in early April ZANU-PF declared that Mugabe would stand as the party’s candidate in the 2008 presidential election.” [1d] (Recent history)

3.21 Europa noted that:

“In early June 2007 constitutional amendments were proposed that would allow the legislative elections to be brought forward to coincide with the presidential election in 2008, harmonizing the presidential and parliamentary terms of office. The proposals also contained provisions for amendments to the structure of the House of Assembly and the Senate. The MDC opposed the proposals, which would, inter alia , allow the House of Assembly to nominate a new President should the incumbent stand down; under the existing structure, new elections would be required if the presidency were vacated. The MDC continued to be weakened by divisions between party members and in July it was announced that the two factions planned to field separate candidates in the presidential and legislative elections. Meanwhile, South African-led mediation between the MDC and ZANU-PF faltered amid worsening political and economic conditions; however, Mbeki denied that negotiations would collapse.” [1d] (Recent history)

3.22 Europa noted that:

“On 30 October 2007 a number of changes to the Constitution were officially adopted. With effect from the 2008 elections, the House of Assembly was to be enlarged to comprise 210 directly elected members, while the total number of members of the Senate was to be increased to 93. ... The presidential term was reduced to five years. However, talks between ZANU-PF and the opposition failed to produce any agreement on electoral procedures and negotiations continued. ZANU-PF representatives insisted that further negotiations, expected to continue throughout November, would not delay the March 2008 elections.” [1d] (Recent history)

A thorough chronology of events in Zimbabwe is available from the BBC's Timeline http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1831470.stm and from the Guardian <http://www.guardian.co.uk/world/2007/oct/04/zimbabwe>

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4. EVENTS IN 2008 AND EARLY 2009

PARLIAMENTARY ELECTIONS: MARCH 2008

- 4.01 Amnesty International's *Report 2009 – Zimbabwe* (AI report 2009), published on 28 May 2009, covering events in 2008, reported that:

“On 29 March [2008] the country held presidential, parliamentary and local government elections in an environment that was relatively peaceful compared to previous elections. The elections followed a year-long dialogue between ZANU-PF and the two formations of the Movement for Democratic Change (MDC), facilitated by the Southern African Development Community (SADC). The March elections saw ZANU-PF losing its majority in parliament for the first time since independence in 1980.” [14b] (p360)

- 4.02 A book entitled *Zimbabwe - Years of hope and despair*, written by Philip Barclay published in 2010, noted that:

“Regionally, the MDC-T [MDC–Tsvangirai – the larger of the two MDC parties] dominated [in the national elections] Harare, Bulawayo and other urban areas, as expected. Much more surprisingly, it had made dramatic advances in Masvingo (taking most of the seats around Zaka and Gutu and even achieving gains in Chivi and Bikita) and Manicaland. These areas used to be solidly ZANU-PF, but were now overall MDC provinces. ZANU-PF scored heavily in rural areas of the three Mashonaland provinces and its vote also held up in Midlands. Mutambara's [MDC-M] successes were in Matabeleland.” [59a] (p78)

- 4.03 Sokwanele reported on 3 April 2008 that the Zimbabwe Electoral Commission (ZEC) had announced the results for 207 of the 210 parliamentary constituencies. The remaining three constituencies will be determined by by-elections following the deaths of three candidates prior to the March 29th elections: Pelandaba/Mpopoma, Gwanda South, and Redcliff.

House of Assembly results (ZEC)

(Based on 207 constituencies counted)

MDC Mutambara	10
MDC Tsvangirai	99
ZANU-PF	97

(ZEC: Final results for the House of Assembly, 3 April 2008) [37b]

- 4.04 On 5 April 2008, Sokwanele reported that the ZEC had announced the results for all 60 elected Senate seats. ZANU-PF won 30 seats, the MDC T gained 24 seats and the MDC M took 6 seats. The Senate consists of 93 Senators: 60 directly elected by voters in 60 constituencies; 5 Senators appointed by the President; 10 Provincial Governors; 18 chiefs – 16 elected by fellow chiefs,

plus the President and Deputy President of the Council of Chiefs ex officio. (ZEC: Final results for the House of Assembly, dated 5 April 2008) [37a]

PRESIDENTIAL ELECTIONS: MARCH - JUNE 2008

- 4.05 Human Rights Watch noted in a report entitled *Sleight of hand*, dated 20 April 2010, that:

“Results for the presidential elections, which took place the same day [as the parliamentary elections], were not announced until May 2 [2008], when the Zimbabwe Electoral Commission (ZEC) declared that, although MDC leader Morgan Tsvangirai had garnered more votes than Mugabe, he had not secured the simple majority (50 percent plus one vote) required to be declared president. A presidential runoff election was set for June 27 [2008] and held, despite Tsvangirai pulling out of the race because of violence against supporters of his party. Mugabe had himself declared winner of the election, which triggered a political impasse. The then president of South Africa, Thabo Mbeki, facilitated Southern African Development Community (SADC)-mandated talks between ZANU-PF and MDC with a view to resolving the stalemate.”

- 4.06 Reporting on 30 June 2009, the Solidarity Peace Trust noted that the period between the parliamentary elections and the presidential run-off (March to June 2008) was marked by a period of “horrific violence” where ZANU-PF sought to punish those who hadn’t voted for the party and who would be expected to vote for Mugabe in the presidential run-off. [65b] The wave of political violence was named ‘Operation Mavhoterapapi’ or ‘Who did you vote for’ (IRIN News, 1 May 2008) [10ai]

The March 2009 update of the Zimbabwe Country Report provides a detailed narrative of the events surrounding the 2008 parliamentary and presidential elections. <http://www.homeoffice.gov.uk/rds/pdfs09/zimbabwe-260309.doc>

GLOBAL POLITICAL AGREEMENT AND FORMATION OF THE GOVERNMENT OF NATIONAL UNITY (GNU): SEPTEMBER 2008 – FEBRUARY 2009

- 4.07 Against a background of continuing violence, Amnesty International reported on the 30 May 2009 that increased “Efforts by SADC [Southern African Development Community] to find a political settlement between ZANU-PF and the two formations of the MDC resulted in a political agreement signed in September [2008]. However, negotiations to set up a unity government stalled over allocation of key government ministries including the Ministry of Home Affairs.” (Amnesty International, Annual Report 2009) [14b] (p360)
- 4.08 Human Rights Watch noted in its report, *Sleight of Hand*, dated 20 April 2010, that by February 2009 ZANU-PF and the two MDC formations had agreed to form a transitional power-sharing government. “Mugabe retained the post of president, while Tsvangirai became prime minister and Arthur Mutambara, leader of the smaller MDC formation, deputy prime minister.” [69j] (p8) The Human Rights Watch *World Report 2010 – Zimbabwe*, published 20 January 2010, noted that: “... the deal left ZANU-PF with most of its power intact, effectively maintaining the status quo ante: it has kept control of all the senior ministries including justice, security, and defence.” HRW noted that the deal left the MDC without and real power. [69i]

- 4.09 Jane's Sentinel *Country Risk Assessment: Zimbabwe*, updated 10 September 2009, noted that:

“Under the power-sharing agreement concluded by Robert Mugabe's Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the opposition Movement for Democratic Change formations of Morgan Tsvangirai (MDC-T) and Arthur Mutambara (MDC-M), a new constitution is to be drafted and submitted to a referendum. Preparation in this regard began with the creation of a 25-member select committee of members of parliament in April 2009. The provisional time frame for the draft constitution is for February 2010, with a referendum by July of that year.” [90a] (Constitution)

The BBC provided on 15 September 2008 a breakdown of the ‘key points’ of the GPA, details of which can be found through the following link: <http://news.bbc.co.uk/1/hi/world/africa/7617731.stm> The full text of the GPA can be found at the following link (Institute for Security Studies, 15 September 2008):

http://www.iss.co.za/dynamic/administration/file_manager/file_links/ZIMAGMT150908.PDF?link_id=5&slink_id=6575&link_type=12&slink_type=13&tmpl_id=3

MDC DISENGAGES FROM THE TRANSITIONAL GOVERNMENT

- 4.10 Freedom House in its *Freedom in the World 2010* report, Zimbabwe, covering events in 2009, released on 3 May 2010, stated that: “The survival of the unity government remained in doubt throughout 2009. ... the ongoing crackdown, as well as the rearrest of MDC stalwart Roy Bennett on terrorism and other charges ...” [96b] (p3) and President Mugabe’s failure to implement political agreements, caused Morgan Tsvangirai to announce on 16 October 2009 that he was disengaging the MDC-T from the transitional government. (BBC News, 5 November 2009) [3i] Mr Tsvangirai’s disengagement from the transitional government resulted in the MDC withdrawing representation in the Cabinet and Council of Ministers. (Prime Minister’s Office website, 16 October 2009) [103a]
- 4.11 Following the MDC’s decision to disengage from the Unity government sources noted a stepping up of violence and intimidation against MDC activists and supporters. *The Times*, dated 30 October 2009, noted that since the start of the current crisis, MDC officials and supporters, and civil society activists had begun to be arrested and abducted. [82i] Both *The Standard* (Zimbabwe), dated 31 October 2009, and *The Times*, dated 30 October 2009, reported that ZANU-PF militias had re-deployed to rural areas and that they were holding political meetings to intimidate MDC and opposition supporters. [70d] [82i] *The Standard* (dated 31 October 2009) noted that there were reports of MDC activist’s homes being torched and threats to kill people. There were also reports of youth militia camps being opened and the recruitment of a youth militia was underway. [70d] The States in Transition Observatory report, dated 10 November 2009, noted that in Chiweshe district, 50 homes of MDC supporters were burnt to the ground by ZANU-PF youth militia members. [9f] (p8)

Tsvangirai calls off boycott

- 4.12 The BBC reported on 5 November 2009 that Morgan Tsvangirai announced that he was calling off his party's boycott of the unity government with President Robert Mugabe's ZANU-PF. Mr Tsvangirai said he was giving Mr Mugabe 30 days to implement the power-sharing agreement on "the pertinent issues we are concerned about". [3i] Mr Tsvangirai's decision to re-engage in the power-sharing government followed discussions at a special Southern African Development Community (SADC) summit brokered by South African President Jacob Zuma. *Monsters and Critics*, 8 November 2009) [109a] The summit's leaders set a 30 day time period for Mr Mugabe and Mr Tsvangirai to iron out their differences and prioritise issues of national interest. (Business Day, 6 November 2009) [17a]
- 4.13 SW Radio Africa reported on 16 November 2009 that the talks between the MDC factions and ZANU-PF were postponed to the last week in November until the MDC-M negotiators returned to the country. The negotiations were reported to be centred on the appointment of provincial governors, the fate of the Attorney-General and Governor of the Reserve Bank, the swearing-in of Roy Bennett and the National Security Council. [53b]

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5. RECENT DEVELOPMENTS (EVENTS SINCE DECEMBER 2009)

POWER SHARING GOVERNMENT

- 5.01 Human Rights Watch noted in a report entitled *Sleight of hand*, dated 20 April 2010, that:

“Although now a partner in the government, the MDC lacks real power to institute its political agenda. President Mugabe and ZANU-PF, through the use of politicized and partisan senior government officials and state security forces, continue to maintain power and dominate government institutions. Using violence and repression to browbeat and coerce the population, Mugabe and ZANU-PF are effectively running a parallel government that undermines MDC authority and frustrates meaningful progress by the power-sharing government ... The MDC's lack of authority in the power-sharing government extends even to protecting the ministries allotted to it by ZANU-PF. On March 4, 2010, without Prime Minister Tsvangirai's consent or knowledge, President Mugabe stripped four MDC-controlled ministries of all essential functions and gave responsibility to ZANU-PF ministers ... MDC's zeal for reform also appears to be faltering. Several local analysts told Human Rights Watch that some senior MDC ministries who had championed human rights reforms prior to joining the government appear to have lost interest in this difficult pursuit. As a result, the MDC is not forcefully pushing for reform, but appears preoccupied, instead, with simply protecting the existence of the power sharing government.” [69j] (p22-23)

- 5.02 The Economist Intelligence Unit's (EIU) *Zimbabwe Country Report*, published in May 2010, noted that:

“The crucial process of formulating a new constitution is now more than nine months behind schedule ... A new constitution was originally due to be in

place by July 2010, but the process has been thwarted by funding problems, political in-fighting between the three members of the power-sharing government and administrative failures. ... Delays and disputes in the formulation of the new constitution are symptomatic of the ongoing power struggle between ... (ZANU-PF; led by the president, Robert Mugabe), the ... (MDC; led by the prime minister, Morgan Tsvangirai) and the MDC faction led by Arthur Mutambara.” [24c] (p9)

- 5.03 The EIU’s May *Country Report* also went on to report that the MDC was “losing influence” in the power-sharing government with “... Mr Tsvangirai ... struggling to bolster his credibility at home. In a late-April editorial the influential *Independent* newspaper – which is fiercely anti-Mugabe – warned that Mr Tsvangirai’s party was ‘slowly losing clout’.” The report pointed to various instances where ZANU-PF partners had obstructed or blocked actions by the MDC. [24c] (p9-10) The EIU’s June 2010 *Country Report* stated that: “There is growing evidence that Mr Mugabe and ZANU-PF are riding roughshod over their nominal coalition partners ...” [24d] (p9) In addition, the EIU May report noted that “... relations with both the MDC’s main support constituencies – the trade unions and NGOs – have soured.” [24c] (p9-10)
- 5.04 The Economist Intelligence Unit’s (EIU) *Zimbabwe Country Report*, published in July 2010, noted that:
- “With – admittedly rudimentary – opinion polls saying that Mr Tsvangirai and the MDC would secure a landslide victory in a free and fair election, ZANU-PF is likely to continue to use its control of the mainstream media to promote the idea that all is not well within the MDC. At the same time ZANU-PF ministers will simply get on with their jobs while paying lip-service to Mr Tsvangirai’s position as prime minister. While some in the MDC claim that the party has won important concessions regarding measures such as proposed indigenisation legislation, the reality is that ZANU-PF has given very little ground ... White farmers continue to be evicted, while the outreach programme designed to canvass opinions about a new constitution continues to be disrupted by ZANU-PF militants. There is, therefore, little doubt about who is in overall control – and it is not Mr Tsvangirai.” [24a] (p10)
- 5.05 The Economist Intelligence Unit’s (EIU) *Zimbabwe Country Report*, published in August 2010, noted that the outlook for the power-sharing government “... will be patchy at best and subject to frequent reversals: ZANU-PF insists that the Global Political Agreement (GPA) signed in September 2008 will not be implemented fully until targeted Western sanctions are lifted.” [24b] (p4)
- 5.06 In a further sign of problems within the GNU, the EIU’s August 2010 report noted that President Mugabe had appointed “... a new ambassador to the South African capital, Pretoria, without bothering to consult either of his coalition partners. Mr Tsvangirai has since demanded that the appointment be nullified.” [24b] (p9)

INTIMIDATION OF AND VIOLENCE AGAINST CIVIL SOCIETY AND MDC SUPPORTERS

- 5.07 Human Rights Watch noted in a report entitled *Zimbabwe: One Year On, Reform a Failure*, dated 12 February 2010, that: “Recent research by Human Rights Watch in Zimbabwe suggests that there has been no meaningful political transition, and that ZANU-PF continues to engage in political violence against perceived opponents.” [69i] This view was confirmed by the Economist Intelligence Unit, which noted in August 2010 that “... low level violence against MDC supporters and civil society activists is already becoming more apparent ...” (Zimbabwe Country Report, August 2010) [24b] (p4) The Civil Society Monitoring Mechanism’s report covering events between March and April 2010, noted that: “In the period under review, a large number of cases of political intolerance and violence towards MDC supporters were recorded.... Violence against perceived MDC supporters or activists was reported by various sources, occurring as much as weekly, and perpetrated mainly by local party youth, militia and supporters.” [48b] (p44)
- 5.08 Amnesty International noted in a report entitled *Zimbabwe: Abuse of human rights continues under unity government*, dated 10 February 2010, that human rights violations have continued throughout the period that the unity government has been in power [February 2009 to February 2010].
- ”Torture, harassment and politically motivated prosecutions of human rights defenders and perceived opponents have persisted, while villagers in parts of Zimbabwe have suffered ceaseless intimidation by supporters of former ruling party ZANU-PF ... Amnesty International’s call for reform comes amid reports that villagers in parts of Zimbabwe are being threatened with violence by army backed supporters of ZANU-PF, in an attempt to force them to endorse the heavily criticized Kariba draft constitution. The Kariba draft constitution, agreed by unity government parties in September 2007, has been strongly criticized by some civil society organizations as an attempt by the parties to impose a constitution without consultation. Villagers in Mutoko, Muzarabani and MT. Darwin are reportedly being warned that they will face beatings unless they support the ZANU-PF position. Similar threats were made and materialised in the run up to the June 2008 presidential elections.” [14i]
- 5.09 Sokwanele noted in Issue 15 of the *Zimbabwe Inclusive Government Watch* dated 22 May 2010, that ZANU-PF “... ZANU-PF continued their harassment of MDC officials through the legal system.” The report continued:
- “Bikita West MDC legislator Heya Shoko faces a murder charge – instead of culpable homicide – after fatally knocking down a child whilst driving. A legal expert said it was very unusual for a person to be charged with murder arising from a traffic accident unless intention to kill had been fully established. In another questionable arrest, two provincial leaders from MDC-T in Mashonaland Central and the District Treasurer were arrested for not standing during Independence Day celebrations in Bindura. When the MDC Mayor arrived, ZANU-PF supporters remained seated, so in ‘retaliation’ the MDC supporters didn’t stand when the ZANU-PF Governor arrived, resulting in the arrest.” [37e] (p2-3)
- 5.10 SW Radio Africa published a press statement by the US Embassy, dated 9 June 2010, that criticised the government for the arrest of civil society leaders and increased political violence. The statement said:

“The United States Embassy in Harare has noted with growing concern increases in arrests and detentions of civil society leaders in recent weeks, including activists associated with the Centre for Research and Development and Gays and Lesbians of Zimbabwe. Of equal concern are reports by respected human rights groups of increased political violence in the communities of Epworth, Plumtree, Chimanimani and Marondera.” [2b]

- 5.11 *Zimdiaspora* and *The Zimbabwean* reported on 18 August 2010 that at least seven MDC officials were reportedly abducted on 16 August 2010 at gunpoint by state security agents (CIO) in Manicaland Province. [117a] [99d]

Further information can be found under the [Latest News](#) section above. The following websites also provide a good update of events as they progress: Institute for Democratic Alternative for South Africa (IDASA) http://www.idasa.org.za/index.asp?page=output_details.asp%3FRID%3D2185%26oplang%3Den%26TID%3D12%26OTID%3D69
Civil Society Monitoring Mechanism (CSMM) <http://www.cisomm.org/>
Sokwanele: Inclusive Government Watch <http://www.sokwanele.com/ziqwatch>

PROSPECTS OF NATIONAL ELECTIONS

- 5.12 The Economist Intelligence Unit’s (EIU) *Zimbabwe Country Report*, published in June 2010, noted that:

“After months of prevarication, the Constitutional Parliamentary Committee says that its ‘outreach programme’ – which will canvass public opinion about the new constitution – will start on June 15th. Given that this is a year later than originally intended, Morgan Tsvangirai’s repeated promises that fresh elections will be held in 2011 seem unrealistic, especially as the other two members of the power-sharing government – the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and MDC-M, Arthur Mutambara’s breakaway section of the Movement for Democratic Change (MDC) – are in no rush to contest polls that they are expected to lose. The most likely scenario is that it will take a year to draw up a new constitution and a further six months to hold a national referendum, meaning that fresh polls will be held some time in mid-2012.” [24d] (p9)

- 5.13 The Economist Intelligence Unit’s (EIU) *Zimbabwe Country Report*, published in August 2010, noted that:

“Mr Tsvangirai ... has called for fresh elections to break the deadlock, while Mr Mugabe ... recently suggested that there was no reason why polls should not be held in 2011. This is disingenuous, however, not least because the Zimbabwe Electoral Commission believes that it will take up to 18 months to produce an updated electoral roll, while the constitutional outreach programme is already running a year behind schedule and is likely to be delayed further.” [24b] (p4)

ROY BENNETT ACQUITTED

- 5.14 The Economist Intelligence Unit’s (EIU) *Zimbabwe Country Report*, published in June 2010, noted that:

“After more than a year before the courts, Mr Bennett was finally acquitted of all charges [Possessing arms for sabotage and plotting terrorism. (The Times, 15 October 2009) [82e]] in May. Initially, the attorney general, Johannes Tomana – a highly controversial Mugabe appointee – accepted the verdict. However, within 72 hours, reportedly under pressure from the ZANU-PF justice minister, Patrick Chinamasa, he lodged an appeal. ZANU-PF ministers insist that Roy Bennett will ‘never’ be allowed to hold a post in the Ministry of Agriculture, Mechanisation and Irrigation, where they believe he would seek to reverse the land-resettlement programme and allow dispossessed white farmers to return to their land. With Mr Mugabe stating that he will not swear in Mr Bennett as a minister until he is fully cleared by the courts, it is clearly in ZANU-PF’s interests to prolong the judicial process.” [24d] (p9-10)

See the December 2009 Zimbabwe Country Report for background details of the Roy Bennett case. <http://rds.homeoffice.gov.uk/rds/pdfs09/zimbabwe-231209.doc>

CONSTITUTIONAL OUTREACH PROGRAMME

- 5.15 The Economist Intelligence Unit’s (EIU) *Zimbabwe Country Report*, published in July 2010, noted the consultation process for the new constitution was running a year behind schedule. [24a] (p4) The *Voice of America* reported on 23 May 2010 that delays in the constitutional outreach process was likely to result in a referendum on the new constitution not taking place until early 2011 at the earliest. [83a]
- 5.16 *The Financial Gazette* reported on 25 March 2010 that “... ZANU-PF activists [had been] engaged in countrywide violence and intimidation ahead of the constitution-making outreach programme to swing opinion in favour of the Kariba Draft ...” which is ZANU-PF’s favoured replacement to the current constitution. The report noted that levels of violence were likely to “... escalate after the ... constitutional making outreach programme begins in two weeks time.” [50a] However, Amnesty International (AI) reported on 29 June 2010 that: “Following a long delay due to squabbling within the unity government, the consultation [process] finally began ...” in mid June 2010. [14c]
- 5.17 The AI article noted that “... Zimbabwe could be hit by a new wave of political violence, following a spate of attacks on human rights activists by supporters of President Robert Mugabe’s ZANU-PF party in the past week.” The “...intimidation and harassment of activists undermines Zimbabwe’s efforts to form a new constitution with public consultation and it is also a worrying reminder of the organised violence that took place in 2008,” said Erwin van der Borght, Amnesty International’s Africa director.” AI went on to note that in the six months running up to the start of the consultation process it had received reports “... of intimidation in rural areas with villagers threatened with violence ...” ahead of the formal start of the consultation process. [14c]
- 5.18 SW Radio Africa reported on 25 June 2010 that: “The Joint Operations Command (JOC), a state security organisation only accountable to Robert Mugabe, is spearheading ZANU-PF’s campaign to foist the Kariba draft on the people of Zimbabwe. ... Armed and uniformed soldiers have been threatening and intimidating villagers to support ZANU-PF views in many districts of Manicaland and Masvingo provinces.” [53e]

- 5.19 The Institute for the Democratic Alternative for South Africa's research unit,, States in Transition Observatory (SITO report), noted in its report, *Zimbabwe Government of National Unity Watch, May/June 2010*, dated 30 June 2010, that there were reports of ongoing harassment and abuse of MDC supporters in the constitutional outreach programme. [9h] SW Radio Africa reported on 24 June 2010 that over 200 uniformed soldiers were used to disrupt the constitutional outreach process in Mashonaland West province. [53h] The Economist Intelligence Unit noted (August 2010 Report) also noted that "... low-level violence against MDC supporters and civil society activists ..." continued through August 2010 with regard to the constitutional outreach programme. [24b] (p4)

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6. CONSTITUTION

- 6.01 Jane's Sentinel *Country Risk Assessment: Zimbabwe*, updated 10 September 2009, noted that:

"The Lancaster House Constitution (agreed to in December 1979 just prior to independence from the UK), together with 16 amendments, has been the fundamental law that determines Zimbabwe's governmental structure. It provided for a parliamentary democracy with majority rule, the protection of minority rights and three separate branches of government: the executive, the legislature and the judiciary. An incorporated bill of rights affords extensive protection of human rights which, during the first 10 years of independence, could only be amended by unanimous vote of the House of Assembly. ...

"A constitutional amendment required for the formation of a power-sharing government in Zimbabwe, as per a September 2008 agreement, was passed on 5 February 2009." [90a] (Constitution)

See [Constitutional Outreach Programme](#) above

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7. POLITICAL SYSTEM

OVERVIEW

- 7.01 The US State *Department Background Note: Zimbabwe*, updated 23 April 2010, stated that

"According to Zimbabwe's constitution, the president is head of state and head of government, and is elected by popular majority vote. Constitutional Amendment 19 requires that the president consult with the prime minister on many key issues of state, including senior appointments. Parliament is bicameral and sits for up to a 5-year term. On October 1, 2007 Constitutional Amendment 18, which provides for significant changes in the country's electoral dispensation, went into effect. The amendment set out the framework

to harmonize presidential and parliamentary elections, to reduce the presidential term of office from 6 years to 5, to increase the number of seats in the House of Assembly and in the Senate, to empower parliament to serve as an electoral college should the office of president become vacant for any reason, and to empower the Zimbabwe Electoral Commission (ZEC) to delimit parliamentary and local constituencies. The 214-member House of Assembly is filled by direct election in 210 constituencies and the appointments of 4 other MPs. Sixty of the 100 Senators are directly elected by voters. Other Senators include 10 provincial governors, 5 others that are appointed by the president, 7 new appointments created by Constitutional Amendment 19, 16 chiefs that are elected by other chiefs, plus the president and deputy president of the Council of Chiefs.” [2i] (Government)

THE EXECUTIVE BRANCH

- 7.02 Jane’s Sentinel *Country Risk Assessment: Zimbabwe*, dated 10 September 2009, noted that:

“The president [Robert Mugabe] of the republic is head of state and government and commander in chief of the defence forces. To qualify for nomination, a presidential candidate must be a Zimbabwean citizen by birth or descent, aged 40 or above and resident in Zimbabwe. The president is elected by popular majority vote for a term of six years and may be re-elected for any number of further terms. He may appoint two vice-presidents, whose functions include assisting him to discharge his executive responsibilities. Executive authority is vested in the president and cabinet of ministers, which includes the vice-presidents and other ministers whom the president appoints. Together they control senior public service appointments, including those in the military and police. Each of the eight provinces of Zimbabwe is administered by a provincial governor appointed by the president. As per the September 2008 peace deal, the posts of prime minister and two deputy prime ministers were also created for the power-sharing government, with MDC-T leader Morgan Tsvangirai becoming prime minister.” [90e] (Internal Affairs)

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THE LEGISLATIVE BRANCH

- 7.03 The CIA *World Fact Book (Zimbabwe)*, updated on 5 May 2009, noted that the:

“... bicameral Parliament consists of a Senate (93 seats - 60 elected by popular vote for a five-year term, 10 provincial governors nominated by the president, 16 traditional chiefs elected by the Council of Chiefs, 2 held by the president and deputy president of the Council of Chiefs, and 5 appointed by the president) and a House of Assembly (210 seats - all elected by popular vote for five-year terms).” [56a]

POLITICAL PARTIES

- 7.04 The CIA *World Fact Book*, updated?, noted that the following political parties, with the leaders in square brackets, operated in Zimbabwe:

“African National Party or ANP [Egypt DZINEMUNHENZVA]; Movement for Democratic Change or MDC [Morgan TSVANGIRAI, Arthur MUTAMBARA, splinter faction]; Peace Action is Freedom for All or PAFA; United Parties [Abel MUZOREWA]; United People's Party or UPP [Daniel SHUMBA]; Zimbabwe African National Union-Ndonga or ZANU-Ndonga [Wilson KUMBULA]; Zimbabwe African National Union-Patriotic Front or ZANU-PF [Robert Gabriel MUGABE]; Zimbabwe African Peoples Union or ZAPU [Agrippa MADLELA]; Zimbabwe Youth in Alliance or ZIYA.” [56a]

See [Annex B – Political organisations](#) for more information on political parties.

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Human Rights

8. INTRODUCTION

- 8.01 The Foreign and Commonwealth Office's *Annual Report on Human Rights 2009*, published in March 2010, noted that:

"Zimbabwe has seen lower levels of violence in 2009 than the widespread political violence of 2008. The power-sharing government established in February [2009] has resulted in economic stabilisation and a reduction in human rights violations. But the progress achieved this year is not irreversible and serious abuses continue.

"Supporters of the Movement for Democratic Change (MDC) and members of civil society continue to suffer abuse and intimidation at the hands of the police and the army. Courts do not guarantee a fair and transparent trial. Farm invasions have increased, with police often actively complicit, and human rights abuses have continued at the Marange diamond mining area." [13e] (p168)

- 8.02 Amnesty International's *Annual Report 2010*, Zimbabwe, covering events in 2009, released 28 May 2010, noted that:

"The human rights situation improved slightly with the setting up of a unity government in February [2009]. 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. Tensions within state institutions fuelled attacks on MDC-T activists in rural areas as well as on some commercial farms." [14g] (p1)

- 8.03 Amnesty International noted in a report entitled *Zimbabwe: Abuse of human rights continues under unity government*, dated 10 February 2010, that:

"The government has so far failed to investigate gross human rights violations allegedly carried out by security forces during the run-up to the second round of the 2008 presidential elections, which left at least 200 people dead, over 9,000 injured and tens of thousands displaced. 'The unity government must investigate past and present allegations of human rights violations by state security agents, including torture and ill treatment of detainees ...' [14i]

- 8.04 A report of a fact finding mission to Zimbabwe in October/November 2009 undertaken by a coalition of legal groups including the UK's General Council of the Bar and the Bar Human Rights Committee of England and Wales stated that:

"Incidents of extra-judicial killings, kidnapping, torture and other serious human rights abuses have been pervasive in Zimbabwe for years but assumed epidemic proportions during the Presidential run-off elections of

June 2008. Such human rights abuses continue to occur. These abuses remain un-investigated by the authorities.

“The culture of impunity on the part of the police and the state security forces (the army and central intelligence organisation), noted with dismay on many previous occasions over the course of the past ten years by many independent bodies, remains unchanged. In a negative development, the army even appears to have extended its operations to unlawful diamond extraction and trading in the diamond fields of Marange. This culture of impunity has not been addressed by the present government ... The mission concludes that there has been no improvement and quite possibly a further decline in respect for the rule of law since the signing of the Global Political Agreement (recently a former President of the Law Society of Zimbabwe, Beatrice Mtetwa, was quoted as saying ‘it has never been as bad as it is now’: The Times, 4 March 2010) and that significant concern remains in relation to all aspects of the rule of law in Zimbabwe.” [107] (ps 4-5)

- 8.05 A report by AIDS Free World, entitled *Electing to Rape: Sexual Terror in Mugabe’s Zimbabwe*, published December 2009, noted that with fresh parliamentary elections “... just around the corner ... ZANU-PF is already gearing up for its next violent campaign.” [112a] (p14) A report published by the Civil Society Monitoring Mechanism, covering events during January and February 2010, noted that the months of January and February 2010 saw a “... downward trend ...” in ZANU-PF’s “... non-compliance with the Global Political Agreement ...” [48a] (p8) The Civil Society Monitoring Mechanism’s report covering events between March and April 2010, noted that:

“In the period under review, a large number of cases of political intolerance and violence towards MDC supporters were recorded. These frequently result in the loss of property and displacement for victims. Violence against perceived MDC supporters or activists was reported by various sources, occurring as much as weekly, and perpetrated mainly by local party youth, militia and supporters.” [48b] (p44)

- 8.06 Amnesty International (AI) reported on 29 June 2010 that public consultation about the content of the new constitution had the potential to create a “... new wave of political violence, following a spate of attacks on human rights activists by supporters of President Robert Mugabe’s ZANU-PF party in the past week.” AI went on to note that in the six months running up to the start of the consultation process it had received reports “... of intimidation in rural areas with villagers threatened with violence ...” ahead of the formal start of the consultation process. [14c]

See [Constitutional Outreach Programme](#) for more details about the process.

- 8.07 The Institute for the Democratic Alternative for South Africa’s group, States in Transition Observatory (SITO report), noted in its report, *Zimbabwe Government of National Unity Watch, May/June 2010*, dated 30 June 2010, that there continued to be reports of ongoing harassment and abuse of MDC supporters in the constitutional outreach programme. [9h] The SITO report for July 2010, published on 20 August 2010, noted that reports of violence and harassment continued through the same. [9d] The Economist Intelligence Unit noted (August 2010 Report) that “... low-level violence against MDC supporters and civil society activists ...” continued through August. [24b] (p4)

Please see the following sections for more information regarding abuses of human rights: [Recent Developments](#), [Politically motivated violence](#), [Police – Extra judicial killings](#), [Armed Forces – Extra judicial killings](#), [Abuses by ZANU-PF Youth Militia](#), [Abuses by War Veterans](#), [Prison conditions](#) and [Political Affiliation](#)

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9. SECURITY FORCES

OVERVIEW

- 9.01 The US State Department Country Report on *Human Rights Practices 2009*, Zimbabwe, released on 11 March 2010, (USSD Report 2009), noted that:

“The Zimbabwe Republic Police (ZRP) is responsible for maintaining law and order. Although the ZRP officially is under the authority of the Ministry of Home Affairs, in practice the President's Office, through the Joint Operation Command, controlled some roles and missions. The Zimbabwe National Army and Air Force, under the Defense Ministry, were responsible for external security; however, there were cases in which the government called upon them for domestic operations. The [Central Intelligence Organisation] CIO, under the Ministry of State for National Security, is responsible for internal and external security.” [2h] (section 1d)

- 9.02 Jane's *Security Sentinel – Country Profile: Zimbabwe* (Security and Foreign Forces, accessed 10 February 2009), reported that within the police there existed and the Police Support Unit (PSU), described as “...a de facto counter-insurgency and border patrol force...” The PSU is thought to number in excess of 2,000 full-time personnel...” [90m] (Security and Foreign Forces)
- 9.03 Jane's *Security Sentinel – Country Profile: Zimbabwe*, updated 2 September 2010, noted that: “The government has been accused by the MDC of politicising the security forces. ZANU-PF loyalists from the liberation war dominate the senior echelons of the Zimbabwe Defence Force (ZDF) and Central Intelligence Organisation (CIO) and have vested interests in perpetuating ZANU-PF's political dominance, if not Mugabe's own presidency.” [90b] (Armed Forces) Human Rights Watch noted in the report *False Dawn*, dated 31 August 2009 that: “The leaders of the security forces who previously publicly declared their support for ZANU-PF and who were implicated in serious human rights violations associated with electoral political violence in 2008 have not been disciplined, removed from their posts, or charged with criminal offences.” [69f] (p15) A report by the States in Transition Observatory, dated 8 October 2009, similarly observed that: “The government, since 1999, has operated through the army, with security sector personnel recruited into all sectors of the country's economy, media, social services and quasi-government departments. Government expenditure on the security sector has increased and the security sector has 'become law' as it carries out violence for the ruling party.” [9c]

- 9.04 The US State Department Country Report on *Human Rights Practices 2009*, Zimbabwe, released on 11 March 2010, (USSD Report 2009), noted that:

“Security forces [and] the police ... continued to engage in the pervasive and systematic abuse of human rights. ... Politically motivated, arbitrary, and unlawful killings by government agents continued. State-sanctioned use of excessive force continued, and security forces tortured members of the opposition, student leaders, and civil society activists with impunity. Security forces continued to refuse to document cases of political violence committed by ruling party loyalists against members of the opposition. ... Security forces ... regularly acted with impunity, arbitrarily arrested and detained the opposition, members of civil society, labor leaders, journalists, demonstrators, and religious leaders; lengthy pretrial detention was a problem.” [2h] (Introduction)

- 9.05 Human Rights Watch noted in a report entitled *Zimbabwe: One Year On, Reform a Failure*, dated 12 February 2010, that:

“Recent research by Human Rights Watch in Zimbabwe suggests that there has been no meaningful political transition, and that ZANU-PF continues to engage in political violence against perceived opponents. Groups of war veterans and ZANU-PF youth, who have been deployed in the past to target the opposition, remain intact. ZANU-PF still uses elements in the security forces as instruments of repression. Military-led violent invasions of commercial farms continue. In the first week of February 2010, police disrupted MDC-organized constitutional reform meetings, beat up participants, and arbitrarily arrested ...” people. [69i]

- 9.06 The Human Rights Watch *World Report 2010 – Zimbabwe*, published 20 January 2010, noted that while “ZANU-PF is supposed to be a partner with the Movement for Democratic Change (MDC) in the new government ...” it continued “... to use its control of the security forces ... to harass, abduct, torture, and kill those it considers opponents, including senior MDC figures.” [69i] (p1) A report published by the Civil Society Monitoring Mechanism, covering events during January and February 2010, noted that the “Army and police [were] involved in violations of the rule of law, with complete impunity. Youth bases [were] re-established and used for partisan political purposes to the detriment of others.” [48a] (p6) The report also noted that: “ZANU-PF-sponsored coercion has escalated in the rural areas in a bid to curtail the expression of opinions in the upcoming constitutional outreach. The abuses are mainly being perpetrated by soldiers, youth militias, war veterans and village headmen.” [48a] (p7)

See [Latest News](#), [Recent Developments](#), [Humanitarian Issues](#) and [Human Rights](#) for more information about politically motivated violence.

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MARANGE DIAMOND FIELDS

- 9.07 Noting the background to the situation in the Marange diamond fields, the Foreign and Commonwealth Office’s *Annual Report on Human Rights 2009*, published in March 2010, noted that:

“In 2006, large deposits of diamonds were discovered in the Marange area in eastern Zimbabwe. As a result, thousands of jobless and homeless Zimbabweans went to the region to pan illegally for diamonds. State forces took control of the illegal diamond mining activity, reportedly using forced labour, violence and extrajudicial killings. Between November 2008 and January 2009, the Zimbabwean government stepped up efforts to control mining areas by launching ‘Operation Hakudzokwi’ (you will not return), and an estimated 200 people were killed.” [13e] (p173)

- 9.08 Human Rights Watch noted in a report entitled *Zimbabwe: One Year On, Reform a Failure*, dated 12 February 2010, that: “Diamond revenue, particularly from the Marange diamond fields in eastern Zimbabwe, is providing a parallel source of revenue for ZANU-PF and its repressive machinery ... Companies with connections to ZANU-PF are mining diamonds in Marange, where military control and abuses continue.” [69i]
- 9.09 The US State Department Country Report on *Human Rights Practices 2009*, Zimbabwe, released on 11 March 2010, (USSD Report 2009), noted that: “Security forces continued to engage in extralegal killings in connection with illegal diamond mining. ... In late 2008 security forces undertook a major operation to kill illegal diamond miners in the Marange/Chiadzwa area of Manicaland to ensure the government retained the proceeds from diamond sales.” [2h] (1a)
- 9.10 The Human Rights Watch report, *Diamonds in the rough*, dated 26 June 2009, noted that in addition to the army, who have been heavily deployed in the area, “Police officers were responsible for serious abuses – including killings, torture, beatings, and harassment – often by so-called ‘reaction teams’ deployed to drive out illegal miners. Miners described colleagues being buried alive. A police officer working with a reaction team told Human Rights Watch of orders from senior officers to ‘shoot on sight’ miners found in the fields.” [69d] (p4)
- 9.11 The report continued, noting that hundreds of dead miners had been buried in mass graves. Most miners were reported as having been shot, but others are reported to have died of injuries sustained whilst being tortured. [69d] (p30-34) The report also noted that the army had forced up to 300 children to work in the diamond fields in very poor conditions. [69d] (p4)
- 9.12 Sokwanele in *Issue 15 of the Zimbabwe Inclusive Government Watch*, dated 22 May 2010, noted that the Zimbabwean parliament has made efforts to monitor the situation in the diamond fields but ZANU-PF members “... blocked Parliament’s Committee on Mines from carrying out a fact-finding mission ... For a second time, members gathered in Harare to travel to Manicaland, but were told the Ministry had not cleared them to enter Marange.” [37e] (p2)

Further detailed information about human rights abuses in the Marange diamond field can be found in the Human Rights Watch reports, [False Dawn](#), dated 31 August 2009, and [Diamonds in the rough](#), dated 26 June 2009.

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POLICE

- 9.13 Jane's Sentinel Security Assessments – Southern Africa (Zimbabwe), updated 22 September 2009, noted that:

“Zimbabwe Republic Police (ZRP): The force is an armed, quasi-military organisation, which is modelled more along the lines of a military gendarmerie than a civilian police force. It has approximately 20,000 full-time members and is deployed throughout the country. Its presence is most evident in cities and towns, but thinly spread in rural areas. It is responsible to the Ministry of Home Affairs. Following the signing of the power-sharing agreement in September 2008, one of the key portfolios fought over by the political rivals was that of Home Affairs. Subsequently, as per a recommendation of the regional Southern African Development Community (SADC), the portfolio was initially to be co-managed by Robert Mugabe's Zimbabwe African National Union - Patriotic Front (ZANU-PF) and Morgan Tsvangirai's Movement for Democratic Change formation (MDC-T).” [90c] (Security and Foreign Forces)

- 9.14 The US State Department Country Report on *Human Rights Practices 2009, Zimbabwe*, released on 11 March 2010, (USSD Report 2009), noted that:

“Police were poorly trained and equipped, underpaid, and corrupt. Severely depleted human and material resources, especially fuel, further reduced police effectiveness during the year. Corruption continued in part due to low salaries. Security forces perpetrated government-sponsored politically motivated violence. Police routinely and violently disrupted public gatherings and demonstrations, and they tortured opposition and civil society activists in their custody.” [2h] (Section 1d)

- 9.15 The USSD 2009 continued:

“Security forces were rarely held accountable for abuses. Frequent allegations of excessive force and torture were often dismissed by senior government officials who claimed that the actions were necessary to maintain public order. In March 2007, after security forces violently prevented a public gathering, Mugabe was widely quoted as saying that ‘the police have a right to bash’ protesters who resist them. Mechanisms to investigate security force abuses remained weak. Court orders compelling investigations into allegations of abuse were routinely ignored by authorities. For example, security forces refused to comply with court orders to investigate security agents involved in abducting and torturing more than a dozen activists in 2008. Government efforts to reform the security forces were minimal, and training was rarely provided.” [2h] (Section 1d)

- 9.16 A report by AIDS Free World, entitled *Electing to Rape: Sexual Terror in Mugabe's Zimbabwe*, published December 2009, noted that the police remained politically biased, stating that during the 2008 elections reports of politically motivated rape were not investigated by the police ensuring impunity for the perpetrators. The report also noted that “... widespread fear engendered by police reprisals, render[ed] local criminal proceedings practically unavailable to survivors of political rape.” [112a] (p12) The USSD 2009 report stated that: “It was difficult for rank-and-file police to remain impartial due to continued politicization of the force's upper echelons. There were reports that police and army personnel suspected of being sympathetic

to the political opposition were threatened with demotion or suspension.” [2h] (Section 1d)

- 9.17 The BBC reported on 9 June 2009 that police road blocks continued to be common throughout Zimbabwe, but especially near large towns and cities. Zimbabweans told the BBC that the “... police often asked drivers for ‘presents’ before letting them pass.” [3k] A report published by *Zimbabwe Daily News*, dated 30 June 2010, noted that police roadblocks continued. [63a]

Arbitrary arrest and detention

- 9.18 The USSD 2009 stated that: “The constitution and law prohibit arbitrary arrest and detention; however, some laws effectively weakened this prohibition, and security forces repeatedly arbitrarily arrested and detained persons.” [2h] (Section 1d)

For information on politically motivated violence see [Latest News](#), [Recent Developments](#), in particular subsection [Political violence](#), and [Political affiliation](#)

Torture, cruel, inhuman and degrading treatment

- 9.19 The USSD 2009 noted that: “Police repeatedly used cruel, inhuman, or degrading treatment or punishment against those in custody.” [2h] (Section 1c)
- 9.20 Amnesty International’s *Annual Report 2010*, Zimbabwe, covering events in 2009, released 28 May 2010, noted that: “Torture and other ill-treatment of detainees persisted ...” [14g] (p3)
- 9.21 The Human Rights Watch *World Report 2010* (Zimbabwe) dated 20 January 2010, covering events in 2009, noted that “... police intimidation and harassment of MDC and human rights activists persist unabated.” The police were reported to have been responsible for violence and the abduction of human rights defenders. Many police officers remained “... aligned with ZANU-PF.” [69i]
- 9.22 The USSD 2009 went on to note that the police were implicated in:
- “Torture and other assault methods commonly reported included beating victims with sticks, logs, whips, and cables; suspension; burning; electric shock; and falanga (beating the soles of the feet). ... Human rights groups reported that physical and psychological torture perpetrated by security agents and government supporters continued during the year. One NGO report stated that at least 3,316 victims of torture and assault received medical treatment during the year, a reduction from the 6,300 victims recorded in 2008. Victims of 2008 election violence continued to require medical care for injuries inflicted in 2008.” [2h] (section 1c)

See [Latest News](#), [Recent Developments](#) and [Politically Motivated Violence](#)

Extra-judicial killings

- 9.23 The USSD 2009 noted that:

“Politically motivated, arbitrary, and unlawful killings by government agents continued. State-sanctioned use of excessive force continued, and security forces tortured members of the opposition, student leaders, and civil society activists with impunity. Security forces continued to refuse to document cases of political violence committed by ruling party loyalists against members of the opposition.” [2h] (section 1a)

- 9.24 The Human Rights Watch report, *Diamonds in the rough*, dated 26 June 2009, noted that: “Police officers were responsible for serious abuses – including killings, torture, beatings, and harassment – often by so-called ‘reaction teams’ deployed to drive out illegal miners. Miners described colleagues being buried alive. A police officer working with a reaction team told Human Rights watch of orders from senior officers to ‘shoot on sight’ miners found in the fields.” [69d] (p4)
- 9.25 Human Rights Watch reported on 8 November 2008 that even where the police were not implicated in the extrajudicial killing of opposition supporters, they were often guilty of failing to make even rudimentary investigations where murders were believed to have been perpetrated by ZANU-PF supporters. (HRW, *Our Hands Are Tied*, 8 November 2008) [69b] (p26-27)

See [Recent Developments](#) and [Politically Motivated Violence](#)

Abductions/disappearances

- 9.26 A large number of sources have reported that all branches of the security forces in Zimbabwe, including the police, were involved in the arbitrary arrest, abduction and unlawful detention of MDC and human rights activists. (Human Rights Watch *World Report 2010 (Zimbabwe)*) [69i] USSD 2009 [2h] (Section 1b & 1c) (Human Rights Watch report, 31 August 2009) [69f] (p11-12) (States in Transition Observatory, dated 8 October 2009) [9c]

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ARMED FORCES

- 9.27 Jane’s Security Sentinel – *Country Profile: Zimbabwe*, section on the Armed forces, updated 2 September 2010, noted that:

“The Zimbabwe Defence Force has an official authorised strength of 40,000 but there are thought to be only 34,000 troops currently serving. 30,000 men and women serve in the [Zimbabwe National Army] ZNA, which has an authorised strength of 42,000, and 4,000 serve in the [Air Force of Zimbabwe] AFZ. Financial constraints saw the army reduced to 30,000 from the previous 46,000 in 2006. A major recruitment drive was, however, planned for 2007 to replace retiring personnel.” [90f]

- 9.28 The Jane’s report continued that:

“ZANU-PF loyalists from the liberation war dominate the senior echelons of the [armed forces] and have vested interests in perpetuating ZANU-PF’s political dominance ... Commanders of the army and air force and other senior military personnel vowed they would not salute Morgan Tsvangirai who was

appointed prime minister of the new unity government in February 2009. This situation held until the following August when army commander Lieutenant General Philip Sibanda and Air Marshal Perrance Shiri were seen to salute Tsvangirai during Defence Forces Day, an action reported to be a result of negotiations involving Mugabe's and Tsvangirai's political aides. They were still the only officers to show this respect to the prime minister. According to local media in mid 2010, Zimbabwe Defence Forces commander General Constantine Chiwenga and Air Marshal Shiri still refused to meet Tsvangirai unless in the presence of Mugabe. [90b] (Armed Forces)

- 9.29 The Human Rights Watch report, *Diamonds in the rough*, dated 26 June 2009, noted that the army is heavily deployed in the Marange diamond field. There were reports that the army was responsible for the killing of illegal miners. [69d] (p4) Agence France Presse reported on 10 August 2010 that the army had been deployed to the area to "... gain control of the region's diamond trade ..." with President Mugabe urging the army to protect the diamonds from "imperialists". The Finance Minister, the MDC's Tendai Biti, recently "... told parliament that the Treasury could not account for any of the 30 million dollars ..." worth of diamonds sold last year. [115a]

Arbitrary arrest and detention

- 9.30 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, stated that: "... [the] security forces repeatedly arbitrarily arrested and detained persons." [2h] (Section 1c) Human Rights Watch confirmed in its report *Zimbabwe: One Year On, Reform a Failure*, dated 12 February 2010, that security forces continued to be responsible for human rights abuses including arbitrary arrest. [69i]

Torture

- 9.31 Amnesty International's *Annual Report 2010, Zimbabwe*, covering events in 2009, released 28 May 2010, noted that: "Torture and other ill-treatment of detainees persisted. No perpetrators were brought to justice. ... Throughout 2009, elements within the army ... felt able to continue targeting human rights activists and members of the MDC-T ..." [14g] (p3)
- 9.32 The US State Department Country Report on *Human Rights Practices 2009, Zimbabwe*, released on 11 March 2010, (USSD Report 2009), noted that: "Security forces ... continued to engage in the pervasive and systematic abuse of human rights. ... Politically motivated, arbitrary, and unlawful killings by government agents continued. State-sanctioned use of excessive force continued, and security forces tortured members of the opposition, student leaders, and civil society activists with impunity." [2h] (Introduction)
- 9.33 The Human Rights Watch *World Report 2010 – Zimbabwe*, published 20 January 2010, noted that security forces continued to "... harass, abduct, torture, and kill those it considers opponents, including senior MDC figures." [69j] (p1) A report published by the Civil Society Monitoring Mechanism, covering events during January and February 2010, noted that the "Army ... [were] involved in violations of the rule of law, with complete impunity." [48a] (p6)

- 9.34 The Human Rights Watch report, *Diamonds in the rough*, dated 26 June 2009, noted that the army was implicated in hundreds of murders of mine workers in the Marange Diamond Fields. Many of the miners were also tortured before being killed. [69d] (p4)

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Extra-judicial killings

- 9.35 The USSD 2009 noted that: “The government or its agents committed politically motivated, arbitrary, and unlawful killings during the year.” Most killings were “... committed by members of ZANU-PF, ZANU-PF youth militia, war veterans, and, to a lesser extent, members of the military ...” [2h] (section 1a)
- 9.36 The Foreign and Commonwealth Office’s *Annual Report on Human Rights 2009*, published in March 2010, noted that the army was among state security forces responsible for extrajudicial killing of an estimated 200 illegal miners. [13e] (p173)
- 9.37 SW Radio Africa reported on 12 November 2009 that there was “... rising tension in the Zimbabwe National Army after a number of senior officers allegedly died from torture whilst in military detention.” The report noted that leaked reports from disgruntled colleagues at Pomona barracks stated that at least one senior army officer and three soldiers had died after being tortured. One other senior officer, and a further two soldiers, was reported to be critically ill. The tortures followed the recent disappearance of weapons from the barracks and demonstrate significant internal problems within the army. [53] A further report noted that 120 Zimbabwean soldiers at KG V1 Barracks in Harare were believed to have been tortured during November with at least 12 having died in late October after the initial disappearance of weapons was discovered. (News Alert, 11 November 2009) [98a]
- 9.38 *The Zimbabwean* reported on 31 October 2009, that “At least 12 soldiers died last week after they were brutally tortured by military intelligence agents ...” All 236 soldiers based at the barracks were reportedly arrested and held in custody and subject to questioning. The torture of military personnel was reported to have been carried out by Angolan or Congolese military under the orders of a Zimbabwean commanding officer. Observers commented that the tortures followed the alleged disappearance of guns from Pomona Barracks in Harare. [99b]

See [Recent Developments](#) and [Politically Motivated Violence](#)

CENTRAL INTELLIGENCE ORGANISATION

- 9.39 A report by the Council on Foreign Relations (CFR), published in the *Washington Post*, dated 28 March 2008, noted that:
- “Experts say the most powerful arm of Zimbabwe’s security apparatus is the Central Intelligence Organization (CIO). It is the ‘brains behind the regime,’ ... and [is] deeply feared by Zimbabweans inside and outside the country. There is no public record of the CIO’s size, but it is thought to have thousands of

operatives. Many Zimbabweans think the organization has a network of informers that extends into the Zimbabwean diaspora. Within Zimbabwe, CIO agents have infiltrated the MDC, and are believed to have covertly taken over two newspapers in 2006. Organizations such as Human Rights Watch have documented systematic acts of violence and intimidation committed by the CIO and the police against opposition members or individuals suspected of allegiance to the opposition.” [31a]

- 9.40 Jane’s Sentinel Security Assessments – Southern Africa (Zimbabwe), updated 10 February 2009, noted that the Central Intelligence Organisation (CIO):

“... was formed by the Rhodesian authorities in the late 1960s as the country’s main civilian intelligence agency. It was later taken over by the Zimbabwe government, ideologically re-oriented and placed under the Ministry of National Security in order to adopt a protective role for the new regime. Political direction between 1980 and 1988 came from Emerson Mnangagwa, a leading ZANU-PF personality and one of the first ZANLA cadres from the Liberation War. Mnangagwa was replaced by former ZANLA doctor Sidney Sekeramayi, who served until August 2000, when he was replaced by former diplomat Nicholas Goche. ...

“Since 2000, the CIO has been used to spearhead the ZANU-PF political-economic programme, including farm occupations and the suppression of opposition politicians and media. ... Libyan intelligence officers were also reported to have been sent to Zimbabwe to improve Mugabe’s security and intelligence system and technology supply agreements were reported to have been made with China.

“In April 2003, Brigadier-General (retd.) Happyton Bonyongwe was appointed by Goche as Director-General of the CIO. Maynard Muzariri was appointed as his deputy.” [90m] (Security and Foreign Forces)

- 9.41 *The Times* reported on the 7 February 2010 that the CIO holds a privileged position in Zimbabwe that allows the organisation to “circumvent” the usual oversight of the country’s finance minister. The report noted that a number of CIO operatives had been paid significant special allowances when accompanying President Mugabe abroad.” [82d]

- 9.42 Jane’s noted in an update of 25 January 2007 that: “The CIO has taken over immigration security at Harare International Airport in its search of dissidents (mostly MDC activists), especially on flights to the UK and US.” [90m] (Security and Foreign Forces) *The Telegraph* on 22 May 2006, noted that the details of every person passing through immigration is fed into a “central system” [5c] (p1) However, in a radio discussion on 16 January 2007, a Zimbabwean journalist (Peta Thorneycroft – who writes for *The Telegraph*) questioned the effectiveness of security processes at Harare Airport stating that the processes were “... not terribly efficient ... despite their electronic scanning.” (NewZimbabwe.com, 17 January 2007) [41d]

See also [Returned failed asylum seekers](#)

- 9.43 Dr Diana Jeater, Principal Lecturer in African History at the University of the West of England, noted in a briefing paper delivered at a seminar at the School of African and Oriental Studies on 30 March 2007, that: “The CIO and

- police have always been very efficient at being able to identify and locate people within Zimbabwe. ...There is good evidence that the CIO keeps lists of people who are suspected of sympathy with opposition positions. ... Evidence gathered by human rights groups confirms that the information in these lists covers a wide range of citizens, and is often based on information extracted by torture.” [58] (paras 3.3.2 and 4.5) An article in *The Zimbabwe Guardian* dated 28 June 2008, reported that CIO operatives in the UK were using the threat of being included in a “hit list” if MDC supporters in the UK did not refrain from supporting and fund raising for the opposition party. [43a]
- 9.44 *The Los Angeles Times* reported on 26 September 2008 that the distribution of government food was partly controlled by the Central Intelligence Organization who ensured that opposition supporters were prevented from receiving food aid. [66b] ZimOnline reported on 14 May 2007 that CIO agents had asked traditional leaders in parts of Zimbabwe to compile lists of known MDC supporters. [49bq]
- 9.45 The USSD 2009 noted that: “CIO personnel at times assumed faculty and other positions and posed as students at the University of Zimbabwe and other public universities to intimidate and gather intelligence on faculty and students who criticize government policies and actions. CIO officers regularly attended all lectures where noted MDC activists were lecturers or students.” [2h] (Section 2a)
- 9.46 Sources have for some time claimed that CIO operatives are working in the UK. (SW Radio Africa, July 2005) [89a] (Institute for War and Peace Reporting, 23 June 2006) [77r] This was most recently reported in *The Independent* (UK) on 28 June 2008, “British security sources” confirmed that Zimbabwe’s Central Intelligence Organisation (CIO) was operating in the UK and was “...waging a highly organised campaign to terrify the 4,000 MDC members living in the UK.” The aim of the CIO’s operations in the UK is believed to be based on preventing or reducing the amount of funds raised for the MDC. [4m]
- 9.47 A report by AIDS Free World, entitled *Electing to Rape: Sexual Terror in Mugabe’s Zimbabwe*, published December 2009, noted that it is believed that “hundreds and possibly thousands” of women were raped during the 2008 election campaign, most rapes are believed to have been carried out by ZANU-PF youth militia in collaboration with the Central Intelligence Organisation and ‘War Veterans’. [112a] (p12) Discussing the electoral violence of 2008, Philip Barclay a former FCO officer in Harare, noted in his book *Zimbabwe - Years of hope and despair*, published in 2010, that the CIO also worked closely with the police and were often “in charge” of police operations. [59a] (p117)
- 9.48 *Zimdiaspora* and *The Zimbabwean* reported on 18 August 2010 that at least seven MDC officials were believed to have been abducted at gunpoint by state security agents (CIO) in Manicaland Province. [117a] [99d] *The Zimbabwean* noted that the seven were abducted for “... being too vocal at a recent COPAC [constitutional outreach programme] meeting.” [99d]
- 9.49 The Institute for the Democratic Alternative for South Africa, noted in its States in Transition Observatory (SITO report) - *Zimbabwe Government of National Unity Watch, April 2010*, dated 14 May 2010, that a member of the CIO (Innocent Makamure) was found dead two weeks after apologising to villagers

for his part in the beating and torture of people during the 2008 election run-off. Mr Makamure stated that: "Though I did not kill anyone personally, I believe my actions and the role which I played during campaigning for President Mugabe towards the June run-off led to some deaths." [9g]

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OTHER GOVERNMENT FORCES

ZANU-PF Youth

- 9.50 Jane's Sentinel *Security Assessment Country Profile – Zimbabwe*, updated 22 September 2009, noted that:

"The National Youth Service programme was established in 2001 and is ostensibly a post-school ideological and vocational training scheme for those who are seeking to enter further education or government service. While initial proposals were for a compulsory programme for all Zimbabwean youth, experience over the first four years demonstrated capacity at five residential camps for just 6,000 youths per year, or about two per cent of each age group.

"Critics of the scheme say that the training camps are effectively ZANU-PF indoctrination facilities aiming to co-opt a new generation of supporters for the ruling party and its third phase of the "liberation struggle", replacing ZANLA veterans lost to age and illness. It has previously been alleged that cadres, nicknamed Green Bombers or ZANU-PF Youth Militia, are trained in intimidation techniques. Training is certainly paramilitary in style, with uniforms and weapons handling." [90c] (**Security and Foreign Forces**)

- 9.51 Jane's *Sentinel Security Assessments*, updated 2 September 2010, also noted that:

"Late in 2000, it was announced that a return to conscription was envisaged. Lack of resources modified this plan, the responsibility for organising it being transferred to the Ministry of Youth, Development and Job Creation. In August 2001 a national service intake was introduced for the first time since majority rule in 1980.

"As presently construed, national service ostensibly serves as a political introduction for employment in government service, be it the civil service or a military career. However, there is a heavy paramilitary element to the service and critics say that it aims to produce a political-military reserve force to back up or replace the ZANLA war veterans as they die out. Training is certainly paramilitary in style, with uniforms and weapons handling. An estimated 6,000 young Zimbabweans undergo training in the residential youth camps every year. However, the dire economic circumstances currently facing the government make it unlikely that the youth service is adequately funded or operating at full capacity.

"The mission of the National Youth Service is to 'transform and empower youths for nation building through life skills training and leadership development'. However, members of the service are thought to be taught using ZANU-PF speeches and campaign material and have been condemned

by the West and Africa for carrying out gross human rights violations on behalf of the party.” [90b] (Armed Forces)

- 9.52 Freedom House noted in *Freedom in the World 2010 – Zimbabwe*, covering events in 2009, published on 3 May 2010, that: “ZANU-PF militias operate as de facto enforcers of government policies and have committed assault, torture, rape, extralegal evictions, and extralegal executions without fear of punishment; the incidence of these abuses increased significantly in 2008 and continued, though at a decreased rate, in 2009.” [96b] (p6)
- 9.53 The Institute for the Democratic Alternative for South Africa’s group, States in Transition Observatory, noted in a report, *Zimbabwe Government of National Unity Watch (SITO Report) April 2009*, “It is estimated that up to 29,000 ZANU-PF youth militia are still receiving government salaries as civil servants.” [9a] (p3)
- 9.54 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, stated that:
- “There were reports that ZANU-PF officials in the government removed from the civil service and the military persons perceived to be MDC supporters. There also were reports that the government assigned soldiers and youth service members to work in government ministries. In August the comptroller and auditor-general submitted a report to Parliament that documented significant irregularities within the Ministry of Youth Development, Indigenisation, and Empowerment. Notably, the report stated that there were more than 10,000 names on the ministry’s payroll that were not reflected in human resources records and that 458 persons were listed twice.” [2h] (Section 3)
- 9.55 The USSD 2009 report also noted that:
- “The government gave preference to national youth service graduates among those seeking employment in the government, especially in the security forces. The stated purpose of the training camps was to instil national pride in youth, highlight the history of the struggle for independence, and develop employment skills; however, news reports quoted deserters as saying that the camps subjected trainees to partisan political indoctrination as well as military training. There were numerous credible reports that graduates were used by the government to carry out political violence. There were numerous reports from NGOs that children as young as 16 participated in ZANU-PF affiliated youth militias, which perpetrated violence across the country during the 2008 election period. Persons under 18 are prohibited from joining the military or police.” [2h] (Section 5)
- 9.56 The United States Department of Labor report, *2008 Findings on the worst forms of child labor – Zimbabwe* (USDOL 2008), dated 10 September 2009, noted that: “The minimum age for joining the National Youth Service training is 16 years.” [38a]

See [Latest news](#), [Recent Developments](#) and [Politically Motivated Violence](#)

Abuses by the youth militia

- 9.57 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that youth militia continued to be "... deployed to harass and intimidate members of the opposition, labor, student movement, civic groups, and journalists considered critical of the government, and white farmers and their employees." There were also continuing reports of ZANU-PF youths being involved in the rape and murder of opposition and MDC activists. [2h] (Sections 1a, 1c and 2d)
- 9.58 A report by AIDS Free World, entitled *Electing to Rape: Sexual Terror in Mugabe's Zimbabwe*, published December 2009, noted that it is believed that "hundreds and possibly thousands" of women were raped during the 2008 election campaign, most rapes are believed to have been carried out by ZANU-PF youth militia in collaboration with the Central Intelligence Organisation and 'War Veterans'." [112a] (p12)
- 9.59 A report published by the Civil Society Monitoring Mechanism, covering events during January and February 2010, noted that there were continuing "... reports of the reestablishment of youth militia training bases across the country. In addition, ZANU-PF youth act with impunity and assume roles normally reserved for the police." [48a] (p28)
- 9.60 Sokwanele noted in Issue 15 of the *Zimbabwe Inclusive Government Watch* dated May 2010 that:
- "Rural violence increased significantly this month [April 2010] as Zanu-PF appear to be gearing up for intimidation of the electorate before a Constitutional outreach campaign. Evidence suggests the Zanu-PF MP for Muzarabani South [Mashonaland Central] is promoting violence and torture in his district by Zanu-PF militia and youths with the blessing of the Zanu-PF Provincial Governor. In one incident, 16 families from Charunda village in Muzarabani fled at night to seek refuge 84 km away, trying to escape organized terror from a group of 200 Zanu-PF youths sponsored by the MP. He has 'given' free rein to militia to burn down homes and cause mayhem in villages. The Governor has allegedly also ordered Police not to interfere with Zanu-PF activities in the province." [37e] (p2)
- 9.61 The Institute for the Democratic Alternative for South Africa's group, States in Transition Observatory (SITO report), noted in its report, *Zimbabwe Government of National Unity Watch, May/June 2010*, dated 30 June 2010, that: "War veterans in the Mberengwa district of the Midlands province are blocking food aid to HIV/AIDS orphans, demanding the children join ZANU-PF youth league first." [9h] (p3)

See [Latest news](#), [Recent Developments](#) and [Politically Motivated Violence](#)

War veterans

- 9.62 Jane's Sentinel *Security Assessment Country Profile – Zimbabwe*, updated 10 September 2009, reported that:
- "The Zimbabwe National Liberation War Veterans' Association (ZNLWA) emerged as a major pro-government pressure group in the 1990s, leading the

occupation of white-owned farms in early 2000 and some forming pro-ZANU-PF militias to attack MDC supporters during the 2000 election campaign. War veterans have been able to act with impunity as the police have refused to restrain their activities. Indeed, the police, Zimbabwe Defence Force (ZDF) and Central Intelligence Organisation (CIO) are all run by veterans of the liberation war and genuine war veterans are technically stipended reserve force members of the ZDF, numbering about 55,000.” [90h] (Internal Affairs)

9.63 Jane’s Sentinel Security Assessments, updated 2 September 2010, also noted that: “Some 55,000 registered war veterans from the liberation war have also been included in the reserve force [of the army] and receive a gratuity (increasingly sporadically) from the Ministry of Defence for being technically available for duty.” [90b] (Armed Forces)

9.64 Jane’s noted, updated on 10 September 2009, that:

“The Zimbabwe National Liberation War Veterans’ Association (ZNLWA) emerged as a major pro-government pressure group in the 1990s, leading the occupation of white-owned farms in early 2000 and some forming pro-ZANU-PF militias to attack MDC supporters during the 2000 election campaign. War veterans have been able to act with impunity as the police have refused to restrain their activities. Indeed, the police, Zimbabwe Defence Force (ZDF) and Central Intelligence Organisation (CIO) are all run by veterans of the liberation war and genuine war veterans are technically stipended reserve force members of the ZDF, numbering about 55,000.” [90e] (Internal Affairs)

Abuses by the War Veterans

9.65 The USSD 2009 noted that war veterans were heavily involved in the violence following the elections of 2008: the report noted that war veterans were implicated in the killing of MDC supporters. [2h] (Section 1a and 1c) Human Rights Watch noted in a report entitled *Zimbabwe: One Year On, Reform a Failure*, dated 12 February 2010, that: “Groups of war veterans ..., who have been deployed in the past to target the opposition, remain intact.” [69i]

9.66 Human Rights Watch reported on 31 August 2009 that ZANU-PF’s allies, the “... so-called ‘war veterans’ ..., continue to commit acts of political violence against MDC activists in Zimbabwe. For instance, they continue to operate sites throughout Zimbabwe that are used for torture, beatings, and harassment of MDC supporters.” [69f] (p5)

9.67 A report by AIDS Free World, entitled *Electing to Rape: Sexual Terror in Mugabe’s Zimbabwe*, published December 2009, noted that it is believed that “hundreds and possibly thousands” of women were raped during the 2008 election campaign, most rapes are believed to have been carried out by ZANU-PF youth militia in collaboration with the Central Intelligence Organisation and ‘War Veterans’. [112a] (p12)

9.68 The Institute for the Democratic Alternative for South Africa’s group, States in Transition Observatory (SITO report), noted in its report, *Zimbabwe Government of National Unity Watch, May/June 2010*, dated 30 June 2010, that: “War veterans in the Mberengwa district of the Midlands province are blocking food aid to HIV/AIDS orphans, demanding the children join ZANU-PF youth league first.” [9h] (p3)

- 9.69 A wide range of sources noted that the war veterans have been involved in widespread human rights violations, including harassment, threats, and violence against opposition supporters and human rights activists, as well as torture and other mistreatment. The following sources provide a number of examples of these abuses. (Human Rights Watch, 12 February 2010) [69i] (USSD 2009) [2h] (section 1a) (AIDS Free World, December 2009) [112a] (Civil Society Monitoring Mechanism, Jan/Feb 2010) [48a]

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MILITARY SERVICE

- 10.01 Jane's Sentinel Security Assessment – Zimbabwe (Armed Forces, updated: 8 October 2008), noted that Zimbabwe does not have conscription but plans to reintroduce some form of compulsory military service were announced in 2000. “Lack of resources modified this plan ...” and it is unlikely that this situation will change any time soon owing to the state of the economy. [90i]
- 10.02 The United States Department of Labor report, ‘2008 Findings on the worst forms of child labor – Zimbabwe (USDL 2008)’, dated 10 September 2009, noted that: “The minimum age for both military conscription and for voluntary recruitment into the Armed Forces is 18 years.” [38a]
- 10.03 The World Survey of Conscription and Conscientious Objection to Military Service conducted by War Resisters International in 1998, noted that “conscientious objection is legally recognised” in Zimbabwe. Section 24 of the 1979 National Service Act provides for exemption from military service on conscientious grounds, such as religious beliefs, if conscription were to be introduced. It is not clear whether this exemption “applies to professional serving members of the armed forces”. [21]
- 10.04 The Foreign and Commonwealth Office (FCO), in a letter dated 2 June 2005, regarding the termination of military service in the Zimbabwean Army, stated, that it is possible to resign from the Zimbabwean Army although anyone doing so will be required to serve a period of notice. The period of notice will vary depending upon the training that has been provided. “Any man claiming that he has left the Zimbabwe Armed Forces legitimately should have documents of discharge in his possession.

“Terms and conditions of service are very similar to those in the British Army. Other ranks in the Zimbabwe Army sign on for 3, 7 or 20 years service. They can terminate their service at any time provided all their obligations, current at the time, have been met. Obligations might include time-bars for any training paid for by the military in civilian organisations. If the soldier wishes to leave before any time-bar has expired he will first be required to refund the Service all the charges for the course and the military salary paid to him while he attended the course. Early termination of service also brings penalties to pension entitlements.” [13b]

- 10.05 A Human Rights Watch report, entitled *Diamonds in the rough*, published in June 2009, noted that the standard period of notice to leave the Zimbabwean Army was three months, although the report noted that because of increasing resignations and desertions, this may have increased to nine months. [69d] (p29)
- 10.06 The FCO, in a letter regarding the termination of military service in the Zimbabwean Army, stated on 2 June 2005 that:
- “If a soldier is absent for more than 28 days he will be charged with desertion upon recapture, or his surrender. Absence for less than 28 days is normally dealt with under the lesser charge of ‘Absent Without Leave (AWOL)’ and can be dealt with summarily by the soldier's Commanding Officer, with punishment ranging from restriction of privileges, to small fines or short custodial sentences of a few days’ duration. Desertion is a serious charge to be dealt with by Courts Martial and depending on the circumstances, could result in long custodial sentences e.g. years, forfeiture of all benefits and salary and dishonourable dismissal from the Service. In wartime, of course, the penalties of desertion are very severe indeed. Occasionally, a Commander will not follow the ‘book’ and summary punishments will go beyond delegated powers.” [13b]
- 10.07 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that: “Military courts deal with court martial and disciplinary proceedings only for military personnel ... Military and police courts provide the same rights as civil criminal courts.” [2h] (Section 1e)
- 10.08 The USSD 2009 noted that: “The government gave qualified women access to training in the military and national service. Although there were advances for women within the armed forces in recent years ...” [2h] (Section 5)

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11. JUDICIARY

- 11.01 Jane’s Sentinel *Security Assessment – Zimbabwe*, updated 10 September 2009, noted that: “The legal system is based on a mixture of Roman-Dutch and English common law. Judicial authority is vested in the Supreme Court, the High Court and subsidiary courts including Magistrates’ Courts, Local Courts headed by traditional chiefs and headmen and Small Claims Courts.” [90I] (Internal Affairs)

ORGANISATION

- 11.02 Europa World Online (accessed 2 February 2009) noted that there are four levels of courts, the highest being the Supreme Court.
- “The Supreme Court has original jurisdiction in matters in which an infringement of Chapter III of the Constitution defining fundamental rights is alleged. In all other matters it has appellate jurisdiction only. It consists of the Chief Justice, a Deputy Chief Justice and such other judges of the

Supreme Court, being not less than two, as the President may deem necessary.

- “The High Court consists of the Chief Justice, the Judge President, and such other judges of the High Court as may from time to time be appointed. Below the High Court are Regional Courts and Magistrates’ Courts with both civil and criminal jurisdiction presided over by full-time professional magistrates.
- “The Customary Law and Local Courts Act, adopted in 1990, abolished the village and community courts and replaced them with customary law and local courts, presided over by chiefs and headmen; in the case of chiefs, jurisdiction to try customary law cases is limited to those where the monetary values concerned do not exceed Z.\$1,000 and in the case of a headman’s court Z.\$500.”
- Magistrates’ Courts. “Appeals from the Chiefs’ Courts are heard in Magistrates’ Courts and, ultimately, the Supreme Court. All magistrates now have jurisdiction to try cases determinable by customary law.” [1e]

11.03 Jane’s Sentinel *Security Assessment – Zimbabwe*, updated 10 September 2009, noted that: “The judiciary is headed by the chief justice who, together with other judges of the Supreme and High Courts, is appointed by the president after consultation with the Judicial Service Commission. According to the current constitution, a judge may serve until the retirement age of 65 but this is often extended to 70 when a judge is in good health.” [90i] (Internal Affairs) The US State Department Report on Human Rights Practices 2009 (USSD 2009), published on 11 March 2010, noted that: “The constitution provides that they [judges] may be removed from the bench only for gross misconduct and that they cannot be discharged or transferred for political reasons.” [2h] (Section 1e)

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INDEPENDENCE AND FAIR TRIAL

11.04 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that:

“The constitution provides for the right to a fair trial; however, this right frequently was compromised in practice due to political pressures. Defendants enjoy a presumption of innocence under the law; however, this was not always respected in practice. Trials were held by magistrates or judges without juries and were open to the public, except in certain security cases. Every defendant has the right to a lawyer of his or her choosing, but most defendants in magistrates’ courts did not have legal representation. In criminal cases an indigent defendant may apply to have the government provide an attorney, but this was rarely granted except in capital cases, where the government provided an attorney for all defendants unable to afford one. Litigants in civil cases may request free legal assistance from the Legal Resources Foundation or ZLHR.” [2h] (Section 1e)

11.05 The USSD 2009 continued:

“Magistrates, who are part of the civil service rather than the judiciary, heard the vast majority of cases. Legal experts said that defendants in politically sensitive cases were more likely to receive a fair hearing in magistrates' lower courts than in higher courts, where justices were more likely to make political decisions. According to a November 2008 HRW report, most junior magistrates and magistrates in rural areas did not benefit from government patronage. Instead, government sympathizers relied on threats and intimidation to force magistrates, particularly rural magistrates, to rule in the government's favor. Some urban-based junior magistrates demonstrated a greater degree of independence and granted MDC and civil society activists bail against the government's wishes. Other judicial officers, such as prosecutors and private attorneys, also faced political pressure, including harassment and intimidation. During the year numerous lawyers and court officers were arrested on criminal charges after taking action that some in government opposed.” [2h] (Section 1e)

- 11.06 Freedom House in its *Freedom in the World 2010* report, Zimbabwe, covering events in 2009, released on 3 May 2010, stated:

“Pressure from the executive branch has substantially eroded judicial independence in recent years, although the situation improved somewhat in 2009. The accused are often denied access to counsel and a fair, timely trial, and the government has repeatedly refused to enforce court orders. It has also replaced senior judges or pressured them to resign by stating that it could not guarantee their security; judges have been subject to extensive physical harassment. The vacancy of nearly 60 magistrate posts has caused a backlog of some 60,000 cases. Among other signs of decreased politicization in 2009, a judge in February dropped treason charges against MDC official Tendai Biti, and in July a magistrate ordered the government to investigate the alleged assault of four women arrested at a peaceful demonstration on World Refugee Day. In October, the Supreme Court ordered a permanent stay of prosecution against Jestina Mukoko and eight other human rights activists, citing torture by police. However, in March police arrested a magistrate who had ordered the release of the MDC's Roy Bennett on bail.” [96b] (p5)

- 11.07 Amnesty International's *Annual Report 2010*, Zimbabwe, covering events in 2009, released 28 May 2010, noted that:

“Magistrates' courts found themselves under pressure after passing decisions not favourable to the Attorney General's office. The lower courts came under increased pressure in cases against MDC-T officials and human rights defenders, often seeing judicial officers themselves facing trumped-up charges at the instigation of the Attorney General's office. The charges were intended to instil fear among judicial officers, undermining their independence and impartiality.” [14g] (p2)

- 11.08 A report published by the Civil Society Monitoring Mechanism, covering events during January and February 2010, noted that “... some magistrates and judges [failed] to exercise independence ... the judiciary has a long way to go before it can be called impartial.” However, it also noted that: “Some magistrates and judges exhibiting independence and impartiality by throwing out politically-motivated cases, and issuing orders against senior members of government.” [48a] (p5-6)

11.09 The same source's report covering events in June observed that:

"The courts themselves have struggled to exert any independence. The main problem continues to be the enforcement of their judgements. Rulings on land issues are disregarded by the police who even assist in the illegal evictions of farmers, at the instigation of politicians. Statements by Didymus Mutasa for example, exhorting illegal settlers to invade farms from which legally barred demonstrate an utter disdain for the rule of law and the GPA. It remains difficult for the courts to act independently when senior politicians openly advocate defiance of court orders with impunity." [48b] (p33)

11.10 The International Crisis Group (ICG) reported on 20 April 2009, that the "... police have repeatedly refused to obey ... court orders ..." where judges and magistrates ruled against the interests of ZANU-PF. [100a] (p5) *The Times* (dated 1 June 2009) also noted that court rulings were often ignored by security forces. [82b]

11.11 SW Radio Africa reported on 21 May 2010 that President Mugabe unilaterally, and without the knowledge of his MDC partners, "... appointed a new Supreme Court judge and four High Court judges ..." The article went on to note that: "To emphasize his powers Mugabe also promoted retired Brigadier General George Chiweshe as the new Hight Court Judge President. Chiweshe is the former chairperson of the discredited Zimbabwe Electoral Commission that kept Mugabe in power in 2008 by withholding election results for a month while massaging the figures." [53f]

Further information about the courts system and the workings of the criminal justice system can be found at the UK Bar Council's report - *A Place in the Sun Zimbabwe: A Report on the state of the rule of law in Zimbabwe after the Global Political Agreement of September 2008*, published June 2010
http://www.barcouncil.org.uk/assets/documents/7351_BHRC_Zimbabwe_Report.pdf

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12. ARREST AND DETENTION – LEGAL RIGHTS

12.01 The USSD 2009 noted that:

"Arrests require court-issued warrants, and the law requires that police inform an arrested person of the charges before taking the individual into custody; however, these rights were not respected in practice. Although the law requires a preliminary hearing before a magistrate within 48 hours of an arrest (or 96 hours over a weekend), authorities routinely disregarded the law if a person did not have legal representation. Police typically made arrests, which may have been politically motivated, on Friday, which permitted legal detention until Monday. There were numerous reports of security forces arbitrarily arresting opposition and civil society activists, interrogating and beating them for information about their organizations' activities, and then releasing them the next day without charge.

“Although the Criminal Procedures and Evidence Act (CPEA) substantially reduces the power of magistrates to grant bail without the consent of the attorney general or his agents, a circular issued by the attorney general giving a general authority to grant bail lessened the negative effect of the law in practice. High court judges at times granted bail independently. The act allows police to hold persons suspected of committing economic crimes for up to four weeks without bail.” [2h] (Section 1d)

12.02 The USSD 2009 report also noted:

“Authorities often did not allow detainees prompt or regular access to their lawyers and often informed lawyers who attempted to visit their clients that detainees were ‘not available,’ especially in cases involving opposition members and civil society activists. Family members sometimes were denied access unless accompanied by an attorney. Detainees were often held incommunicado.” [2h] (Section 1d)

See also [Security forces, Arbitrary arrest and detention](#)

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13. PRISON CONDITIONS

13.01 The Foreign and Commonwealth Office’s *Annual Report on Human Rights 2009*, published in March 2010, noted that:

“Overcrowding, unhygienic conditions, and inadequate bedding, sanitation, food and medical care typify Zimbabwe’s prisons. Malnutrition compounded by diseases, such as cholera and HIV, added to record prison mortality rates. The little food that was provided consisted mainly of starch with little nutritional value. In Harare Central Prison, eight heads of cabbage mixed with water, shared between 1,500 inmates, served as the prisoners’ daily vegetable ration. Prisoners in urban prisons, such as Harare, were getting just one ‘meal’ a day. Children living alongside their incarcerated mothers and pregnant and breastfeeding women were of particular concern.

“The formation of the Inclusive Government and the impact of media reporting, including a South African documentary entitled Hell Hole, led to a growing acceptance by the authorities of the seriousness of the situation. After years of negotiation, the International Committee of the Red Cross (ICRC) was granted access to the Zimbabwean detention system in April. We are supporting the ICRC in improving the food supply, access to healthcare, and in providing clothing, blankets and hygiene items. As elsewhere in Zimbabwe, cholera in prisons is now under control, and the ICRC are working on improving water and sanitation conditions in preparation for any future cholera outbreaks.

“Along with the ICRC, we are supporting local groups in Zimbabwe who work to improve prisoners’ welfare, by reporting on the needs of prisoners in specific prisons and providing legal advice to inmates.

“Although President Mugabe agreed to an amnesty for 1,500 prisoners, which helped ease overcrowding in prisons, long-term solutions have not yet been implemented.” [13e] (p171)

- 13.02 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that:

“Prison conditions remained harsh and life threatening. The government's 42 prisons were designed for a maximum of 17,000 prisoners. Local NGOs and the International Committee of the Red Cross (ICRC) estimated that there were approximately 12,000 to 14,000 prisoners in the Zimbabwe Prison System (ZPS) at year's end, a significant reduction from a 2008 NGO estimate of 35,000 and the 2008 government estimate of 22,000 to 24,000. Prison guards beat and abused prisoners. Poor sanitary conditions and overcrowding persisted, which aggravated outbreaks of cholera, diarrhoea, measles, tuberculosis, and HIV/AIDS-related illnesses.

“Lawyers, NGOs, and church officials familiar with prison conditions reported that although the situation had improved since 2008, shortages of food, water, electricity, clothing, and soap continued. In April an undercover film crew produced a documentary entitled ‘Hellhole’ that depicted serious malnutrition and unsanitary conditions that directly contributed to severe cholera in prisons in late 2008 and early 2009. Local NGOs believed that the publicity from the documentary prompted the government to grant NGOs greater access to provide prisoners with food, clothing, and medical and legal services.” [2h] (Section 1c)

- 13.03 The USSD 2009 report noted:

“NGOs reported that the death rate decreased significantly during the year; however, the ZPS did not keep statistics on prisons deaths. NGOs estimated that the death rate was 40 deaths per month during the year, a reduction from the estimated 40 to 50 deaths per week during the height of the 2008 prison crisis. Most observers attributed the dramatic decrease to the ICRC's feeding program, which was the direct result of efforts by MDC-T Deputy Minister of Justice Jessie Majome to permit the ICRC and NGOs increased access to the prisons. Most prison deaths were attributed to harsh conditions, hunger, and HIV/AIDS. NGOs continued to estimate that half of prisoners were HIV-positive; the ZPS did not routinely test prisoners for HIV. Due to inadequate facilities, outdated regulations, and the lack of medical personnel and medication, the majority of prisoners were consistently ill, and routine medical conditions such as hypertension, diabetes, and asthma were life threatening.

“NGOs estimated that there were 500 women in prison; 43 children under the age of five lived with their incarcerated mothers. NGOs reported that female prisoners generally fared better than males. Women generally received more food from their families than male prisoners, resulting in reduced rates of malnutrition. Prison officials also appeared to have prioritized food distribution to women. NGOs were unaware of women reporting rapes or physical abuse, which were common among the male population, and suggested that female guards may have been more diligent about protecting female prisoners from abuse and that female prisoners may not have reported abuse. However, women prisoners continued to endure significant hardship. For example, prisons did not provide feminine sanitary supplies for women, resulting in

frequent fungal infections, as female inmates were forced to reuse torn pieces of dirty blankets during their menses. Pregnant and nursing mothers were not provided additional care or food rations. According to lawyers, female offenders also received sentences that were on average two to three years longer than male offenders for the same crime.” [2h] (Section 1c)

13.04 Concerning children in prisons, the USSD 2009 report noted that:

“NGOs and the ZPS estimated there were approximately 300 juveniles in prison facilities; the majority were being held in pretrial detention. Although juveniles were not officially held separately from adults, officials in remand prisons generally tried to place juvenile inmates in cells separate from adults. However, an estimated 20 convicted juveniles were held in the same prison cells as adult offenders. Juveniles were particularly vulnerable to the effects of poor prison conditions, and local NGOs reported several complaints of physical and sexual abuse.” [2h] (Section 1c)

For statistics of the prisoner population, capacity and number of prisons, amongst other details, see King’s College’s [World Prison Brief, Zimbabwe](#)

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14. DEATH PENALTY

14.01 Hands Off Cain, undated, accessed 10 May 2010, noted that Zimbabwe retains the death penalty. The method of execution is hanging. A total of 244 people were sentenced to death by the country’s High Court between 1980 and 2001, 76 of whom were executed. The report also noted:

“Executions were suspended for several years due to lack of a public hangman, but resumed in October 2001 when a candidate was covertly appointed. The last executions were those of four prisoners convicted of murder hanged in June 2003. No executions were registered in Zimbabwe in 2004 and in 2005. On December 18, 2008 Zimbabwe voted against the Resolution on a Moratorium on the Use of the Death Penalty at the UN General Assembly.” [71a]

14.02 Hands Off Cain went on to note that the last execution in Zimbabwe took place in 2005. “Zimbabwe’s last hangman quit the post in 2005 after hanging two armed robbers who murdered a prison guard while escaping jail. The job has since remained unfilled, despite unemployment in the country hitting 94% last year.” [71a]

14.03 Amnesty International’s *Annual Report 2010, Zimbabwe*, covering events in 2009, released 28 May 2010, noted that: “At least seven people were sentenced to death in 2009, bringing the number of people on death row at the end of the year to at least 52.” [14g] (p4)

14.04 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that: “The right to appeal exists in

all cases, and is automatic in cases in which the death penalty is imposed.”
[2h] (Section 1e)

Also see [Prison Conditions](#) above

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15. POLITICAL AFFILIATION

This section should be read in conjunction with [Human rights institutions, organisations and activists](#), and [Freedom of speech and media](#) for a more complete view of freedom of expression in Zimbabwe.

FREEDOM OF POLITICAL EXPRESSION

- 15.01 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, stated:

“The constitution provides citizens with the right to change their government peacefully; however, this right was restricted in practice because the political process continued to be tilted heavily in favor of ZANU-PF, which has dominated since independence in 1980. ...

“The [political] environment was characterized by some violence and a media environment that heavily favored Mugabe. Although Tsvangirai was allowed to campaign [during the 2008 elections], the police did not permit the MDC to hold all planned rallies, and some MDC activists were intimidated and beaten in the weeks before the election. Foreign journalists were not granted permission to cover the elections.” [2h] (Section 3)

- 15.02 Freedom House noted in *Freedom in the World 2010 – Zimbabwe*, covering events in 2009, published on 3 May 2010, that:

“Zimbabwe is not an electoral democracy. President Robert Mugabe and the ZANU-PF party have ... overseeing 18 amendments to the constitution that have expanded presidential power and decreased executive accountability. Presidential and legislative elections in March 2008 were marred by a wide-ranging campaign of violence and intimidation, flawed voter registration and balloting, biased media coverage, and the use of state resources – including food aid – to bribe and threaten voters. ... The period leading up to the presidential runoff in June 2008 featured accelerated violence against oppositionists, prompting a UN Security Council resolution declaring the impossibility of a fair poll. The election, in which Mugabe ultimately ran unopposed, was declared illegitimate by observers from the African Union and the SADC ... In 2008, despite political violence and vote rigging, the two factions of the MDC won 109 seats in the House of Assembly, leaving ZANU-PF with 97. In the Senate, where 33 seats are held by traditional chiefs, presidential appointees, and other unelected officials, ZANU-PF retained its majority; the 60 elected seats were divided evenly between ZANU-PF and the MDC factions.” [96b] (Political Rights and Civil Liberties)

- 15.03 The International Crisis Group (ICG) reported on 20 April 2009 that there was a “real risk” that disgruntled elements within ZANU-PF, specifically within the

military, were capable of staging a military coup within the country or of trying to engineer the assassination of Morgan Tsvangirai. The report went on to note that:

“Some old regime elements seek to cause the new government to fail, out of fear of prosecution, loss of power and its financial sinecures, hatred for Tsvangirai or the MDC or a genuine belief that they are the guardians of the country’s liberation. They are thus continuing to provoke and frustrate the MDC, as shown by such actions as continuing arrests and detention of MDC activists, refusal of police to carry out some government orders, efforts to drive out the last hundred white farmers by continued farm invasions and stalling on the appointment of provincial governors as well as reconfiguration of ministerial powers.” [100a]

- 15.04 A report by *The Zimbabwean*, dated 31 October 2009, [99b] and *The Times*, dated 26 October 2009, noted that a large number of observers believe that President Mugabe has lost control over elements of the security forces, which include many ZANU-PF hardliners. [82g]

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FREEDOM OF ASSOCIATION AND ASSEMBLY

- 15.05 The Foreign and Commonwealth Office’s *Annual Report on Human Rights 2009*, published in March 2010, noted that:

“Political space for civil society organisations and non-governmental organisations expanded during the year. They were largely able to operate freely across the country, hold workshops, including on the constitutional reform process, research reports and deliver humanitarian assistance.

“The right to assembly has not been respected consistently in 2009. Some marches and demonstrations were held successfully, but two peaceful marches conducted by Women of Zimbabwe Arise in Bulawayo and Harare in June were broken up by riot police with batons. Protesters were beaten and denied medical treatment while in custody. In late October, senior figures of the National Association of Non-Government Organisations and Zimbabwe Congress of Trades Unions were arrested under the often misused Public Order and Security Act for holding meetings without permission. In response to the increase in politically motivated arrests in November, the EU issued statements, condemning these actions and urging the SADC to act in its capacity as guarantor of the GPA.” [13e] (p171)

- 15.06 The USSD 2009 noted that:

“The constitution provides for freedom of assembly; however, the government restricted this right in practice. POSA does not require permits for meetings or processions, but it requires that organizers notify the police of their intentions to hold a public gathering seven days in advance. Failure to do so results in criminal prosecution as well as civil liability. In January 2008 POSA was amended as part of constitutional amendment 18 to require police to go to a magistrate’s court and to state in an affidavit why a public gathering should not take place. Although many groups that conducted meetings did not seek

permits, other groups informed the police of their planned events and were denied permission, or their requests went unanswered. Police insisted that their permission was required to hold public gatherings and sometimes approved requests; however, they disrupted many events whether or not they were notified." [2h] (Section 2b)

15.07 The USSD 2009 report also noted that:

"Although the constitution and law provide for freedom of association, the government restricted this right in practice. Organizations generally were free of governmental interference only if the government viewed their activities as nonpolitical. ZANU-PF supporters, sometimes with government support or acquiescence, intimidated and abused members of organizations perceived to be associated with the opposition. Suspected security force members visited the offices and inquired into the activities of numerous NGOs and other organizations that it believed opposed government policies." [2h] (Section 2b)

15.08 The Institute for the Democratic Alternative for South Africa, noted in its States in Transition Observatory (SITO report) - *Zimbabwe Government of National Unity Watch*, April 2010, dated 14 May 2010, noted that the ZANU-PF activists and security forces continue to restrict freedom of assembly. The report noted that following a demonstration by the Zimbabwe National Students Union on the 29th March 2010, its treasurer was abducted and severely beaten and dumped in the countryside three days later. [9g]

15.09 The International Trade Union Confederation's *2010 Annual Survey of Violations of Trade Union Rights – Zimbabwe*, dated 9 June 2010, noted that:

"There were fewer serious trade union rights violations than in previous years, thanks in part to the new Government of National Unity, but many problems persist. Members of the Zimbabwe Congress of Trade Unions (ZCTU) still faced harassment at the hands of the police, ZANU-PF youths and the Central Intelligence Organisation. Three striking mineworkers were shot and injured and many workers faced severe sanctions for exercising the right to strike. ZCTU President Lovemore Matombo was arrested in November along with four colleagues under the notorious Public Order and Security Act. Union activities are hampered by restrictive legal provisions, and there are no trade union rights in the public sector." [46a] (p1)

Further detailed information regarding trade union rights and violations can be found at the [International Trade Union Confederation's report](#).

15.10 Freedom House reported in *Freedom of Association Under Threat*, dated 21 November 2008, that:

"Freedom of assembly is severely restricted under the 2002 Public Order and Security Act (POSA). The act obliges organizers to give police seven days' notice prior to any public meeting, and failure to do so can result in both criminal and civil charges. While the advance notice provisions do not explicitly require police permission, security forces routinely use POSA to declare meetings and demonstrations illegal, arrest and detain demonstrators, impose arbitrary curfews and bans, and obstruct public gatherings with roadblocks and riot police. Consequently, thousands of opposition activists (mostly from the MDC), members of civic organizations (particularly the

National Constituent Assembly and Women of Zimbabwe Arise), and trade unionists have been arrested in the past five years.” [96d]

- 15.11 *The Financial Gazette* reporting on 25 March 2010 [50a], Amnesty International reporting on 29 June 2010 [14c], and The Institute for the Democratic Alternative for South Africa’s dated 30 June 2010 [9h] noted that there were reported problems in people’s ability to participate freely in the constitutional outreach programme with reports of violence and intimidation.

See the section on the [Constitutional Outreach Programme](#) for more information.

OPPOSITION GROUPS AND POLITICAL ACTIVISTS

- 15.12 MDC-Tsvangirai and MDC-Mutambara, the two largest opposition parties in Zimbabwe, agreed to join a government of national unity with Robert Mugabe’s ZANU-PF in February 2009. Although, part of the government, both formations of the MDC are opposed to many of ZANU-PF’s policies and wishes to ultimately govern the country alone. (International Crisis Group, 20 April 2009) [100a] (p2)

Information about the situation and treatment of MDC supporters within and without the government is found in a number of sections throughout the report. See [Constitutional Outreach Programme](#), [Intimidation of and violence against Civil Society and MDC supporters](#), [Political Affiliation](#), and [Human Rights Institutions, Organisations and Activists](#).

- 15.13 There are a number of smaller political parties in Zimbabwe; however, none holds any seats in either of the legislative bodies. More information about these parties can be found at [Annex B – Political organisations](#).

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TEACHERS

- 15.14 The UN Educational, Scientific and Cultural Organisation (UNESCO), noted in a report entitled *Education under attack 2010*, dated 10 February 2010, that: “... in recent years students, teachers and academics have been either beaten, arrested, tortured, threatened with murder or shot dead by state forces or state-backed forces in ... Zimbabwe ...” [33a] (48) “Teacher trade unionists were [and continue to be [33a] (p48)] singled out for assassination, false imprisonment or torture in ... Zimbabwe ...” [33a] (23)

- 15.15 Noting the recent situation for teachers, the UNESCO report continued, noting:

“Around 45,000 teachers left Zimbabwe between 2004 and 2008 to escape the economic crisis or political violence. Many thousands more were reportedly afraid to leave their homes in 2008 due to the political violence, which halted education in most schools, particularly in the rural areas. As a result, schools were empty and there were reports of their being used as bases for the Green Bombers and other state forces. The activities of all

NGOs were also banned for a long period in 2008, with some staff members facing persecution.” [33a] (101)

- 15.16 Africasia reported on 11 May 2008 that for at least 10 years, teachers have been the victims of violent attacks by ZANU-PF supporters, especially around election time, with many teachers accused of supporting the opposition MDC. Africasia claims that part of the reason for much of the violence directed against teachers arose following the formation of the Movement for Democratic Change, when it “... identified teachers as the perfect messengers for the party, not least because of their work with voter education programmes.” [40b]
- 15.17 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that education was severely disrupted in 2008. “Teachers were specifically targeted in post-election violence and some schools were taken over as torture bases. The education system has not recovered. UNICEF reported that in October attendance rates for teachers stood at just 40 per cent.” [13a] (Women’s and children’s rights)

A commentary of events since September 2007 noting intimidation and attacks against teachers and the education system can be found in the UNESCO report entitled, Education under attack - Zimbabwe, dated 10 February 2010.

See also [Latest news](#), [Recent Developments](#) and [Political affiliation](#)

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16. FREEDOM OF SPEECH AND MEDIA

This section should be read in conjunction with [Political affiliation](#) and [Human rights institutions, organisations and activists](#), for a more rounded picture of freedom of expression in Zimbabwe.

OVERVIEW

- 16.01 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that: “The government continued to use repressive laws to suppress freedom of speech [and the] press ...” [2h] (Introduction) The report noted that while:

“The constitution provides for freedom of speech and of the press ... The government restricted these rights in practice. Journalists and publishers practiced self-censorship.

“The Ministry of Media, Information, and Publicity (MMIP), headed by Webster Shamu [a ZANU-PF politician (*Independent Zimbabwe*), 10 April 2009] [29b]], continued to restrict freedom of speech, particularly of those making or publicizing comments critical of President Mugabe. The [Interception of Communications Act] ICA continued to be used to monitor speech and to punish those who criticized the government. Under authority of the Official

Secrets Act, the Public Order and Security Act (POSA), or the Criminal Law Act, the government arrested individuals for criticizing President Mugabe in public.” [2h] (p2a)

- 16.02 Human Rights Watch noted in a report entitled *Sleight of hand*, dated 20 April 2010, that:

“More than a year into the implementation of the GPA [Global Political Agreement] ... reforms remain unfulfilled ... and freedom of expression is imperilled in Zimbabwe. In the past year alone, some 15 different journalists have been harassed, arbitrarily arrested, or assaulted by state security forces in Zimbabwe. Five separate pieces of legislation restricting free expression remain on the books and are enforced. The laws, which are used only against ZANU-PF’s critics, exist in violation of Zimbabwe’s obligations under international law, under its constitution, and according to commitments under the GPA to undertake media reform. ZANU-PF continues to rely on these laws, and the state-controlled media itself, to promote political propaganda and restrict independent information about the party.

“Superficially, the power-sharing government has made a few positive changes. It ... lifted restrictions on a previously banned daily newspaper (which still does not have a license to operate), and in February 2010 established the Zimbabwe Media Commission. ...

“ZANU-PF has sought to portray these changes as indicative of genuine progress in the protection and promotion of human rights in Zimbabwe. ... In practice, however, the former sole ruling party has blocked meaningful political changes that would safeguard those rights.” [69j] (Summary)

- 16.03 The Economist Intelligence Unit’s (EIU) *Zimbabwe Country Report*, published in June 2010, noted that:

“There is growing evidence that Mr Mugabe and ZANU-PF are riding roughshod over their nominal coalition partners, as shown by the following examples.

“The appointment of Tafataona Mahoso – known as the ‘media hangman’ – as chief executive of the Zimbabwe Media Commission (ZMC). As chairman of the defunct Media and Information Commission, Professor Mahoso closed down at least five independent newspapers, banned numerous foreign correspondents from entering the country and was party to the ban on the BBC and other media organisations in Zimbabwe. His appointment was condemned by the MDC’s official spokesman, Nelson Chamisa – suggesting that, once again, the MDC is being outmanoeuvred by its official coalition partner – and did much to undermine the sense of optimism generated by the ZMC’s decision to licence four new newspapers. ...

“The MDC will have greater opportunities to promote its views, since two of the four daily newspapers that have now been licensed – *Newsday* from the Zimbabwe Independent stable and the *Daily News*, banned by the Mugabe government in 2002 – will be broadly supportive of it. The *Daily Gazette* (in which Gideon Gono, the governor of the Reserve Bank of Zimbabwe, has a substantial financial stake), is expected to lean towards ZANU-PF, although nothing like as slavishly as the state media, while the stance of *The Mail*, to be

published by Fruitlink, is not yet known. However, it is debatable whether Zimbabwe can support as many as five daily newspapers, suggesting that some of the new licensees – specifically the Daily Gazette – may not launch at this juncture. It is also possible that one or more of the papers will go bankrupt, although the state-owned Herald newspaper seems likely to survive because it has such a firm grip on the ‘classifieds’ advertising market.” [24d] (p9-10)

- 16.04 The Foreign and Commonwealth Office’s *Annual Report on Human Rights 2009*, published in March 2010, noted that:

“The state television network, Zimbabwe Broadcasting Corporation, remains the only national network in Zimbabwe. Despite the inauguration of the Inclusive Government, the state media remains heavily biased in favour of ZANU-PF. Proposed new independent publications have not yet been awarded licences. The BBC, CNN and other international outlets have been broadcasting openly from Harare since July.

“The repeal of repressive legislation, such as Access to Information and Protection of Privacy Act and Public Order and Security Act, is stipulated in the GPA, and will be necessary to secure a significant and sustained reduction in human rights abuses in Zimbabwe.” [13e] (p171)

See [Treatment of journalists](#) below

NEWSPAPERS AND JOURNALS

- 16.05 The BBC News *Country Profile of Zimbabwe*, updated on 16 June 2010, stated that:

“The main pro-government dailies, the Harare-based Herald and the Bulawayo-based Chronicle, are tightly controlled by the Information Ministry. Private publications, which are relatively vigorous in their criticism of the government, have come under severe pressure.

“In June 2010, newly-licensed title NewsDay hit the streets, becoming the first privately-owned daily to publish in seven years. The private press also comprises weeklies the Standard and Zimbabwe Independent. Another weekly, The Zimbabwean, is produced in London and distributed in Zimbabwe as an international publication.

“However, cover prices are beyond the reach of many readers and publishers have been hit by escalating printing and newsprint costs.” [3ab] (Media)

- 16.06 The Institute for the Democratic Alternative for South Africa’s group, States in Transition Observatory (SITO) report, ‘Zimbabwe Government of National Unity Watch, August 2009’, noted that:

“The Prime Minister’s [Morgan Tsvangirai] Newsletter which is produced weekly continues to grow in popularity along with The Legal Monitor and The Conveyor which are all distributed in urban and rural areas free of charge. Subjects covered in these publications range from local government, parliamentary affairs, state of the GNU and activities of the MDC as they are

never mentioned in state media. Regular newspapers run an average of 15,000 copies while the Prime Minister's Newsletter around 60,000." [9e] (p13)

- 16.07 ZimOnline reported on 27 May 2010 that: "The Zimbabwe Media Commission (ZMC) yesterday issued licences to four daily newspapers, including The Daily News that was banned by the Media and Information Commission (MIC) in 2003, turning a fresh page for the country's media landscape, which had been suffocated by the shortage of alternative voices in the dailies section." [49c] SW Radio Africa, dated 8 June 2010, noted that the first of the papers to go into print was NewsDay which was launched on 4 June 2010. [53i]
- 16.08 In a move to free-up access to printed media, the USSD 2009 noted that the MDC Minister of Finance, Tendai Biti announced the removal of "... the 40 percent import tax on all foreign newspapers ..." this had previously been "... imposed by ZANU-PF in June 2008. Several newspapers published in South Africa subsequently began circulating in Zimbabwe. The removal of the tax encouraged a number of Zimbabweans to publish newspapers from outside the country. These included the Zim Star and the News Leader." [2h] (Section 2a)

TELEVISION AND RADIO

- 16.09 The USSD 2009 reported that:
- "Radio remained the principal medium of public communication, particularly for the rural majority. The government controlled all domestic radio broadcasting stations through the state-owned Zimbabwe Broadcasting Holdings, supervised by the MMIP. The popularity of independent short-wave and medium-wave radio broadcasts to the country continued to grow, despite government jamming of news broadcasts by radio stations based in other countries, including Voice of America's (VOA) Studio 7 and SW Radio Africa. The government controlled the only domestically based television broadcasting station, the Zimbabwean Broadcasting Corporation. International satellite television broadcasts were available through private firms but too expensive for most citizens." [2h] (Section 2a)
- 16.10 The BBC News *Country Profile of Zimbabwe*, updated on 16 June 2010, stated that:
- "Zimbabwe Broadcasting Corporation (ZBC) operates the only TV and radio stations under the umbrella of state-owned Zimbabwe Broadcasting Holdings (ZBH).
- "Radio is the main source of information for many Zimbabweans. Although there are no private stations, overseas-based operations broadcast into Zimbabwe.
- "The Voice of the People, set up by former ZBC staff with funding from the Soros Foundation and a Dutch organisation, operates using a leased shortwave transmitter in Madagascar.
- "Another station, the UK-based SW Radio Africa, aims to give listeners in Zimbabwe 'unbiased information'.

“From the US, government-funded Voice of America (VOA) operates Studio 7, which aims to be a source of ‘objective and balanced news’.

“Radio broadcasts by foreign stations deemed hostile to the government are subject to deliberate interference.” [3h]

THE INTERNET

16.11 The USSD 2009 report noted that:

“There were no government restrictions on the Internet; however, the ICA [Interception of Communications Act] permits the government to monitor all communications in the country, including Internet transmissions. Internet access was available, but due to a lack of infrastructure it was not widely accessed by the public beyond commercial centers. According to International Telecommunication Union statistics for 2008, approximately 11.4 percent of the country's inhabitants used the Internet.” [2h] (Section 2a)

16.12 A report published by the OpenNet Initiative (ONI), published on 30 September 2009, noted that:

“Though human rights abuses are rampant and the government maintains strict control over the media, ONI found no evidence of Internet filtering in Zimbabwe [ONI conducted testing on Zimbabwean ISP CABSAS in September 2008 and found no evidence of filtering] ... The number of Internet users in 2008 was reportedly 1,421,000, or approximately 10.5 percent of Zimbabwe's population of 13.3 million. This is a stunning increase from the 2000 penetration rate of 0.4 percent. The high cost of mobile phones – repeated tariff hikes brought the mobile-to-mobile cost per minute to as much as ZWD72 million (USD0.12 at June 2008 exchange rates) – has made the Internet a comparatively cheaper, and therefore more popular, form of communication. Still, hyperinflation has left the government bankrupt and eight in ten Zimbabweans destitute, and unemployment is at 94 percent. In such an environment, demand for luxury goods such as computers and Internet use is low ... Internet penetration is low, and the Internet is mainly used for e-mail. As a result, the government restricts its efforts toward Internet control to e-mail monitoring and censorship. Though its legal authority to pursue such measures is contested, the government appears to be following through on its wishes to crack down on dissent via e-mail.” [18a] (Internet)

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TREATMENT OF JOURNALISTS

16.13 Freedom House noted in *Freedom in the World 2010 – Zimbabwe*, covering events in 2009, published on 3 May 2010, that:

“The country's draconian legal framework includes the Access to Information and Protection of Privacy Act (AIPPA), the Official Secrets Act, the Public Order and Security Act (POSA), and the Criminal Law (Codification and Reform) Act. In general, these laws restrict who may work as a journalist, require journalists to register with the state, severely limit what they may publish, and mandate harsh penalties – including long prison sentences – for

violators. ... Journalists are routinely subjected to verbal intimidation, physical attacks, arrest and detention, and financial pressure by the police and ZANU-PF supporters.” [96b] (p4)

- 16.14 However, Freedom House also noted that while attacks against journalists “... decreased in 2009 [compared to 2008], a number of journalists – including some working for state-owned outlets – were detained on defamation charges.” [96b] (p4)
- 16.15 SW Radio Africa reported on 17 February 2010 that a number of journalists had been arrested during the early part of [January/February] 2010; one journalist received a death threat and was told to leave Zimbabwe. David Dadge, the director of the International Press Institute criticised the government for failing to “... sensitize police and intelligence agents to the rights of journalists.” [53m]
- 16.16 Human Rights Watch noted in a report entitled *Sleight of hand*, dated 20 April 2010, that:
- “As recently as March 2010, journalists in Zimbabwe have been arrested for covering peaceful protest marches, writing articles about internal ZANU-PF politics, reporting on regional economic conferences, or discussing Zimbabwe’s land policy. Journalists who dare to cover such topics face detention, torture, and harassment, which serves to quash dissent or even balanced reporting, leading to self-censorship among the media.” [69i] (Summary)
- 16.17 The Committee to Protect Journalists reported on 13 August 2010 that Webster Shamu, the Information Minister (a ZANU-PF MP) in the government of national unity, threatened journalists with up to 20 years imprisonment if they published information leaked from cabinet meetings. The latest cabinet leak was about discussions to “... stop the state-run Zimbabwe Broadcasting Corporation from playing pro-ZANU-PF songs every half hour.” [30b]

For updates and further details of problems faced by journalists see the websites of [Committee to Protect Journalists](#) and [Reporters without Frontiers](#).

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17. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

This section should be read in conjunction with [Political affiliation](#) and [Freedom of speech](#).

- 17.01 Amnesty International’s *Annual Report 2010*, Zimbabwe, covering events in 2009, released 28 May 2010, noted that:
- “Suppression of human rights defenders and perceived political opponents of ZANU-PF persisted. Scores of human rights and political activists were arrested and charged after exercising their rights.

The Attorney General's office continued to invoke Section 121 of the Criminal Procedures and Evidence Act (CPEA) to prolong the detention of human rights defenders and political activists who would normally have been granted bail. Section 121 allows a further seven days detention to allow the state to lodge an appeal with a higher court." [14g] (p2)

17.02 The Human Rights Watch *World Report 2010 – Zimbabwe*, published 20 January 2010, covering events in 2009, noted that: "Human rights defenders remain under attack from security forces, including the police and intelligence officers, as well as by members and supporters of ZANU-PF." [69I] (p3)

17.03 Jane's Sentinel Country Risk Assessment (Zimbabwe), section in Internal affairs, updated on 10 September 2009, reported that:

"Between the Matabeleland massacres of the mid-1980s and the onset of the current crisis in the late 1990s, Zimbabwe developed an active civil society looking to protect rights and liberties, in urban areas at least. The principal human rights organisations working in Zimbabwe are the Catholic Commission for Justice and Peace in Zimbabwe (CCJP), Zimbabwe Human Rights Association (ZimRights), Zimbabwe Lawyers for Human Rights and the Legal Resources Foundation (LRF)." [90b] (Internal affairs)

17.04 The same source added that from around 2000 the government attempted to suppress areas of civil society perceived to be critical of the ZANU-PF. From this point on human rights institutions, organisations and activists found it increasingly difficult to operate without fear of intervention and intimidation. (Jane's Sentinel Country Risk Assessment, 10 September 2009) [90b] (Internal affairs)

17.05 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that:

"A number of domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases; however, they were subject to government restrictions, interference, monitoring, and harassment. Domestic NGOs worked on human rights and democracy issues, including lobbying for revision of POSA and AIPPA; election observation; constitutional and electoral reform; increasing poor women's access to the courts; raising awareness of the abuse of children; conducting civic education; preserving the independence of the judiciary; and combating torture, arbitrary detention, and restrictions on freedom of the press and assembly. Major domestic independent human rights organizations included the Crisis in Zimbabwe Coalition, Zimbabwe Human Rights NGO Forum, ZESN [Zimbabwe Election Support Network], ZLHR [Lawyers for Human Rights], ZPP [Zimbabwe Peace Project], National Constitutional Assembly (NCA), Students Solidarity Trust, and WOZA [Women of Zimbabwe Arise]." [2h] (Section 5)

17.06 The USSD 2009 report stated that:

"The government continued to use the government-controlled media to disparage and attack human rights groups. Articles typically dismissed the efforts and recommendations of NGOs that were considered critical of the government as efforts by groups that merely did the bidding of 'Western

governments.’ On July 27, President Mugabe criticized NGOs, describing them as having ‘exceeded their terms of reference’ and questioned “the advisability of having NGOs.

“During the year police arrested or detained NGO members, often in connection with demonstrations or marches; many were beaten during arrest and tortured while in custody. Numerous NGO members died in post election violence in 2008.

“The government harassed some NGOs it believed opposed government policies, investigated their activities, and harassed their leaders. Unlike in previous years, there were no known cases of police raids of NGO offices. The government continued to obstruct the activities of organizations involved in humanitarian activities, particularly in rural areas. Representatives of international and foreign NGOs were harassed.” [2h] (Section 5)

- 17.07 Amnesty International (AI) reported on 29 June 2010 that a pick up in violence following the start of the constitutional outreach programme had resulted in reports of human rights activists being threatened and targeted with violence. [14c]

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ABDUCTIONS OF HUMAN RIGHTS ACTIVISTS

- 17.08 The USSD 2009 noted that:

“There were numerous credible reports of politically motivated abductions and attempted abductions during the year. MDC leaders reported that state security agents and ZANU-PF party supporters abducted and tortured dozens of opposition and civil society members, as well as student leaders, as part of an effort to intimidate MDC supporters and civil society members and leaders. In the majority of cases, victims were abducted from their homes or off the streets by groups of unidentified assailants, driven to remote locations, interrogated and tortured for one or two days, and abandoned. In some cases the abducted person was located in police custody days or weeks later.” [2h] (1b)

- 17.09 SW Radio Africa reported on 5 July 2010 that three human rights activists “... working for the Independent Constitution Monitoring Project, which is jointly run by the Zimbabwe Election Support Network, the Zimbabwe Peace Project and the Zimbabwe Lawyers for Human Rights ...” were abducted by ZANU-PF supporters while monitoring the constitutional reform process. The three were reported to have been taken to a farm and beaten. [53c]

See the December 2009 [Zimbabwe Country Report](#) for more detailed information about the abduction of human rights activists in 2008-2009.

See also [Latest news](#), [Recent developments](#), [Political affiliation](#) and [Politically Motivated Violence](#).

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WOMEN OF ZIMBABWE ARISE (WOZA)

17.10 Women of Zimbabwe Arise (WOZA) was founded by Jenni Williams in 2003 and is a well respected protest group that campaigns for equal rights for women in Zimbabwean society. (Kubatana.net, last updated: 27 June 2007) [55r] WOZA's website (accessed 12 June 2009) noted that WOZA is an Ndebele word meaning 'come forward'. The movement has a countrywide membership of over 70,000 women and men. The majority of WOZA members are low-income earners from urban high-density suburbs. [78a]

17.11 The WOZA website stated that its activities are:

"Based on the principles of strategic non-violence, through our actions, WOZA creates space to allow Zimbabweans to articulate issues they may be too fearful to raise alone. WOZA has conducted hundreds of protests since 2003 and over 3,000 women and men have spent time in police custody, many more than once and most for 48 hours or more. These frontline human rights defenders are willing to suffer beatings and unbearable conditions in prison cells to exercise their constitutional rights and fundamental freedoms." [78a]

17.12 The USSD 2009 noted that WOZA demonstrations were often broken up by the police with the use of disproportionate force, with many women being arrested and denied bail. [2h] (Section 1d, 2b & 2d) The Civil Society Monitoring Mechanism, covering events between March and April 2010, noted that WOZA (as a non-political organisation) does not need to provide the police with notice of any demonstration. At a meeting with the MDC and ZANU-PF co-Ministers of Home Affairs, Jenni Williams reminded them that WOZA had "... successfully defended this right to assembly in seven trials." [48b] (p22)

17.13 The Institute for the Democratic Alternative for South Africa, noted in its States in Transition Observatory (SITO report) - *Zimbabwe Government of National Unity Watch, April 2010*, dated 14 May 2010, that:

"Several WOZA members were arrested on the 15th [April] in Harare following a peaceful demonstration against high electricity costs. Fully armed riot police broke up the demonstration and arrested WOZA leaders Jenni Williams and Magodonga Mahlangu. Several other women handed themselves in to the police in solidarity. In total, 65 people were held in custody without charge, 61 were released that evening. The other four women, Jenni Williams, Magodonga Mahlangu, Selina Madukane and Clara Manjengwa were released after spending 5 nights in jail." [9g]

17.14 A report published by the Civil Society Monitoring Mechanism, covering events during January and February 2010, noted that while WOZA marches and meetings were "interrupted by police" in January, "WOZA/MOZA[s] Valentine's day marches in February [were] unimpeded by police in Harare, Bulawayo and Mutare." [48a] (p7)

17.15 Amnesty International's *Annual Report 2010, Zimbabwe*, covering events in 2009, released 28 May 2010, noted that:

"Seven members of Women of Zimbabwe Arise (WOZA), all of them women, were arrested in Bulawayo on 17 June and denied access to their lawyers after participating in a peaceful demonstration. The next day, while Amnesty

International's Secretary General was holding a press conference at the Meikles Hotel in Harare, four WOZA activists, a cameraman from the state-owned Herald newspaper and an independent journalist were arrested and beaten by police about 50 metres from the hotel. The WOZA activists were denied access to medical treatment as a punishment for their activism and detained overnight. The independent journalist and cameraman were released the same day." [14g] (p2)

The [WOZA website](#) provides regular reports of its activities. See also [Latest news](#), [Recent developments](#), [Political affiliation](#), [Security forces](#) and [Women, Violence against women](#)

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18. FREEDOM OF RELIGION

- 18.01 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that:

"The constitution and law provide for freedom of religion, and the government generally respected this right in practice. The government and the religious communities historically have had good relations; however, the government continued to criticize and harass religious leaders who were critical of government policies and who spoke out against the government's human rights abuses. Church leaders and members who criticized the government faced arrest, detention, and, in the case of foreigners, possible deportation. Although not specifically aimed at religious activities, POSA and other laws continued to be used to interfere with religious and civil society groups organizing public prayer rallies." [2h] (Section 2c)

- 18.02 Jane's Sentinel *Security Assessment – Zimbabwe*, updated 10 September 2009, noted that:

"More than half of Zimbabwe's population are Christians, with the churches being influential in their various communities. The strongest group of churches is the African independent or indigenous churches, followed by the Roman Catholic Church and the various Protestant churches, among which the Anglican Church of the Province of Central Africa (Botswana, Malawi, Zambia and Zimbabwe) is the largest. The rest of the population are mostly adherents of traditional African religious practices." [90e] (Internal Affairs)

- 18.03 The Freedom House report, *Freedom in the World 2010*, Zimbabwe, covering events in 2009, published on 3 May 2010, noted that:

"While freedom of religion has generally been respected in Zimbabwe, church attendance has become increasingly politicized, with church groups such as the Solidarity Peace Trust and the Zimbabwe Christian Alliance at the forefront of opposition to the Mugabe government. Other groups, such as the Zimbabwe Council of Churches, are widely perceived as pro-Mugabe. In late 2007, the Anglican Church in Zimbabwe split along political lines, leading to restrictions on freedom of worship at a number of churches." [96b] (p5)

- 18.04 The US State Department International Religious Freedom Report 2009, Zimbabwe, (USSD RFR 2009), covering events between 1 July 2008 and 30 June 2009, released on 26 October 2009 observed that while the Government continued to maintain good relations with most religious groups it "... harassed religious leaders who were critical of government policies, who spoke out against human rights abuses committed by the Government, and who provided humanitarian assistance to citizens during a nearly three-month ban on nongovernmental organizations (NGOs)." [2a] (Introduction)
- 18.05 The report added that:
- "The Public Order and Security Act of 2002 (POSA) restricts freedoms of assembly, expression, and association. Although not specifically aimed at religious activities, the Government invokes the act to interfere with religious and civil society groups organizing public prayer rallies. While POSA exempts religious activities and events, influential persons in the Government view any public gathering that is critical of the Zimbabwe African National Union Patriotic Front (ZANU-PF) party as political even if the nature of the event is religious." [2a] (Section 2)
- 18.06 The report also stated that:
- "The Government does not require religious groups to register; however, religious organizations that operate schools or medical facilities are required to register those specific institutions with the appropriate ministry regulating their activities. Religious institutions are allowed to apply for tax-exempt status and duty-free privileges with the Customs Department. These requests are generally granted." [2a] (Section 2)
- 18.07 The USSD RFR 2009 also stated that:
- "The country has a long history of Catholic, Anglican, and Methodist primary and secondary schools. The Government does not regulate religious education in private schools but does play a role in approving employment of headmasters and teachers. Since independence, there has been a proliferation of evangelical basic education schools. Christian schools, the majority of which are Catholic, constitute one-third of all schools. Islamic, Hindu, and Jewish primary and secondary schools are also in major urban areas such as Harare and Bulawayo." [2a] (Section 2)
- 18.08 The Afrol Gender Profile – Zimbabwe (accessed on 10 June 2009) noted that "Indigenous African churches that combine elements of established Christian beliefs with some beliefs based on traditional African culture and religion generally accept and promote polygyny and the marriage of girls at young ages; they also generally approve of healing only through prayer and oppose science-based medicine including the vaccination of children." [73a]
- 18.09 The USSD IRF 2009 report observed: "There were continuing reports of tensions between indigenous religious groups and mainstream Christian churches, particularly on issues of polygamy, modern medicine, and political exclusion. However, religious leaders from a wide spectrum of groups continued to discuss these matters productively in interfaith council meetings." [2a] (Section 1)

WITCHCRAFT

18.10 The USSD IRF report 2009 noted that:

“A July 2006 amendment to the Witchcraft Suppression Act (WSA) criminalizes any practice "commonly associated with witchcraft," but only if that practice is intended to cause harm. Spoken words alone are not considered a witchcraft practice or evidence of illegal activity. The amendment also criminalizes witch hunts, imposes criminal penalties for falsely accusing others of witchcraft, and rejects killing of a witch as a defense for murder. Attacks on individuals in witchcraft-related cases appear to be prosecuted under laws for assault, murder, or other crimes. In practice, the Government did not detain or prosecute persons for allegedly practicing witchcraft.”
[2a] (Section 2)

18.11 The USSD IRF 2007, covering events between 1 July 2006 and 30 June 2007, noted that: “Reports of possible ritual killings and mutilations continued to be cited by newspapers and women and children's rights groups throughout the reporting period. Police usually inquired into these killings; however, limited resources prevented police from conducting many investigations or identifying perpetrators.” [2c] (Section 3)

18.12 *The Telegraph* dated 1 July 2010 reported that detectives had charged a woman with the murder of her 18 month year old son. The police stated that they were investigating the women for killing her son to enable her to sell the boy's ear to a Mozambican witch doctor. “Detectives believe that the boy's ear was sold for [US]\$20 to a healer over the border known as Maheza.” [5e]

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19. ETHNIC GROUPS

19.01 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that: “According to government statistics, the Shona ethnic group makes up 82 percent of the population, Ndebele 14 percent, whites less than 1 percent, and other ethnic groups 3 percent. There was some tension between the white minority and other groups, between the Shona majority and the Ndebele minority, and among the various Shona subgroups.” [2h] (Section 6)

SHONA

19.02 Jane's Sentinel *Security Assessment – Zimbabwe*, updated 16 September 2009, noted that:

“The Shona are a group of culturally similar peoples living in the eastern half of Zimbabwe, north of the Lundi river. The number of Shona speakers is estimated at over nine million, or 75 per cent of the estimated total population in 2003. In addition, there are several million Shona speakers in Zambia and especially in central Mozambique. The main tribal/dialect groupings are the Karanga (Midlands and Masvingo; about 40 per cent), Zezeru (central Mashonaland; about 31 per cent), Manyika (Manicaland; about 10 per cent),

Ndau (Manicaland and Masvingo; about seven per cent) and Korekore (northern Mashonaland; about six per cent). Most of the Ndau and Manyika sub-groups live in Mozambique. A smaller, more distinct group of Shona, the Kalanga (about three per cent), lives near Plumtree and the border with Botswana and is divided from the main body by broad areas of Ndebele settlement. Elementary education, Christian missions and partial urbanisation weakened traditional institutions but barely affected belief in magic and witchcraft. Personal and political relations are largely ruled by a kinship system governed by exogamous clans and localised patrilineages. Descent, succession and inheritance are largely patrilineal. Chiefdoms, wards and villages are administered by hereditary leaders.” [90k] (Demography)

NDEBELE

- 19.03 Jane’s Sentinel *Security Assessment – Zimbabwe*, updated 16 September 2009, noted that:

“The Ndebele of Zimbabwe, or Matabele, are a different group to the Ndebele of South Africa, and are closely related to the Zulu. The Zimbabwean Ndebele numbered about 2.5 million or 20 per cent of the estimated total population in 2003. A husband will allocate land and livestock to his wives; the eldest son of the first wife is the principal heir and inherits this property. They practise the custom of levirate marriage, in which men inherit the wives and children of their deceased brother.” [90k] (Demography)

- 19.04 Freedom House’s report, *Freedom in the World 2010*, covering events in 2009, Zimbabwe, published on 3 May 2010, reported that: “People living in the two Matabeleland provinces [who are predominantly Ndebele] continue to suffer political and economic discrimination, and these areas are often targeted by security forces as opposition strongholds. Restrictive citizenship laws discriminate against Zimbabweans with origins in neighboring African countries.” [96b] (p6)

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WHITES

- 19.05 The number of whites remaining in Zimbabwe is estimated to be between a few thousand (Economist Intelligence Unit – Zimbabwe Country Profile 2008) [24n] (p10) and 40,000 (Institute for War and Peace Reporting, 13 January 2009) [77g] having dropped from a peak of about 275,000 in the mid-1970s. [24n] (p10)
- 19.06 The historical injustice over the allocation of land in Zimbabwe gave Robert Mugabe a scapegoat with which to boost his popularity. “Until 2002 about 30% of agricultural land was ... white-owned ...” Farm invasions and confiscations have ensured that few farms are now in white ownership. (Economist Intelligence Unit: Zimbabwe Country Profile 2008) [24e] (p15)
- 19.07 The USSD 2009 reported that:
- “The government continued its attempts to attribute the country’s economic and political problems to the white minority and Western countries. On several

occasions President Mugabe, members of ZANU-PF, and the government-controlled media attempted to reignite resentment of the white minority. Ruling party supporters seldom were arrested or charged for infringing upon minority rights, especially those of the white commercial farmers targeted in the land redistribution program ... The government and ZANU-PF continued to infringe on the right to due process, citizenship, and property ownership in ways that affected the white minority disproportionately.” [2h] (Section 6)

19.08 The Institute for War and Peace Reporting noted on 13 January 2009 that:

“Embattled Zimbabwe president Robert Mugabe is piling more pressure on the country's dwindling white community, with a campaign of intimidation and arrests.

“Mugabe, who, of late, has been using warlike demagoguery to frighten critics, alleges that the opposition Movement for Democratic Change, MDC, is taking instructions from its ‘white masters’. He has repeated his mantra that the MDC will never rule ‘my Zimbabwe’, and says he will not surrender the country to white colonialists.

“Mugabe's government has stepped up a propaganda campaign against ... whites ... [accusing them] of training hit squads to overthrow Mugabe and undermine the September 15 power-sharing deal.

“At the same time, the security forces are stepping up verbal and physical threats against whites, jailing some for allegedly fomenting unrest against the regime.” [77g]

See also [Land reform](#)

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ASIANS

19.09 Jane's Sentinel *Security Assessment – Zimbabwe*, updated 16 September 2009, noted that there were around 15,000 Asians living in Zimbabwe. [90k] *The Independent* (UK) reported on 10 April 2000 that, during the violence of the campaign for the June 2000 elections, there were reports that racial intimidation was spreading beyond the White-owned farms to include the Asian business community. Pamphlets were reportedly circulated in Bulawayo threatening Indians. [4a]

19.10 The Zimbabwe government has in the last few years pursued a ‘Look East’ policy, concentrating on building-up trade relations with India and China. *The Herald*, Zimbabwe's main government owned (ZANU-PF supporting) newspaper, published an article on 25 March 2008 noting that the country could expect a rise in tourists from emerging economies in India and China. The report noted that Zimbabwe had a lot to offer Asians, specifically Indian tourists, as the country had “... a vibrant south Asian community ... a lot of local expertise, restaurants and even the temples and mosques that will allow a religiously-minded visitor to keep up their obligations of public worship.” [23a]

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FARM WORKERS OF MALAWIAN, ZAMBIAN AND MOZAMBIKAN ORIGIN

19.11 The *Zimbabwe Independent* noted on 31 August 2001 that there were between 350,000 and 400,000 farm workers in Zimbabwe, including their families numbered up to two million people. Most of these people were third generation Zimbabweans whose grandparents came to Zimbabwe from Mozambique, Malawi and Zambia during the colonial era (pre 1965). Many had “lost contact with their countries of origin” and had “lived on white-owned farms throughout their lives”. “War Veterans” targeted these farm workers in their campaign against white ownership of commercial farms. Hundreds of thousands of farm workers were reportedly displaced along with the white owners of commercial farms when squatters occupied the farms. [11c] IRIN News reported in February 2003 that the numbers of commercial farm workers who had been affected by the Government’s resettlement programme had increased to around one million. [10ae] The *Zimbabwe Independent* newspaper called it “ethnic cleansing”. [11c]

19.12 BBC News reported on 24 August 2005 that historically, many people from neighbouring countries such as Mozambique, Zambia and Nyasaland (colonial era name for Malawi) had migrated in the 1950s and 1960s, some seeking work on white-owned farms in the more developed Southern Rhodesia (Zimbabwe). For a variety of reasons, a number of these people left the farms where they had worked and moved to the larger towns and cities across Zimbabwe. However, as the BBC article explained:

“In the wake of the government’s crackdown on illegal buildings and unlicensed traders, Zimbabweans of foreign parentage are finding themselves in a particularly difficult situation.... While thousands of Zimbabweans who can trace their ancestry to a Zimbabwean rural village are being transported to the countryside, those whose parents or grandparents were immigrants are left in limbo. ‘To say every Zimbabwean has a rural home is not true,’ says Alouis Chaumba, head of the Catholic Commission for Justice and Peace in Zimbabwe. “Some are the grandchildren of people who came here during the Federation.” [3b] (p1-3)

19.13 The USSD 2009 report noted that the Government amended the citizenship laws requiring “... all citizens with a claim to dual citizenship to have renounced their claim to foreign citizenship by January 2002 to retain their Zimbabwean citizenship.” The report continued:

“The act revokes the citizenship of persons who fail to return to the country in any five-year period. However, the High Court ruled in 2002 that this interpretation does not take into account the fact that persons are not automatically guaranteed foreign citizenship merely because their parents were born in a foreign country, as some countries require persons to confirm their citizenship, in which case they could be rendered stateless. It further held that it is incorrect to presume that when one has a parent or parents that are born out of the country, they are citizens of the other country by descent. In addition, some countries, including in southern Africa, do not have a means to renounce citizenship. Independent groups estimate that as many as two million citizens may have been disenfranchised by the law, including those perceived to have opposition leanings, such as the more than 200,000 commercial farm workers from neighboring countries and approximately 30,000 mostly white dual nationals. The problem became particularly acute

during voter registration in late 2007 and during the 2008 elections, when some were denied the right to vote – despite having voted previously – because they could not adequately demonstrate their citizenship.” [2h] (Section 2d)

- 19.14 Kubatana.net in *Development Denied: Autocratic Militarism in Post-Election Zimbabwe*, dated 28 July 2005, reporting on non-Zimbabweans caught up in Operation Murambatsvina, noted that “Those without Zimbabwean ID were initially taken to fenced holding camps and stored like beasts. The razed suburb of Mbare had many Mozambican traders, Hatcliffe many of the 200,000 displaced Malawian ex-farm workers from the misnamed ‘Land Reform’ of previously white-owned farms.” [55g] (p3)

Also see [Internally Displaced People \(IDPs\)](#)

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ALBINOS

- 19.15 Zimbabwe Community Radio reported on 12 July 2010 that there were around 15,000 people living with albinism in Zimbabwe, [93a] SNNi.org (Smart News Network International) noted on 7 January 2006 that albinos in Zimbabwe face a great deal of social stigmatization. “Discrimination against albinos, especially women, is rampant in all sectors in Zimbabwe. ‘Most employers call you for an interview and when they see you they just tell you there is no job,’ says Brenda Savanhu, a qualified secretary. ‘They do not tell you the reason, but we know why they are doing it.’” [62]
- 19.16 SNNi.org also noted that many albinos have difficulties affording sun creams and sunglasses needed to protect their sensitive skins, rendering them more prone to skin cancers. [62] A report published by UNICEF in April 2010 noted that: “In Zimbabwe, albino women are victims of rape, because according to local belief, HIV can be cured by having sex with an albino woman.” [85b] (p28)
- 19.17 IRIN reported on 16 February 2006 that: “About 65 percent of people with albinism in Zimbabwe are aged under 20. ‘Mortality is incredibly high – most of our people are aged between 33 to 50 years – very few people live beyond that, and it is sad because skin cancer is curable,’ commented John Makumbe [founder of the Zimbabwe Albino Association (ZIMAS)].” The IRIN article also noted that across southern Africa most people with albinism are regarded as “unnatural and even cursed” with discrimination in the workplace being common. [10b]
- 19.18 *The Zimbabwean*, in an article dated 27 May 2009, reported John Makumbe, chairman of ZIMAS, condemning the recent murder of albino people in east Africa where a belief that body parts such as “... genitals, limbs, breasts, fingers and tongue[s] can bring magic powers ...” Mr Makumbe went on to state that: “... although they haven’t received any cases of albino killings for ritual purposes in Zimbabwe, ZIMAS has received several reports of killing of albino babies at birth by parents and sexual abuse of albino women.

“In Zimbabwe we have received many cases of albino babies being killed by their parents who don’t like them. There is also sexual abuse of albino women

by HIV positive men who believe that if you sleep with these women the virus will disappear,' he said." [99a]

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OTHER ETHNIC MINORITIES

- 19.19 The Lemba or Lembaa [also know in Zimbabwe as the Remba] are a small group of people in southern Africa who while speaking languages similar to their neighbours (the Shona/Ndebele), have specific religious practices similar to those in Judaism, and a tradition of being a migrant people with clues pointing to an origin in the Middle East or North Africa. (Haruth.com, 15 October 1999) [60] (The Lemba, p1-2) Afrol Gender Profile – Zimbabwe (accessed on 31 August 2006) noted that: "The Remba [or Lemba] ethnic group practice infibulation, the most extreme form of Female Genital Mutilation (FGM)." [73a] (p2)
- 19.20 The World Directory of Minorities (published 1997), noted that, the Shangaan, Venda and Tonga peoples make up about two per cent of the population. The Shangaan and Venda live mainly in the far south of Zimbabwe. In 1985–86 the Government introduced teaching in primary schools in these groups' own languages. In 1995 the national radio station began broadcasting programmes in the three minority languages. [16] [27] (Tribal map)
- 19.21 Mulonga.net reported in an article dated 27 December 2005 that the Tonga form "...the third largest ethnic and language group after the Shona and Ndebele and the most marginalised in the country." [40a] The World Directory of Minorities noted that the Tonga live in north-western Zimbabwe. In the 1950s about two-thirds of their population, some 57,000 people (in both Zimbabwe and Zambia) were moved from their ancestral lands to make way for the Kariba Dam. Tonga leaders claimed that central government investment and relief, including "cultural support such as primary school instruction in the Tonga language" was "inadequate". [16] [27] (Tribal map) IRIN reported on 5 September 2007 that since the construction of the Kariba dam the Tonga suffer from some of the highest levels of unemployment and poverty in Zimbabwe. [10p]

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20. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

LEGAL RIGHTS

- 20.01 The International Lesbian and Gay Association report, State-sponsored Homophobia 2009, released 13 May 2009, observed that sexual relations between men are illegal while, sexual relations between women are not specifically legislated against. The report set out the laws on sodomy, as found in the Criminal Law (Codification and Reform) Act, which was effective from July 2006:

"Section 73. Sodomy

"(1) Any male person who, with the consent of another male person, knowingly performs with that other person anal sexual intercourse, or any act involving

physical contact other than anal sexual intercourse that would be regarded by a reasonable person to be an indecent act, shall be guilty of sodomy and liable to a fine up to or exceeding level fourteen or imprisonment for a period not exceeding one year or both.

“(2) Subject to subsection (3), both parties to the performance of an act referred to in subsection (1) may be charged with and convicted of sodomy.

“(3) For the avoidance of doubt it is declared that the competent charge against a male person who performs anal sexual intercourse with or commits an indecent act upon a young male person—

- “(a) who is below the age of twelve years, shall be aggravated indecent assault or indecent assault, as the case may be; or
- (b) who is of or above the age of twelve years but below the age of sixteen years and without the consent of such young male person, shall be aggravated indecent assault or indecent assault, as the case may be; or
- (c) who is of or above the age of twelve years but below the age of sixteen years and with the consent of such young male person, shall be performing an indecent act with a young person.” [81] (p46-47)

- 20.02 Diva, a UK-based entertainment magazine aimed at lesbian readers, accessed on 17 May 2010, noted on its website providing advice for travellers, that:

“Whilst here is no statutory legislation prohibiting homosexual activities in Zimbabwe, there are criminal offences under Common law which effectively make homosexuality illegal in Zimbabwe. Common Law prohibitions include Sodomy defined as the ‘unlawful and intentional sexual relations per annum between two human males’ and Unnatural Offences defined as the unlawful and intentional commission of an unnatural sexual act by one person with another person. The meaning of ‘Unnatural’ involves a value judgement which can be interpreted how you will. These offences are particularly repressive. Zimbabwean law therefore criminalise sex and even the display of affection between men and criminalises unnatural sexual acts between two persons which in theory could be applied to two women though in practice never has. Although these outdated laws are not always applied, the threat of being caught still hangs over the gay and lesbian community in Zimbabwe. S[ection] 11 of The Censorship and Entertainments has also been used to harass gay people in Zimbabwe. This provides that no person shall import, print, publish, distribute, or keep for sale any publication which is undesirable. A publication is undesirable if it is ‘indecent or obscene or is offensive or harmful to public morals or is likely to be contrary to public health.’” [88a]

- 20.03 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that: “Sodomy carries a penalty of up to one year in prison or a fine up to \$5,000. There were no known cases of sodomy charges being used to prosecute consensual homosexual activity.” [2h] (Section 6)
- 20.04 The Institute for the Democratic Alternative for South Africa’s group, States in Transition Observatory (SITO report), noted in a report, *Zimbabwe Government of National Unity Watch, August 2009*, dated on 7 September

2009, that: “Human rights campaigners are fighting to have the rights of gay, lesbian and bisexual people protected in the new constitution, which would mean abolishing existing laws that make it a criminal offence for men to have sex with other men.” [9e] (p13) However, *New Zimbabwe* reported on 27 May 2010 that President “Mugabe has vowed not to allow gay rights to be written in the new constitution being drafted by the coalition government.” [41b] (FAQ)

- 20.05 With regard to the status of Lesbians in Zimbabwe, the Gays and Lesbians of Zimbabwe (GALZ) website, undated, accessed on 27 May 2010, noted that: “The common law prohibiting consensual lesbian sexual acts had previously fallen into disuse and [t]his law has not been revived by the codification and modification of the criminal law.” [42c] (GALZ and the law)
- 20.06 The Gays and Lesbians of Zimbabwe (GALZ) website, accessed on 27 May 2010, noted that: “The Zimbabwean constitution provides for freedom of association. There is nothing illegal about forming an association to cater for the needs and interests of LGBTI [Lesbian, Gay, Bisexual, Transgender and Intersex] people in Zimbabwe. Government would, therefore, have to resort to illegal means to close down GALZ.” [42b] (FAQ)
- 20.07 No information was found regarding the treatment of transgendered persons in terms of legal rights as a separate group in Zimbabwe.

TREATMENT BY, AND ATTITUDES OF, STATE AUTHORITIES

- 20.08 RadioVop reported on 22 May 2010 that: “Zimbabwean police ... arrested two employees of the country’s only gay and lesbian group, the Gays and Lesbians of Zimbabwe (GALZ).” The report went on to note that a team of armed police officers entered the GALZ building with a warrant to search for drugs and pornography. “The police arrested ... Ellen Chademana and Ignatius Mhambi, who were detained at Harare Central Police Station on Friday ...” [28a] The pair were released on bail six days after being arrested. GALZ claims that the two were tortured and assaulted by police whilst in custody. (*New Zimbabwe*, 27 May 2010) [41b] On the 9 June 2010, the US Embassy noted its growing concern at the arrest and detention of the GALZ employees. [2b]
- 20.09 On 30 May 2010 Human Rights Watch (HRW) reported its belief that the arrest of Ellen Chademana and Ignatius Mhambi was politically motivated. The arrests took place on 21 May 2010 “... shortly before the opening of a National Constitutional Reform Outreach Program, through which GALZ is seeking to remove discriminatory provisions and secure constitutional protections for lesbian, gay, bisexual, and transgender (LGBT) people. ... human rights organisations believe that the context in which the raid and arrests occurred raises serious concerns that they were politically motivated.” The GALZ officers were charged with possession of dangerous drugs and pornography, and of undermining the authority of, or insulting the president. [69k] RadioVop reported on 19 July 2010 that legal proceedings against Ellen Chademana and Ignatius Mhambi were continuing. [28c]
- 20.10 The *Zimbabwe Independent* reported on 1 July 2010 that as part of the constitutional outreach programme ZANU-PF activists have been telling voters that “... any constitutional provisions outside what is in the controversial Kariba draft will promote same sex marriages and homosexuality.” In spite of

the Kariba draft having been written by all three main political parties, the Kariba draft is ZANU-PF's preferred constitution as it allows for "... an executive president with far-reaching powers to appoint without any consultation." ZANU-PF is allegedly "... using homosexuality, something which they know people – particularly those in rural areas – are strongly opposed, to make sure that they parrot what is in the Kariba draft." [11b]

20.11 The Voice of America reported on 26 March 2010 that: "The question of whether Zimbabwe's new constitution should provide for protection against discrimination on the basis of sexual preference is becoming increasingly politically sensitive as the possibility of a new elections as early as next year looms increasingly larger." President Mugabe, attending a women's rights function in Chitungwiza, "... declared that as far as he was concerned there was no possibility that the new constitution the country is drafting would guarantee the rights of gays and lesbians. Mr Mugabe added that homosexuals are 'crazy' and 'insane'." Mr Tsvangirai, who was also at the function, was reported to have agreed with Mr Mugabe's comments. Mr Tsvangirai's spokesman later described the MDC leader's agreement with Mugabe's comments as "personal views" and that they were only "light-hearted" comments. Mr Tsvangirai's spokesman went on to state that the Zimbabwean people, not politicians, would decide on what rights would be enshrined in the constitution. [83b]

20.12 *Diva* undated, accessed on 17 May 2010, noted that: "The last few years have seen attacks of extraordinary virulence on Zimbabwe's lesbian and gay community, led by Robert Mugabe." The Zimbabwean government has a history of homophobia extending back to at least 1995. [80a] The USSD 2009 report observed that: "Over a period of years, Mugabe publicly denounced the LGBT community, blaming them for Africa's ills." [2h] (Section 6) Behind the Mask, undated, accessed on 2 December 2008, noted that:

"The Zimbabwean president and government are extremely homophobic to the point of obsession. Mugabe has in the past said of gays: 'What an abomination, a rottenness of culture, real decadence of culture. [Homosexuals are] repugnant to my human conscience ... immoral and repulsive ... Lower than pigs and dogs ... Animals in the jungle are better than these people because at least they know that this is a man or a woman... I don't believe they have any rights at all.'" [92f]

SOCIETAL TREATMENT AND ATTITUDES

20.13 *The Independent* noted on the 21 November 2006 that "homosexuality", which in Shona is called "ngochani", had historically been widespread and accepted. Only since the colonial period has "homosexuality" become taboo in most African societies. [4c] (p1-2)

20.14 An article published by *The Standard* (Zimbabwe) noted on 27 March 2010 that homophobia in sub-saharan Africa is a relatively new phenomenon with late 19th century records showing that same sex practices were tolerated and sometimes celebrated in a wide range of African cultures including societies in southern Africa. The article noted that "... European contact altered some pre-colonial African attitudes towards homosexuality considerably." With Christian and Islamic missionaries imposing new concept of sin with resulting new laws giving rise to or intensifying homophobia. [70b]

- 20.15 An article published by The Press Institute, dated 4 December 2009, noted that: "In Zimbabwe, there is an ingrained cultural, religious and political prejudice toward lesbians and gays. People who are openly gay or lesbian are often forced to endure degrading verbal assaults ..." The article went on to note that "Some doctors even provide counselling to gays and lesbians in an effort to rehabilitate them ..." [79a]
- 20.16 The Gays and Lesbians of Zimbabwe (GALZ) website, accessed on 27 May 2010, noted that:
- "Zimbabwe is not the worst place in the world in which to be gay or lesbian even though the President, government officials and church leaders have whipped up a climate of hysterical homophobia. Nevertheless, there is growing tolerance of LGBT in Zimbabwe especially amongst younger people in urban areas who have grown up with the knowledge that gay and lesbian people exist within their midst." [42b] (FAQ)
- 20.17 The Institute for the Democratic Alternative for South Africa, noted in its States in Transition Observatory (SITO report) - *Zimbabwe Government of National Unity Watch, April 2010*, dated 14 May 2010, that: "Corrective rape against gay men and lesbians is on the rise. Victims are particularly vulnerable given the stigma attached to homosexuality in Zimbabwe which makes it difficult for them to report crimes or seek medical attention." [9g]
- 20.18 The Press Institute article dated 4 December 2009 reported the case of a gay couple whose relationship was discovered by family members. The mother of one of the gay men reportedly arranged for the two men to be beaten unconscious. The resulting injuries "... required emergency medical attention ..." One of the men was reported to have lost his job and to have been shunned by the local community. [79a]
- 20.19 An article posted on the Behind the Mask's website dated 13 June 2008 noted "Although homosexual men (including transgender men) are spurned by society, they still maintain the privileges that automatically accrue to them as biological males." The article went on to consider the situation for lesbians, as women, who "... suffer multiple forms of oppression, some of which relate to their sexuality but most of which relate to the general position of women in society." (See following section.) [92g] No further information has been identified by COIS with regard to transgender persons.

Lesbians

This section should be read in conjunction with [Women](#)

- 20.20 Behind The Mask, reported on 13 June 2008, that lesbian and bisexual women often face far more severe discrimination because of the traditional lower status of women in Zimbabwean society. The report noted that while gay men "... are spurned by society, they still maintain the privileges that automatically accrue to them as biological males." These privileges include the right of free association, whereas "Women... are not at liberty to mix with whom they please and establish unsupervised relationships. This makes it more difficult for lesbian and bisexual women to meet with others like themselves whilst keeping their sexuality hidden from their families." However,

women who were economically independent (generally in the large towns and cities) were reported to be in a slightly better situation. [92g]

20.21 The same source also noted that:

“In the rural areas lesbian and bisexual women [have little access to a support network] ... With no support network and no information, these women are far more likely to internalise their oppression and believe that they should conform to cultural norms of heterosexual marriage and the bearing of children. Although these women may outwardly concur with their position, they are still forced to accept a lifestyle, which runs entirely contrary to their emotional and psychological needs.

“Although spaces for lesbians and gay men remain limited, men are once again at an advantage. Whilst gay men are generally more accepting of lesbian and bisexual women as social equals and do not view women as sex objects, many still carry with them unconscious prejudices of heterosexual socialisation ... [one] potential source of sanctuary for lesbian and bisexual women is the women’s movement but, in Zimbabwe, this is deeply divided by conflicting ideologies.” [92g]

20.22 The same source noted that the traditional and invented African traditions of many of these organisations further constrict a woman’s freedoms. In addition “The conservative wing of the women’s movement is... heavily influenced by fundamentalist Christian thinking which finds no room for the inclusion of lesbians... [lesbians] may even be perceived as a threat since many [women’s] organisations fear to associate with those unpopular both with government and the Christian church.” [92g]

20.23 The report continued

“A woman is not thought of as owning a sexuality independent of the needs of men and the idea of sexual expression not involving penetration is entirely alien to the machismo mentality. For these reasons and others related to the general invisibility of lesbian and bisexual women in public spaces, the majority of Zimbabweans believe that it is illogical for lesbians to exist in African cultures. Those who profess to be lesbian are simply not believed. Women who claim to be independent of men, even for sex, arouse intense anger in those men with deep-seated insecurities about sexual rejection and the need to control. In more traditionally conservative circles, homosexuality may be thought of in terms of illness brought on by demon possession. The cure for a man is exorcism but often the cure for a woman is ...” rape. (Behind The Mask, reported on 13 June 2008) [92g]

20.24 Because of the additional problems faced by lesbian and bisexual women in Zimbabwe, GALZ noted on its website, undated, accessed 27 May 2010, that in recent years, it has focussed on making the association more accessible to women by setting up a specific “Gender Department” to “... encourage lesbian and bisexual women to join the association and to ensure that women are free to become actively involved at all levels within GALZ and be included and visible in positions of leadership. ... The Gender Department organises an annual retreat where women are free to discuss issues away from the interference of men.” The website also noted that: “In August 2002, when GALZ hired its first Programme Manager for Gender, Fadzai Muparutsa, the

association had only 8 women members out of a total of nearly 400. Within 4 months, women's membership increased dramatically to around 60 and, to this day, it continues to increase." [42i] (Gender)

Additional information about sexual violence against lesbians, and HIV/AIDs can be found at [Women and Children](#)

LGBT social scene

20.25 The GALZ website, undated, accessed 9 October 2009) observed that while "General homophobia and restrictive legislation make it difficult for LGBTI people in Zimbabwe to feel safe about being open about their sexuality in public spaces ..." [42a] (Zim Pride) it described the gay and lesbian social scene in Zimbabwe as "vibrant" and "flourishing". In supporting this view GALZ pointed to the annual Jacaranda Queen (Drag Queen) competition which has taken place in one form or another since the 1970s; the most recent incarnation of which began in 1995 at the height of government pronouncements against Lesbians and Gays. (GALZ, accessed 27 May 2010) [42d] (Zim Pride)

20.26 GALZ also noted that:

"The traditional international Gay Pride month of June is generally observed in Zimbabwe by throwing a large party, but the home-grown ZimPride takes place in October in the week running up to the big event of the Zimbabwean gay and lesbian calendar, Miss Jacaranda Queen Drag Pageant, named after the exotic jacaranda tree which comes into vivid purple bloom around this time... Traditionally, Jacaranda Queen is held in a public hall although this is becoming increasingly difficult because of acts of violence perpetrated by homophobes, and last-minute cancellations by nervous venue managers." [42a] (Zim Pride)

20.27 International Gay guide, Spartacus, 2009 edition stated that there were still two gay friendly nightclubs in the Borrowdale area of Harare. [26b] The GALZ website (accessed 23 September 2008) noted that another gay friendly venue was The Book Café in Harare. [42e] The BBC, in an article dated 7 August 2007, described 'The Book Café' as the "... epicentre of Harare's alternative culture." [31]

20.28 The GALZ website, undated, accessed 27 May 2010, stated that it regularly held social events for its members [42f] (Joining GALZ) [42g] (The GALZ Centre)

20.29 In addition to the above mentioned main office and social centre in Harare, GALZ also noted that "... by the end of 2004, 9 Affinity Groups had registered with GALZ:

"Bulawayo – Melga, Prime Times
Chipinge – Harmony
Chitungwiza – Rainbow
Marondera – Eastlove
Masvingo – Good Hope
Mutare – Eastern Networking
Penhalonga – The Edge
Victoria Falls – Mosi oya Tunya" [42h] (Affinity Groups)

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21. DISABILITY

- 21.01 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that:

“The constitution and law prohibit discrimination against persons with disabilities in employment, access to public places, and the provision of services; however, the lack of resources devoted to training and education severely hampered the ability of persons with disabilities to compete for scarce jobs. The law stipulates that government buildings be accessible to persons with disabilities, but implementation was slow. NGOs continued to lobby to include persons with albinism in the definition of "disabled" under the law. Persons with disabilities faced harsh societal discrimination. Traditional belief viewed persons with disabilities as bewitched, and children with disabilities often were hidden when visitors arrived. In 2008 the government announced it was reviewing the Disabled Persons Act, the Mental Health Act, and the constitution to align them with the Convention on the Rights of People with Disabilities; no further action was taken by year's end.” [2h] (Section 6)

- 21.02 The USSD 2009 continued:

“According to the National Association of Societies for the Care of the Handicapped, persons with disabilities continued to be a forgotten and invisible group in society. For example, although an estimated 10 percent of citizens had disabilities, they were marginalized from HIV/AIDS intervention programs. The organization also reported that only 33 percent of children with disabilities had access to education.” [2h] (Section 6)

- 21.03 The USSD 2009 also noted: “Operation Murambatsvina in 2005 severely affected persons with disabilities and, according to the UN special envoy's report on the operation, the government held approximately 50 persons with physical and mental disabilities without care at a transit camp separated from the rest of the camp population.” [2h] (Section 6)

- 21.04 The National Association of Societies for the Care of the Handicapped (NASCOH) noted in a disability update published on 20 February 2007 that over 1,200,000 people, around 10 per cent of the population of Zimbabwe were considered to be disabled in some way. The disabled population were reported to be among the poorest in society with over 70 per cent of people with disabilities without employment. Many in Zimbabwe still believe that disability is a punishment caused either by angry “... spirits for a wrong committed by a family to another family, bewitching by vindictive or aggrieved parties, a curse for wrongdoing, use of magic gone awry within the family, or use of the disabled member as a sacrificial pawn...” [91]

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22. WOMEN

OVERVIEW

- 22.01 A document titled *Dossier for Claims: Zimbabwe*, dated 5 March 2010, on the website of Africa For Women's Rights noted that:

"... Zimbabwe has ratified the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), it has not yet ratified the Optional Protocol to CEDAW ... The Coalition of the Campaign remains particularly concerned by the following violations of women's human rights in Zimbabwe: the persistence of discriminatory laws; discrimination within the family; violence against women; obstacles to access to employment; under-representation in political life; and inadequate access to health services ...

"Women in Zimbabwe generally have lower incomes and less job security than men. Most women are employed in the agriculture, forestry, farming industries and the domestic sector, in which salaries tend to be low.

"Women remain underrepresented in decision-making positions. Despite ratification of the South African Development Community (SADC) Protocol on Gender and Development, which sets a target of 50% representation of women in all decision making bodies by 2015, women are poorly represented in the government of national unity of Zimbabwe. Only 4 women were nominated amongst the 35 members of the new government. Following the 2008 elections, women represented 15% of members of the lower House of Parliament and 24% of the upper House.

"HIV/AIDS is particularly prevalent amongst women. The 2005/2006 Zimbabwe Demographic and Health Survey (ZDHS) revealed an average prevalence rate among young people of age 15 to 24 of 11.25% among females and 4.45% among males. Other studies show that young women make up almost 80% of all infections in the 15 to 24 years age group. The rate of maternal mortality remains very high (880/100,000 births), in part due to the practice of non-medicalised abortions. Abortion is criminalised. Women in rural areas face major obstacles to accessing health services, including having to travel long distances." [47a]

- 22.02 Freedom House's report, *Freedom in the World 2010*, Zimbabwe, covering events in 2009, published on 3 May 2010, reported that:

"Women enjoy extensive legal protections, but societal discrimination and domestic violence persist. Women serve as ministers in national and local governments and hold 32 and 24 seats in the House of Assembly and Senate, respectively. The World Health Organization has reported that Zimbabwean women's 'healthy life expectancy' of 34 years is the world's shortest. Sexual abuse is widespread, including the use of rape as a political weapon. A recent upsurge in gender-based violence spurred renewed calls for the enactment of the Prevention of Domestic Violence Bill, which has lingered in Parliament for nine years. Female members of the opposition often face particular brutality at

the hands of security forces. The prevalence of customary laws in rural areas undermines women's civil rights and access to education.” [96b] (p6)

- 22.03 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that:

“In recent years women progressed in health and education but in general were concentrated in the lower echelons of the workforce, especially in the financial industry. Women held positions of importance in the legislative and executive branches of the government. NGOs reported that anecdotal evidence indicated women experienced economic discrimination, including in access to employment, credit, pay, and owning or managing businesses.

“Several active women's rights groups concentrated on improving women's knowledge of their legal rights, increasing their economic power, combating domestic violence, and protecting women against domestic violence and sexual transmission of HIV/AIDS.” [2h] (Section 6)

- 22.04 However, the Department for International Development's *Country Overview of Zimbabwe* (accessed 17 August 2010) noted that women living in Zimbabwe had the lowest life expectancy of any country in the world. The report noted that AIDS and poor economic conditions had contributed towards an average life expectancy in the country to drop to 34 years. [45f]
- 22.05 Zimbabwe is a signatory to the United Nation's Convention on the Elimination of All Forms of Discrimination against Women. Zimbabwe ratified the treaty on 13 May 1991. [25c]

For further background information about the situation of women see the section on [Lesbians](#). For further information about the situation for girls see [Children](#)

LEGAL RIGHTS

- 22.06 The USSD 2009 report stated: “The constitution and law provide that no person can be deprived of fundamental rights, such as the right to life, liberty, and security of person, based on [amongst other things] one's... gender... however, the constitution allows for discrimination, primarily against women, on the grounds of ‘customary law.’” Discrimination against women remained a problem. [2h] (Section 6)

For more information on the situation of women see [Socio-economic rights](#) (marriage, divorce and inheritance) and laws protecting women, [Violence against women](#).

POLITICAL RIGHTS

- 22.07 The USSD 2009 report observed:

“After the 2008 elections, there were 34 women in the 210-seat House of Assembly. Women won 23 of the 60 elected seats in the Senate, including the president of the Senate. One vice president, one deputy prime minister, five ministers, and two governors were women. Of the 270 House and Senate elected positions, 57 were filled by women, constituting 21 percent of the total,

short of the SADC target for female representation of one-third. In 2006 Rita Makarau became the first woman to hold the position of judge-president of the High Court. Women participated in politics without legal restriction, although according to local women's groups, husbands commonly directed their wives to vote for the husbands' preferred candidates, particularly in rural areas. The ZANU-PF congress allotted women one-third of party positions and reserved 50 positions for women on the party's 180-member central committee, which was one of the party's most powerful organizations." [2h] (Section 3)

SOCIAL AND ECONOMIC RIGHTS

22.08 Behind the Mask reported on 13 June 2008 that women traditionally hold a lower status in society. "Women... are not at liberty to mix with whom they please and establish unsupervised relationships. ... Women who claim to be independent of men, even for sex, arouse intense anger in those men with deep-seated insecurities about sexual rejection and the need to control." However, women were often able to lead an economically independent life in Zimbabwe's larger towns and cities. [92g]

22.09 Afrol (accessed 2 February 2009) noted that societal attitudes towards women's rights had improved in recent years. It noted that "... gender issues, which belonged to the private and family sphere, are now discussed in public and abuse is starting to be taken to court." [73a] (p1)

22.10 The USSD 2009 noted that:

"Despite laws aimed at enhancing women's rights and countering certain discriminatory traditional practices, women remained disadvantaged in society. Economic dependency and prevailing social norms prevented rural women in particular from combating societal discrimination. Despite legal prohibitions, women remained vulnerable to entrenched customary practices, including pledging young women to marry partners not of their choosing and forcing widows to marry the brothers of their late spouses." [2h] (Section 6)

22.11 The USSD 2009 report also stated that:

"Women and children continued to be adversely affected by the government's forced evictions, demolition of homes and businesses, and the takeover of commercial farms. Many widows who earned their income in the informal economy or by renting out cottages on their property lost income when their market stalls or cottages were destroyed. Widows faced particular difficulties when forced to relocate to rural areas. Traditionally, women joined their husband's family upon marriage and were considered an unwanted burden by their childhood families. Likewise, they were sometimes unwelcome in their husband's family in rural areas where resources were already strained.

"The Ministry of Women's Affairs, Gender, and Community Development continued its efforts to advance women's rights. The ministry, through collaboration with local NGOs, continued training workshops for traditional leaders in rural communities to create more awareness of women's issues. The government gave qualified women access to training in the military and national service. Although there were advances for women within the armed forces in recent years, they continued to occupy primarily administrative

positions. In recent years women progressed in health and education but in general were concentrated in the lower echelons of the workforce, especially in the financial industry. Women held positions of importance in the legislative and executive branches of the government.

“NGOs reported that anecdotal evidence indicated women experienced economic discrimination, including in access to employment, credit, pay, and owning or managing businesses.

“Several active women's rights groups concentrated on improving women's knowledge of their legal rights, increasing their economic power, combating domestic violence, and protecting women against domestic violence and sexual transmission of HIV/AIDS.” [2h] (Section 6)

Family law: marriage, divorce and inheritance

22.12 Africa For Women's Rights document dated 5 March 2010 noted that:

“Zimbabwe has a hybrid legal system composed of statutory and customary law. Whilst statutory law tends to conform to CEDAW, discriminatory customary laws continue to apply, especially in rural areas.

“The law recognises three types of marriage: civil marriage, registered customary marriage and unregistered customary marriage. The predominance of registered and unregistered customary marriages contributes to the vulnerability of women within the family:

- “Early and forced marriages under customary law are widespread. In 2004, the United Nations estimated that 23% of girls between 15 and 19 years were married, divorced or widowed.
- Although polygamy is prohibited under statutory law, it is authorised under customary law and continues to be practised in rural areas.
- Whilst civil marriage grants spouses equal rights to parental authority, under customary marriage men have the right to custody of children.
- The custom of the bride price (lobola), which is authorised under statutory law, also contributes to women's vulnerability within the family.
- Under the rules of customary marriage, widows cannot inherit their husband's property and daughters can inherit from their father only if there are no sons.” [47a]

22.13 The USSD 2009 also noted that: “The law recognizes women's right to own property independently of their husbands or fathers; however, many women continued to be unaware of their property and inheritance rights. Divorce and maintenance laws were equitable, but many women lacked awareness of their rights.” [2h] (Section 6)

22.14 Afrol noted in undated article, accessed on 2 February 2009, that:

“The Legal Age of Majority Act (LAMA) and the Matrimonial Causes Act recognize women's right to own property independently of their husbands or fathers. While unmarried women may own property in their own names, women married under customary law are not allowed to own property jointly with their husbands. During the September land conference, women's rights organizations effectively lobbied the Government to agree to create legislation

giving married women joint spousal title to property offered under the resettlement program; however, no such legislation had been enacted by year's end ...The Administration of Estates Amendment Act, which came into effect in October 1997, removed inheritance laws unfavourable to widows. Women's groups regard the act as a major step toward ending the unfair and unequal distribution of inherited assets for women. The President signed the new Inheritance Amendment into law. However, in February [2006] the Supreme Court upheld a magistrate court decision that, under customary ethnic law, a man's claim to family inheritance takes precedence over a woman's, regardless of the woman's age or seniority in the family; the Court cited Section 23 of the Constitution, which allows discrimination against women under customary law. Divorce and maintenance laws are favourable to women, but women generally lack awareness of their rights under the law.” [73a] (p1-4)

For related information see Children – [Customary marriages](#)

Prostitution

22.15 The USSD 2009 noted that:

“Prostitution is illegal, and several civil society groups offered anecdotal evidence that the country's economic problems continued to force women and girls into prostitution. Police often tolerated prostitution at nightclubs, truck stops, and bars in urban areas. Clients were rarely arrested. The maximum penalty for soliciting for prostitution is a fine of \$200 or imprisonment up to six months. According to local lawyers, the maximum penalty was rarely imposed; those found working as prostitutes typically were forced to pay a fine at a police station. Although police occasionally arrested prostitutes, they usually paid small fines and were not detained at length. ... There were reports that girls as young as 12 worked as prostitutes for soldiers and illegal miners in the Chiadzwa diamond fields. There continued to be reports that women and children were sexually exploited in towns along the borders with South Africa, Botswana, Mozambique, and Zambia. ... Police arrested both prostitutes and their clients during the year.” [2h] (Section 6)

Reproductive rights - access to abortion

22.16 The United Nations Population Division (Department of Economic and Social Affairs) noted, in a report dated 23 November 2005, that abortion in Zimbabwe was only legally sanctioned in the following circumstances:

- to save the life of the mother;
- to preserve the physical health of the mother;
- following rape or incest; and,
- foetal impairment.

Abortion was not available on request or for the following reasons:

- to preserve mental health; and,
- economic or social reasons. [74] (p189)

22.17 The UN report went on to note that:

“A legal abortion must be performed by a physician in a designated institution with the permission of the superintendent of the institution. If the pregnancy resulted from unlawful intercourse, a magistrate of a court in the jurisdiction where the abortion will be performed must certify that the alleged intercourse was reported to the police and that pregnancy may have resulted from it. When the abortion is requested because the pregnancy poses a threat to the life or physical health of the pregnant woman, or on grounds of foetal impairment, two physicians that are not members of the same practice must certify to the relevant hospital superintendent that one of these conditions exists. However, if the woman’s life is in danger, a physician can perform the abortion in a place other than a designated institution and without a second medical opinion.” [74] (p189)

- 22.18 IRIN news reported on 30 March 2005 that the protracted process of satisfying the conditions of the ‘Termination of Pregnancy Act (1977)’ “... coupled with the fact that legal abortions are not free, have led to a growing ‘black market’ for the procedure, where back street terminations are often performed by unskilled personnel in unhygienic surrounding.” As a result it was reported that 70,000 illegal abortions take place in Zimbabwe every year. One consequence of illegal was a large number of young women (usually between the ages of 15 and 24) seeking post abortion medical assistance. [10m]
- 22.19 *The Herald* reported on 23 November 2009 that ‘backyard abortions’ were very common in Zimbabwe, with the Ministry of Health and Child Welfare estimating that there were “... 273 abortions ... performed daily ...”, or approximately 100,000 per year. [23f] *The Herald* also reported (10 March 2010) that while non-medical or ‘backyard abortions’ were illegal, social and cultural taboos about older women (specifically grandmothers) having children meant that unofficial abortions were accepted in traditional communities. [23g]

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VIOLENCE AGAINST WOMEN

- 22.20 Africa For Women’s Rights document dated 5 March 2010 noted that:
- “Despite the adoption of legislation, including the Domestic Violence Act 2007 and reforms to the Criminal Law Act in 2006, violence against women, particularly domestic violence, remains widespread and perpetrators continue to benefit from impunity. The lack of training of law enforcement personnel, the lack of awareness of women’s human rights, the fear of social stigma and reprisal contribute to the ineffectiveness of such laws. Since the criminalisation of marital rape, only one case of marital raped has been tried in court.” [47a]
- 22.21 Freedom House noted in *Freedom in the World 2010 – Zimbabwe*, covering events in 2009, published on 3 May 2010, that “... societal discrimination and domestic violence persist. ... Sexual abuse is widespread, including the use of rape as a political weapon. ...” While women had protection under the country’s civil law, traditional and customary laws, mostly in rural areas undermined women’s civil rights. [96b]

- 22.22 Afrol accessed 2 February 2009 noted that “Violence against women, especially wife beating, is common. Domestic violence accounted for more than 60 percent of murder cases tried in the Harare High Court in 1998. The media increasingly reports incidents of rape, incest, and sexual abuse of women.” [73a] (p1) The same source also noted that Female Genital Mutilation (FGM) is still practised by a small ethnic group called the Remba [or Lemba]. [73a] (p2)
- 22.23 The USSD 2009 noted that trafficking remained a problem in 2009, and women and girls were trafficked for sexual exploitation and domestic servitude. [2h] (Section 5) More details can be found the section on [Trafficking](#).

Politically motivated violence

- 22.24 A report published by AIDS Free World, entitled *Electing to Rape: Sexual Terror in Mugabe’s Zimbabwe*, published December 2009, noted that during the 2008 elections NGOs believe “... that hundreds and possibly thousands of women had been raped by members of President Robert Mugabe’s ZANU-PF party as a strategy to influence the election ...” The report went on to note that of the seventy women surveyed for the report each one “... was either a member of the opposition party Movement for Democratic Change (MDC), or was closely related to a member of the MDC. Victims ranged in age from five year old girls to elderly grandmothers.” [112a] (p12)

A copy of the report is available via the following link: <http://www.aids-freeeworld.org/images/stories/Zimbabwe/zim%20grid%20screenversionfinal.pdf>

- 22.25 Freedom House in *Freedom in the World 2009 – Zimbabwe*, covering events in 2008, reported that ZANU-PF youth militias have used rape, torture and even murder as a political weapons against women. [96a]
- 22.26 Amnesty International’s *Annual Report 2010, Zimbabwe*, covering events in 2009, released 28 May 2010, noted that security forces continued to disrupt demonstrations by the Women of Zimbabwe Arise (WOZA) group, further noting that WOZA activists continued to be arrested and beaten whilst in custody and denied medical treatment. [14g] (p3) The USSD 2009 noted that the police continued to use “excessive force” to break-up and disrupt WOZA demonstrations. [2h] (Section 1c)

For more information about politically motivated violence see the section on [WOZA \(Women of Zimbabwe Arise\)](#), [Latest news](#), [Recent developments](#), [Security forces](#), [Political affiliation](#) and [Human rights institutions, organisations and activists](#)

Domestic violence

For information about spousal rape, see following subsection.

- 22.27 The USSD 2009 noted that:

“In 2006 the Musasa Project, a local NGO that worked for the protection and promotion of women's rights, reported that approximately one-third of women in the country were in an abusive marital relationship. Most cases of domestic violence went unreported due to traditional sensitivities and the women's fear

of abandonment without support. Authorities generally considered domestic violence to be a private matter and usually only arrested an offender for assault if there was physical evidence of abuse. There were newspaper reports of wife killings, and there were a few reports of prosecutions and convictions for such crimes; however, details were unavailable.

“In 2007 the government enacted the Domestic Violence Act, which criminalizes domestic violence and provides enhanced protection for victims of abuse; the act was viewed as a milestone by women's rights groups. The law provides for a fine and a maximum prison sentence of 10 years. The Ministry of Women's Affairs, Gender, and Community Development and local women's groups coordinated efforts to develop an implementation strategy after the act passed Parliament in 2006. In October the ministry created an 11-member Anti-Domestic Violence Council to monitor the implementation of the act, with members drawn from government, civil society, churches, and traditional leaders.

“During the year the government continued a public awareness campaign on the act. Several women's rights groups worked with law enforcement and provided training and literature on domestic violence as well as shelters and counseling for women. Local women's rights groups reported that awareness of the domestic violence act increased; however, the press reported that the act proved difficult to implement. For example, one impediment was the police form to report domestic violence – at 30 pages long, it was difficult to complete and photocopy.” [2h] (Section 6)

Rape

22.28 The USSD 2009 noted that:

“The law makes rape and non-consensual sex between married partners a crime; however, few cases of rape, especially spousal rape, were reported to authorities, because women were unaware that spousal rape was a crime and feared losing the support of their families, particularly in rural areas. Government statistics on rape were unavailable, but anecdotal evidence indicated it was a widespread problem, particularly during the 2008 elections. The criminal code defines sexual offenses as rape, sodomy, incest, indecent assault, or immoral or indecent acts with a child or person with mental disabilities and provides for penalties up to life in prison for sexual crimes. Police acted on reported rape cases not associated with political violence, and the government media frequently published stories denouncing rape and reporting convictions. In many cases the victims knew their rapists. The criminal code also makes it a crime to knowingly infect anyone with HIV. Local NGOs dealing with women's rights reported that rape cases were brought to the court and there were convictions; however, statistics were unavailable.” [2h] (Section 6)

22.29 The report by AIDS Free World (published December 2009) notes that some NGOs believe that hundreds, or possibly thousands of women may have been raped by ZANU-PF supporters during the 2008 elections. However, the report notes that “... inaction on the part of the police and prosecuting authorities, and widespread fear engendered by police reprisals, renders local criminal proceedings practically unavailable to survivors of political rape.” [112a] (p34)

A copy of the report is available via the following link: <http://www.aids-freeworld.org/images/stories/Zimbabwe/zim%20grid%20screenversionfinal.pdf>

For more information on violence against women (and girls) see [Latest news](#), [Recent developments](#), [Security forces](#), [Political affiliation](#), [Human rights institutions, organisations and activists](#), [Children](#), [Violence against children](#), and [Trafficking](#)

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23. CHILDREN

OVERVIEW

- 23.01 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that:

“Although legislation existed to protect children’s rights, it was difficult to administer and enforce, primarily due to a lack of resources. Many orphaned children were unable to obtain birth certificates, which the Child Protection Society reported made it difficult for the children to enrol in school and access health services; however, the government made improvements in 2007 by decentralizing the authority to issue birth certificates to local registrar general offices throughout the country.

“Schools and clinics reopened in most communities, although many families struggled to pay fees and purchase educational materials for their children. According to statistics from UNICEF, one-quarter of the country’s children were orphans, and 100,000 children lived in child-headed households.” [2h] (Section 6)

- 23.02 UNICEF reported that there were 6,175,000 children under the age of 18 in 2007. Of that figure, 1,706,000 were under the age of 5. [84a] (accessed 29 May 2009) The USSD 2009 noted that most of the 1.6 million orphans in the country were also infected with HIV/AIDS. [2h] (Section 6)

Further detailed background information can be found at the following website: http://www.unicef.org/infobycountry/zimbabwe_1403.html

Basic legal information

- 23.03 Avert.org, accessed on 23 August 2010, noted that the age of consent in Zimbabwe for males and females was 16 years. [19a] The Zimbabwe Human Rights NGO Forum, noted in a report on *Women’s Rights*, undated, but accessed on 5 July 2010, that: “The Marriages Act [Chapter 5:11] discriminates against women ... Under this legislation, a man may marry at the minimum age of eighteen while a woman may marry at the minimum age of sixteen. This makes the girl child more vulnerable to early marriages, early pregnancies and premature motherhood.” [35i] The USSD 2009 reported that: “Customary marriage, recognized under the Customary Marriages Act, does not provide for a minimum marriage age for either boys or girls; however, the criminal code prohibits sexual relations with anyone younger than 16 years of

age.” The report also noted that: “The traditional practice of offering a young girl in marriage as compensatory payment in interfamily disputes continued during the year, as did arranged marriage of young girls.” [2h] (Section 6)

- 23.04 The Zimbabwe Ministry of Youth Development and Employment (accessed 29 May 2009) noted that the age of majority was 18, also noted that “... the legal minimum age for employment is 15 and employed children cannot work for more than 6 hours a day.” [106a] The United Nations Committee on the Rights of the Child reported on 17 June 1996 that the age of criminal responsibility was 15. Children under the age of 7 years of age are considered incapable of committing a crime with a ‘rebuttable presumption’ that children between 7 and 14 years of age were incapable of committing crimes. [25b] (p2)

LEGAL RIGHTS

- 23.05 The USSD 2009 noted that:

“Although legislation existed to protect children's rights, it was difficult to administer and enforce, primarily due to a lack of resources. Many orphaned children were unable to obtain birth certificates, which the Child Protection Society reported made it difficult for the children to enrol in school and access health services; however, the government made improvements in 2007 by decentralizing the authority to issue birth certificates to local registrar general offices throughout the country.” [2h] (Section 6)

- 23.06 Zimbabwe is a signatory to Convention on the Rights of the Child, ratified 11 September 1990. It accepted amendments to Article 43(2) of the Convention (dated 12 December 1995) on 27 August 2002.
<http://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>

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VIOLENCE AGAINST CHILDREN

- 23.07 The USSD 2009, noted that:

“Child abuse, including incest, infanticide, child abandonment, and rape, continued to be serious problems during the year. Police statistics showed that child rape tripled between 2005 and 2007. Anecdotal evidence suggested that a relative or someone who lived with the child was the most common abuser. Girl Child Network reported that girls believed to be virgins were at risk of rape due to the belief among some that having sex with a virgin would cure men of HIV and AIDS. In 2008 UNICEF and the government launched the ‘Stand Up and Speak Out’ child abuse awareness and prevention campaign. In October the NGO Plan Zimbabwe and the Ministry of Education, Sport, Art, and Culture launched the ‘Learn Without Fear’ campaign, aimed at eradicating child abuse in schools. The campaign began after a study found that many children had been victims of unreported sexual and physical abuse by their teachers and peers.” [2h] (Section 6)

- 23.08 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that: “... children were not spared the violence meted out by state agents in the electoral period. Children have been

beaten, watched their parents be beaten in front of them, been coerced into participating in violence, been displaced and been separated from their parents and carers.” [13a] (Women’s and children’s rights)

- 23.09 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that: “A growing number of cases of ... under-age girls are experiencing sexual violence at the hands of relatives.” [13a] (Women’s and children’s rights)
- 23.10 The BBC reported on 12 June 2009 that: “Growing numbers of children in Zimbabwe are turning to prostitution to survive, the charity Save the Children says. The aid agency says increasing poverty is leading girls as young as 12 to sell their bodies for as little as a packet of biscuits.” [3aa]
- 23.11 *The Guardian* reported on 10 November 2009 that the poor state of Zimbabwe’s economy was breaking traditional family structures, and this had led to a significant rise in the numbers of reported cases of child abuse. The economic migration of parents and the fact that many more children are being orphaned by HIV/AIDS has seen more children placed in vulnerable positions where they are more easily exploited. The report noted that a single clinic in Harare was “... seeing an average of 20 child abuse victims a day.” Local NGO, the Girl Child network, estimated that “... on average a man can rape 250 children before his crimes become public knowledge.” [34a]
- 23.12 The USSD 2009 report noted that trafficking of children was a serious problem with girls and boys being trafficked for sexual exploitation in neighboring countries. The report noted that there was limited assistance available to these children, noting that:
- “Victims suffering from child or domestic abuse were offered special procedures in victim-friendly courts, and trafficked persons had the option to take cases before such courts. Local immigration and social services officials referred trafficking victims to NGO-funded centers. Save the Children Norway also offered shelter and referrals for medical attention at the IOM reception centers in Beitbridge and Plumtree for unaccompanied children and trafficking victims.” [2h] (Section 6)
- 23.13 The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that: “The Coalition Against Child Labour Zimbabwe (CACLAZ) estimates that as many as 90% of children born on farms are not registered with birth certificates, exposing them to child labour.” [9f] (p6)
- 23.14 Afrol News (accessed on 31 August 2006) reported that initiation rites practised by the small Remba ethnic group in Midlands province include infibulation, the most extreme form of FGM. [73a]

See also [Women](#), [Violence against women](#), and [Trafficking](#)

CHILDCARE AND PROTECTION

- 23.15 The USSD 2009 noted that:

“In 2007 the Ministry of Public Service, Labor, and Social Welfare and UNICEF formalized agreements with 21 NGOs to advance the National Action Plan for Orphans and Vulnerable Children designed to ensure that orphans and vulnerable children were able to access education, food, health services, and birth registration and were protected from abuse and exploitation. UNICEF reported in 2008 that the NGOs involved had reached more than 200,000 orphans and vulnerable children with comprehensive support and protection since the beginning of the program.” [2h] (Section 6)

- 23.16 UNICEF noted in *At a Glance: Zimbabwe* (accessed on 2 February 2009) that Zimbabwe has 1.1 million orphans, the vast majority of whom have been orphaned by AIDS. [85a] (p2) A report by the Institute for War and Peace Reporting, dated 27 January 2009, reported that the number of orphans in Zimbabwe was 1.5 million. [77e] The USSD 2009 estimated that there could be as many as 1.6 million orphans in the country. [2h] (Section 6)
- 23.17 Kubatana.net (accessed 5 July 2010) listed over 100 organisations working in the children and youth sector in Zimbabwe. Many of these organisations specifically champion children’s rights and provide assistance in the form medical care, education and accommodation and shelter for orphaned children. [55o] The Firelight Foundation (accessed 5 July 2010) [72a] and Save the Children (website accessed 5 July 2010) were active in providing a range of support services for orphans and other children. Services included arranging accommodation for orphaned children, providing food, medication and funding for education. Save the Children (What we do in Zimbabwe – 2008/9) noted that it worked in partnership with a range of organisations including UNICEF, IOM, World Food Programme and local NGOs. [86a]
- 23.18 The USSD 2009 report noted with regard to displaced and street children that:
- “UNICEF estimated that at least 10,000 children were displaced in election-related violence in 2008. Several thousand were also displaced with their parents as a result of farm-related violence and evictions during the year. At year's end NGOs were uncertain how many children remained affected. Ongoing economic hardships and the government's lack of support for social welfare institutions contributed to a highly vulnerable population of approximately 5,000 street children throughout the country. NGOs operated training centers and homes for street children and orphans, and government officials referred children to these centers.” [2h] (Section 6)
- 23.19 The Foreign and Commonwealth Office noted in its annual human rights report, published on 26 March 2009, that it was providing assistance that enabled “Over 150,000 orphans and vulnerable children ... to go to school ...” [13a] (Aid and humanitarian relief)

The following link provides details of NGOs, including childrens NGOs, in Zimbabwe: <http://www.devdir.org/files/Zimbabwe.PDF>

CHILD LABOUR

- 23.20 The United States Department of Labor report, 2008 Findings on the worst forms of child labor – Zimbabwe (USDL 2008), dated 10 September 2009, noted that: “The minimum age for employment in Zimbabwe is 15 years.

Children 13 to 15 years may be employed, but only as apprentices with permission from their parents or guardians or if their work is an integral part of a technical or vocational training program. Children under 18 years are prohibited from performing work that might jeopardize their health, safety, or morals.” [38a] (Child Labor and Enforcement)

23.21 The USSD 2009 report noted that: “Under the LRAA [Labor Relations Amendment Act] child labor is punishable by a fine, two years' imprisonment, or both; however, child labor was common. ... The status of children between 15 and 18 years of age is not directly addressed, but 15 years of age remains the minimum for light work, work other than apprenticeship, or work associated with vocational education.” [2h] (Section 7d)

23.22 The USDL 2008, dated 10 September 2009, noted that: “In Zimbabwe, most working children are engaged in agriculture, hunting, and fishing. ... children work long hours for little pay and sometimes handle hazardous chemicals. ...to a lesser extent, Zimbabwean children work in domestic service, the restaurant and hotel industries, mining, quarrying, manufacturing, construction, and other types of work. Children engaged in domestic work for third-party households, and are sometimes not paid by their employers. ... In the capital of Harare, children work as street vendors, selling phone cards, fruit, and foodstuffs. Street children are sometimes rounded up by police and taken to farms, where they are made to work as unpaid laborers.

“Girls continue to be exploited in prostitution, including in rural Matabeleland South Province. Poverty, high food prices, and lack of funds to pay school fees are all factors contributing to the prostitution of girls, including girls as young as 13 years. The belief that sex with a virgin can cure sexually transmitted infections contributes to the sexual exploitation of children and the spread of disease.

“Within Zimbabwe, rural children are trafficked to farms for agricultural work and domestic service, and to urban areas for commercial sexual exploitation and domestic service. ... There are reports that children left in Zimbabwe by emigrating parents have been exploited by traffickers offering to transport the children to their parents' countries of resettlement. ...Zimbabwean girls as young as 12 years are known to engage in prostitution along the transport corridor between Zimbabwe and the Mozambican port of Beira in Sofala Province and in Central Mozambique along the Zambezi River. Zimbabwean girls also work in Mozambique in bars and restaurants.” [38a] (Incidence and nature of child labor)

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EDUCATION

23.23 Freedom House noted in *Freedom in the World 2010*, Zimbabwe, published on 3 May 2010, that:

“Academic freedom is limited. All schools are under state control, and education aid has often been based on parents' political loyalties. Security forces and ZANU-PF thugs harass dissident university students, who have been arrested or expelled for protesting against government policy. ... Despite

reduced school fees, teachers' strikes and a lack of resources prevented 94 percent of rural schools from opening on schedule in February [2009], according to the UN Children's Fund." [96b] (p5)

- 23.24 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that:

"Zimbabwe has previously been considered as one of the best nations in Africa in providing blanket access to education for children, including in rural areas. This position has been drastically undermined in the last ten years ... Apart from the lack of teachers, schools have fallen into dramatic disrepair, and textbooks are now in a ratio of one book to more than 30 pupils. There are entire schools without a stick of chalk, no exercise books to write in, and little in the way of classroom furniture." [65b] (p32)

- 23.25 The USSD 2009 report noted that:

"Primary education is not compulsory, free, or universal. During the year the Ministry of Education, Sport, Art, and Culture drastically reduced school fees, particularly in rural areas, to increase enrolment. However, due to a lack of funding from the central government, some schools began to charge levies of up to several hundred dollars for the year, which were prohibitive for many students. Some children continued to pay school fees and levies with crops and livestock if they did not have adequate hard currency. Despite a directive from the minister of education that no child should be refused education for not paying school fees, there were reports that students with unpaid fees were locked out or turned away from schools.

"The continued low enrolment resulted from continuing economic hardship, displacement of thousands of children from their homes as a result of election-related violence in 2008, farm-related violence during the year, emigration of qualified teachers, inability to pay school fees, and Operation Murambatsvina.

"In most regions of the country, fewer girls than boys attended secondary school. If a family was unable to pay tuition costs, it was most often female children who left school or never began. The Child Protection Society reported that girls were more likely to drop out because they were more readily employable, especially as domestic workers. In 2006, in collaboration with UNICEF and other partners, the government launched a National Girls' Education Strategic Plan to increase the likelihood of achieving universal primary education and ensuring that girls stayed in school." [2h] (Section 6)

- 23.26 The USSD 2009 continued:

"The government gave preference to national youth service graduates among those seeking employment in the government, especially in the security forces. The stated purpose of the training camps was to instil national pride in youth, highlight the history of the struggle for independence, and develop employment skills; however, news reports quoted deserters as saying that the camps subjected trainees to partisan political indoctrination as well as military training. There were numerous credible reports that graduates were used by the government to carry out political violence. There were numerous reports from NGOs that children as young as 16 participated in ZANU-PF affiliated youth militias, which perpetrated violence across the country during the 2008

election period. Persons under 18 are prohibited from joining the military or police.” [2h] (Section 6)

- 23.27 The International Organisation for Migration (IOM) noted in a briefing about the education system in Zimbabwe, accessed 16 August 2010, that:

“In Zimbabwe there are three types of schools - Primary, Secondary and Tertiary education. Primary school students range in age from 5-12 years old. At the primary level, all students are required to wear school uniforms.

“Secondary school students are from 13 to 18 years old. Most Secondary school pupils wear uniforms but there are private colleges that allow pupils to dress in their formal clothing as they choose. The entry age for tertiary education is 16 years for the youngest but most students enter at the age of 19 and 20 years, just after their secondary school.

“On average, primary schools cost approximately US\$5.50 per term, with secondary education in cities/towns costing approximately US\$10.70 per term (three months).” [51b]

- 23.28 A report by the *Zimbabwe Independent*, dated 3 September 2010, reported that the “... education system in Zimbabwe is still on the verge of total collapse.” The report went on to note that the average cost for collage fees was around US\$600 [the period this is for is not clear – it is assumed per year] – this prevented most Zimbabweans from accessing further and higher education. [11d]

The UN Educational, Scientific and Cultural Organisation published a report entitled, Education under attack - Zimbabwe, dated 10 February 2010. The report provides a commentary of events since September 2007 noting intimidation and attacks against teachers and the education system.

HEALTH AND WELFARE

- 23.29 The UNICEF country website on Sudan, accessed 23 August 2010, reported: “The population of Zimbabwe is estimated at 12.2million (Census 2002) with over 49% of this being children between 0-17 years .The national population growth is estimated at 1.4%.” [85c] However, in spite of the high proportion of young people in Zimbabwe, the Department for International Development’s (DFID) country overview of Zimbabwe (accessed on 17 August 2010) noted that: “1 in 12 children die before the age of five: 82 per 1,000 births. Almost 40% of these will die in the first month of life.” [45f]

- 23.30 The USSD 2009 noted that:

“With 1.6 million orphans with HIV/AIDS, the country had the world's highest percentage of orphaned children at one in four, and the number increased during the year. Ninety percent of orphans were cared for by the extended family. Many grandparents were left to care for the young, and in many cases children or adolescents headed families and were forced to work to survive. Orphaned children were more likely to be abused, not to be enrolled in school, and to suffer discrimination and social stigma. Extended families and communities often refused to take in orphans out of fear that they or their own

children might contract HIV. Some children were forced to turn to prostitution for income.” [2h] (Section 6)

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HIV/AIDS

23.31 The USSD 2009 noted that:

“With 1.6 million orphans with HIV/AIDS, the country had the world's highest percentage of orphaned children at one in four, and the number increased during the year. Ninety percent of orphans were cared for by the extended family. Many grandparents were left to care for the young, and in many cases children or adolescents headed families and were forced to work to survive. Orphaned children were more likely to be abused, not to be enrolled in school, and to suffer discrimination and social stigma. Extended families and communities often refused to take in orphans out of fear that they or their own children might contract HIV. Some children were forced to turn to prostitution for income.” [2h] (Section 6)

23.32 Avert.com, updated 23 August 2010, noted that:

“With around half of the people living with HIV in Zimbabwe becoming infected during adolescence or young adulthood, education campaigns have primarily targeted young people. As a result, knowledge about HIV and AIDS is higher than the average for sub-Saharan Africa. A greater understanding and awareness of HIV and AIDS is thought to lead to changes in sexual behaviour, which has been shown to reduce the number of new HIV infections.” [19c]

See also Medical issues, [HIV/AIDS](#)

DOCUMENTATION

23.33 The Zimbabwean Ministry of Home Affairs website, accessed 1 September 2010, provides information regarding the initial registration of births, general registration, fees, processing times, and how to obtain copies/ urgent copies. [108a]

The following link contains information about birth and death certificates.
http://www.moha.gov.zw/rg_death_births.php

Please see [Forged and fraudulently obtain documents](#) for more information about various official documents and forged and fraudulently obtained documents.

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24. TRAFFICKING

24.01 The US State Department's *Trafficking in Persons Report 2010*, (USSD TIP Report 2010) dated 14 June 2010, placed Zimbabwe in tier 3. The US State

Department defined tier 3 as: “Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so.” This is the second year that Zimbabwe has been categorised as Tier 3. [2e]

24.02 The report went on to note that:

“Zimbabwe is a country of origin, transit, and destination for men, women, and children subjected to trafficking in persons, specifically conditions of forced labor and forced prostitution. ...

“The Government of Zimbabwe does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While the government showed increased interest in trafficking issues and began to provide anti-trafficking training to some public servants, officials made no apparent efforts to proactively identify victims of trafficking. Members of government security services forced men and boys to perform hard labor in diamond mines.” [2e]

24.03 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that:

“Trafficking was a serious problem. NGOs, international organizations, and governments in neighboring countries reported that Zimbabwean emigrants continued to face exploitation. Rural children were trafficked domestically and regionally into farms or cities for agricultural labor, domestic servitude, and commercial sexual exploitation, often under false pretences of job or marriage proposals, according to one NGO. Reports suggested that those children in desperate economic circumstances, especially those in families headed by children, were most at risk. Women and children were reportedly trafficked for sexual exploitation in towns across the borders with the four neighboring countries. In recent years women and girls were lured to South Africa, China, Egypt, the United Kingdom, Canada, and Zambia with false employment offers that resulted in involuntary domestic servitude or commercial sexual exploitation. Women and children from the Democratic Republic of the Congo, Malawi, Mozambique, and Zambia were trafficked through the country to South Africa. Small numbers of South African girls were trafficked to the country for forced domestic labor.” [2h] (Section 6)

24.04 The USSD 2009 report continued:

“Traffickers were typically independent businesspersons who were part of small networks of local criminal groups that facilitated trafficking within the country, as well as into South Africa or other surrounding countries. Anecdotal reporting indicated that traffickers approached a potential victim, usually young women or girls, with the offer of a lucrative job in another part of the country or in a neighboring country. Many young men and boys were exploited by ‘guides’ when they attempted to cross the border illegally into South Africa to find work. Trafficked citizens often labored for months without pay in South Africa before their ‘employers’ reported them to authorities as illegal immigrants. Traffickers often transported victims covertly across borders at unofficial border crossing points. The use of child laborers, especially as farm workers or domestic servants, was common in the country, often with the

complicity of family members. Some children were trafficked internally to work as farm workers or domestic servants.

“The constitution and law prohibit forced or compulsory labor, including by children, with the exception of working for parents or the national youth service, and traffickers could be punished under this law. Forced labor is punishable by a fine, two years' imprisonment, or both. It is a crime under the criminal code to transport persons across the border for sex. The law provides for a fine and a maximum prison sentence of two years (10 years if the victim is under the age of 16) for procuring another person to become a prostitute, whether inside or outside the country. Traffickers also can be prosecuted under other legislation such as immigration and abduction laws.

“The government demonstrated interest in combating trafficking; however, it did not devote sufficient resources to investigating and prosecuting cases.

“The primary government authority to combat trafficking was the ZRP, which relied on NGOs to alert them to cases. The Interpol National Central Bureau Zimbabwe's "antitrafficking desk" was staffed with ZRP officers who assisted with international investigations.

“There were reports suggesting that corruption in law enforcement, especially at the local level, directly or indirectly facilitated trafficking. The government took steps during the year to educate and train officials to combat trafficking. Government officials attended IOM seminars on trafficking during the year. The IOM held numerous sector-specific training workshops during the year: four for law enforcement, eight for social services professionals, two for educators, and one for local government officials.” [2h] (Section 6)

24.05 The USSD 2009 also noted that, with regards to protection:

“Although the government lacked resources to provide protective services on its own, the police's Victim Friendly Unit, social services, and immigration officials used an established process for referring victims to international organizations and NGOs that provided shelter and other services. The government coordinated closely with the IOM-run migrant reception centers in Beitbridge on the border with South Africa and Plumtree near the Botswana border that provided social and reintegration services to the large number of repatriated illegal migrants and screened them to identify trafficking victims.

“Victims suffering from child or domestic abuse were offered special procedures in victim-friendly courts, and trafficked persons had the option to take cases before such courts. Local immigration and social services officials referred trafficking victims to NGO-funded centers. Save the Children Norway also offered shelter and referrals for medical attention at the IOM reception centers in Beitbridge and Plumtree for unaccompanied children and trafficking victims.

“The government-run media prominently featured articles about trafficking in persons, and the government had prevention programs to provide alternatives for children at risk. The government also continued to cooperate with the IOM and Interpol in a public awareness radio campaign in five languages that led to the identification of several victims during the year. In 2008 the IOM and local NGO Oasis Zimbabwe launched an antitrafficking hotline. However, the

hotline received few calls during the year due to lack of public awareness.”
[2h] (Section 6)

24.06 And with regard to prevention, the *USSD TIP Report 2010* noted that:

“The government demonstrated some efforts to prevent trafficking. An inter-ministerial task force on trafficking made up of senior government officials that was established in 2006 still lacks a national plan of action and an operational working group. The group met during the reporting period, but it has not implemented any significant plans to date. Government officials attended and led portions of 15 sector-specific training workshops in partnership with IOM. The Ministry of Labor and Social Welfare and UNICEF have agreements with 21 NGOs to advance the National Action Plan for Orphans and Vulnerable Children, designed to ensure their access to education, food, health services, and birth registrations as a means of protecting them from abuse and exploitation. Orphans without birth certificates are particularly vulnerable to exploitation in forced labor and prostitution. The government did not directly fund any trafficking awareness programs, but the state-run media continued to print and air messages about the dangers of illegal migration, false employment scams, underage and forced marriages, prostitution, and exploitative labor conditions. Information regarding measures adopted by the government to ensure its nationals deployed to peacekeeping missions did not facilitate or engage in trafficking was unavailable. Zimbabwe is not a party to the 2000 UN TIP Protocol.” [2e]

See also [Children](#) and [Women, Prostitution](#)

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25. MEDICAL ISSUES

25.01 A report by Hospital Management, dated 22 December 2009, noted that: “Once the envy of many African nations, the Zimbabwean healthcare system ... is no longer in a position to offer the most basic healthcare ...” [102a] The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that: “Zimbabwe’s indicators for access to health care have fallen dramatically during the last few years, impacting on life expectancy, maternal and child mortality rates, and prevalence of preventable diseases.” [65b] (p37-38)

25.02 IRIN, dated 5 August 2009, noted that during 2008 and into 2009:

“Most of Zimbabwe’s public health centres closed ... as employees protested over poor salaries and working conditions during a severe cholera epidemic that began in August 2008 and claimed the lives of more than 4,200 people out of about 100,000 known cases. Public health facilities reopened in February 2009, when donors made money available for allowances that brought striking nurses and doctors back to work.” [10a]

25.03 However, the article continued that there was a range of good private medical facilities in the country but most Zimbabweans were unable to afford them. There were reports of some Zimbabweans crossing the border to South Africa to access cheap or free treatment in the country’s public hospitals. [10a]

- 25.04 Radio Netherlands Worldwide reported on 9 November 2009 that:
- “In an article published in the British medical journal *The Lancet* last month, figures show how health care has deteriorated. Between 1990 and 2006 life expectancy reduced from 62 to 43 years. This was mainly caused by many young adults who died of HIV-related diseases such as tuberculosis. The mortality of mothers in childbirth rose from 168 in 1990 to 725 per 100,000 births in 2007. The number of tuberculosis infections has quadrupled in that period.” [114a]
- 25.05 The States in Transition Observatory (SITO) report of May 2009 noted that the formation of the unity government had a number of positive outcomes for the health service with funding for various humanitarian issues, including healthcare, being promised by western nations. [9b] (p5) ZimOnline reported on the 10 February 2010, that Zimbabwe’s Health Minister had admitted that while there had been improvements in the country’s health delivery system, it was still recovering from a “... decade of crippling economic decline ...” [49e]
- 25.06 An article documenting the personal observations of Dr Kate Adams, a British general practitioner, who visited Zimbabwe in May 2010, published in the *British Medical Journal*, dated 7 August 2010, noted that since the formation of the Government of National Unity improvements in the economy and assistance from international NGOs had meant that the public “... health system is starting to function again.” Hospitals that only two years previously had been empty and understaffed are now operating successfully with good levels of staffing, service, and care. More complex testing and treatments, such as dialysis, CD4 counts, and bone marrow biopsies, are also being offered. While there were no significant problems obtaining Anti Retrovirals for the treatment of HIV/AIDS, there continued to be shortages of other essential drugs. The article noted that a significant concern for medical staff was the “fragile” political situation. While “... healthcare professionals are beginning to return ...”, they remain “... anxious about the country’s stability and their own prospects, given the ongoing political situation and human rights abuses.” [116a] (p302)
- 25.07 The US State Department’s *Consular Information Sheet – Zimbabwe*, updated on 30 April 2010, noted that medical facilities were extremely limited, stating that:
- “The public medical infrastructure is depressed and medical facilities are limited. There have been several instances where American citizens facing life-threatening illnesses or injuries have been turned away from hospitals because there were insufficient beds or medical supplies available. Most serious illnesses or accidents require medical evacuation to South Africa. All travellers are strongly urged to obtain medical evacuation insurance coverage prior to arriving in Zimbabwe. Doctors, hospitals and air ambulance medical evacuation services often expect immediate cash payment for health services. Travellers are urged to carry an ample supply of prescription and other medications, as they will not likely be available in Zimbabwe. Provincial hospitals in rural areas have rudimentary staffing, equipment, and supplies, and are not equipped to provide medical care in case of a serious accident. The fuel shortage further diminishes emergency response capabilities.

Emergency patients often must arrange their own transportation to medical facilities.” [2g] (p8-9)

- 25.08 As mentioned earlier in the article published in the *British Medical Journal*, (dated 7 August 2010), the public “... health system is starting to function again.” Of the hospitals and clinics visited by Dr Kate Adams in Bulawayo and Buhare, it was noted that hospitals were now beginning to operating successfully with good levels of staffing, services, and care. More complex testing and treatments, such as kidney dialysis, CD4 counts, and bone marrow biopsies, are also being offered. While there were no significant problems obtaining Anti Retrovirals for the treatment of HIV/AIDS, there continued to be shortages of other essential drugs. [116a] (p302)

PRIVATE HEALTH CARE FACILITIES

- 25.09 IRIN reported on 5 August 2009 that: “Private hospitals in Zimbabwe still maintain high standards, but at a premium ...” [10a] A report by Hospital Management, dated 22 December 2009, noted that: “... most of the private [healthcare] institutions are operating on a US dollar system charging fees out-of-reach for the majority of the country’s 13 million people.” [102a]
- 25.10 The International Organisation for Migration (IOM) in Ireland noted in an undated document, accessed 25 September 2009, that: “There are a wide range of health facilities in Zimbabwe from General Practitioners (GPs) and specialists to public and private hospitals and clinics. Facilities are clean and modern practices are used. Medication can be sourced from pharmacies that are found across the country.” [105a]
- 25.11 Zimbabwe has a number of private hospitals, the two main hospitals in Harare are the Avenues Clinic and St Anne’s Hospital (US State Department, accessed 23 September 2009) [2f] (St Anne’s Hospital, accessed 22 September 2009) [64a]. There is also the Baines Imaging Group; that is able to provide a range of services including: radiology, ultrasound, CT Scan and mammography’s. (Baines Imaging Group, accessed 23 September 2009) [68a] Combined, the Avenues Clinic and St Anne’s Hospital provided the following treatments:
- Oncology (cancer diagnosis/treatment),
 - General surgery,
 - Urology (Urinary tract, including kidneys),
 - Orthopaedic surgery,
 - Paediatrics,
 - Neurology and Neurosurgery,
 - Radiology,
 - Gynaecology,
 - Cardio-thoracic surgery (heart and lungs),
 - Ear, nose and throat surgery,
 - Pharmacy. (St Anne’s Hospital, accessed 22 September 2009) [64a]
- 25.12 The Commercial and Industrial Medical Aid Society (CIMAS) website (last modified on 24 May 2010) noted that its medical partners are able to offer chemotherapy through the St Clements centre in Harare. [54a]

- 25.13 A report in the *The Standard*, dated 5 September 2009, noted that private hospitals in Zimbabwe were able to offer renal dialysis treatment at around US\$160 per session. [70a]
- 25.14 Two sources noted the existence of renal (kidney) dialysis in Zimbabwe. Both *The Herald*, dated 7 September 2009, and *The Standard*, dated 5 September 2009, reported that hospitals in Bulawayo and Harare, including private medical facilities, and had dialysis machines. However, the sources reported that access was limited because of demand and the low number of machines in the public sector. [30c] [70a]

See [Economy](#) for information about average income and Health care professionals below.

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HEALTH CARE PROFESSIONALS

- 25.15 A report by Hospital Management, dated 22 December 2009, noted that Zimbabwe's qualified medical staff were:
- “... leaving the country in search of better wages ...The decline in working conditions and monetary incentives – with some earning less than their bus fare to work – has led to many healthcare professionals and support staff migrating from the public health service facilities to private ones, in many cases in other countries. Non-government organisations are trying to buck this trend with new incentives but for many the reality of working with little equipment is just not attractive.” [102a]
- 25.16 ZimOnline reported on 10 February 2010 that: “Nurses and doctors earn below [US]\$200 a month and use mostly sub-standard equipment, while public hospitals do not have adequate stocks of medicines. These conditions have shattered the health personnel's morale and the government has said it does not have money to raise civil service salaries by a substantial amount.” [49e]
- 25.17 The World Health Organisation (WHO) in *Health Action in Crises* (published December 2008) noted that: “Staff shortages are critical: 56%, 32% and 92% of doctor, nurse and pharmacist positions are vacant. Brain drain due to poor salaries and working conditions is compounded by qualified personnel being either chronically ill or deceased due to HIV/AIDS.” [97b] (p2)
- 25.18 However, a report published by the *British Medical Journal*, dated 7 August 2010, noted that in spite of a fragile political system people were more optimistic about the future. “Some healthcare professionals are beginning to return, though people remain anxious about the country's stability and their own prospects, given the ongoing political situation and human rights abuses.” The article noted that in one public hospital in Bulawayo, medical staff salaries were being topped up by the Global Fund to Fights AIDS, Tuberculosis and Malaria. The topping up of salaries ensures that staff earn a living income. [116a] (p302)
- 25.19 The *British Medical Journal* article also observed that: “Zimbabwe has just 900 working doctors, including only 19 paediatricians, for a population of about 10 million ...” [116a] (p302) The Institute for the Democratic Alternative for South

Africa, noted in its States in Transition Observatory (SITO report) - *Zimbabwe Government of National Unity Watch, April 2010*, dated 14 May 2010, that “The Surgical Society of Zimbabwe ... revealed that there are only 47 surgeons left in the country.” [9g]

ACCESS TO DRUGS

- 25.20 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that: “UNICEF is making deliveries to hospitals and health facilities around the country, which is alleviating the situation. Nationally, the health services have reported that the drug situation has improved from almost zero to around 40% of drug needs – which means that there is still a 60% shortfall.” [65b] (p48)
- 25.21 The US Embassy in Harare noted on its website, undated, accessed on 3 September 2010, listed five pharmacies in Harare. [2d] However, the US State Department’s *Consular Information Sheet – Zimbabwe*, updated on 30 April 2010, urged travellers to “... carry an ample supply of prescription and other medications, as they will not likely be available in Zimbabwe.” [2g] (p8-9)
- 25.22 With regard to drugs for HIV/AIDS, the Foreign and Commonwealth Office produced a report entitled *Availability of Treatment for HIV/AIDS in Zimbabwe* (FCO HIV/AIDS report), published 11 February 2010, which noted that there was no evidence of political manipulation in the distribution of Anti Retrovirals (ARVs). The report noted:
- “Most respondents stated that they had seen no evidence of the availability or otherwise of Antiretroviral Treatment being dependant on political affiliation. All of those interviewed stated that they were not aware of any issues around the withholding of drugs by the Government in MDC areas. Some of those interviewed said that it was difficult to see how ZANU (PF) would be able to orchestrate the withholding of drugs to particular areas as they would not have the access to the relevant mechanisms, for example, they have ‘no control over procurement, which is handled by NGO’s and International Organisations etc’.” [13f] (p19)

HIV/AIDS

OVERVIEW

- 25.23 A joint report published by Food and Agriculture Organisation of the United Nations, and the World Food Programme, entitled *FAO/WFP Crop and Food Security Assessment Mission to Zimbabwe*, dated 9 August 2010, noted that:
- “By the end of 2009, 1.1 million Zimbabweans were living with HIV and 1,090 people were dying weekly of AIDS related illness, the main cause of mortality. ... Health indicators have deteriorated at an alarming rate with Zimbabwe having the fourth highest crude mortality rate in Africa. Life expectancy at birth dropped to 44 years in 2008 (WHO). ... Gains have been made through intensive HIV awareness and behavioural change campaigns, leading to a decline in the prevalence rate from 18.1 to 13.7 percent in 2009 (Ministry of Health and Child Welfare), remaining one of the highest in the world. [101a] (p28)

- 25.24 The Foreign and Commonwealth Office produced a report entitled *Availability of Treatment for HIV/AIDS in Zimbabwe* (FCO HIV/AIDS report), published 11 February 2010, noted that at the end of November 2009, more than 215,000 people were receiving ARTs in the public and private health care sectors. [13f] (p13) The World Health Organisation (WHO) in *Health Action in Crises*, published December 2008, noted that around 340,000 people required anti-retroviral treatment (ART). [97b]
- 25.25 However, in spite of a substantial rise in the numbers of people receiving AntiRetroVirals (ARVs), *The Standard* reported on 7 March 2009 that many people die because of an inability to afford an adequate diet. The Zimbabwe HIV and AIDS Union reported that Zimbabwe's food crises has resulted in many Zimbabweans deciding to stop taking ARVs because the drugs were painful to take on an empty stomach. [20c]

Availability of treatment

- 25.26 As noted in the FCO HIV/AIDS report, over 215,000 Zimbabweans were in receipt of ARVs. [13f] (p13)
- 25.27 The Southern Africa HIV and AIDS Information Dissemination Service (SAfAIDS) noted in a guide published in December 2009, entitled *An HIV Treatment Roadmap for Zimbabwe*, that treatment for HIV/AIDS was available across Zimbabwe with dozens of hospitals and clinics offering treatment in each of the country's provinces. The guide provided detailed information regarding accessing of treatment, costs for testing and drugs, and the location of public and mission hospitals, clinics, and counselling centres. Unless subsidised by a charity or mission hospital, all tests and HIV medication (ARVs – AntiRetroVirals) will need to be paid for at the point of delivery. [52a]
- 25.28 A guide produced by the National Drug and Therapeutics Policy Advisory Committee and the Zimbabwe Ministry of Health and Child Welfare, dated July 2007, noted that ARV treatment should be initiated following a "... documented positive HIV test and one of the following:
- "Have a WHO clinical stage 3 plus CD4+ count less than 350
 - Have a WHO clinical stage 4
 - Have a CD4+ count of less than 200 irrespective of the WHO staging."
- [113a] (p11)

The following link provides details of the different WHO Clinic Staging System:
<http://www.avert.org/stages-hiv-aids.htm>

- 25.29 The Department for International Development noted in its *Zimbabwe: Major Challenges* document (accessed 2 June 2009) that "... Zimbabwe has more people living with AIDS without access to treatment than any other country." [45a]

Waiting time for treatment

- 25.30 The FCO HIV/AIDS report noted that the waiting time for access to public treatment for those not deemed to be priority cases was reported to be typically around 6 months. [13f] (p14) However, those returning to Zimbabwe, who were already receiving treatment, would be prioritised and should be able

to access treatment in about two to four weeks at a government hospital, and only a few days at a private clinic. [13f (p11&12)]

Shortages and political influence in the availability of ARVs

- 25.31 The FCO HIV/AIDS report noted that the majority of ARVs (around 90%) are supplied by NGOs and International Organisations. As a result, the availability of ARVs is not affected by economic and political conditions in the country. A number of NGOs and International Organisations provide their own transport to ensure drugs reach regional clinics and treatment centres. [13f] (p20)
- 25.32 The FCO HIV/AIDS report also noted that its contacts had not reported any evidence of political manipulation in the distribution of ARVs, even in MDC areas. [13f] (p19) A report published by the Civil Society Monitoring Mechanism, covering events during January and February 2010, that noted that the "Distribution of ARVs continues without discrimination." [48a] (p4)
- 25.33 IRIN PlusNews recorded 19 HIV organisations in Zimbabwe providing assistance to people with HIV/AIDS. (IRIN PlusNews – Country Profile: Zimbabwe, 2009) [10bm]
The following link provides details of these organisations – <http://www.plusnews.org/profiletreatment.aspx?Country=ZW&Region=SAF>

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Cost and availability of ARVs

- 25.34 The SAfAIDS report, dated December 2009, entitled *An HIV Treatment Roadmap for Zimbabwe*, noted that a months' supply of ARVs in a public hospital or clinic ranges between US\$16-20. An outpatient appointment costs US\$10 (US\$5 for children) at a main hospital; lower fees are payable at provincial and district hospitals. [52a]
- 25.35 A guide produced by the National Drug and Therapeutics Policy Advisory Committee and the Zimbabwe Ministry of Health and Child Welfare, dated July 2007, noted that the following ARVs were available in Zimbabwe:

NRTIs	NNRTIs	PIs	NtRTIs
Zidovudine (ZDV, AZT)	Nevarapine (NVP)	Saquinavir (SQV)	Tenofovir
Didanosine (ddl)	Efavirenz (EFV)	Ritonavir (RTV)	
Emtricitabine (FTC)		Inidavir (IDV)	
Stavudine (d4T)		Nelfinavir (NFV)	
Lamivudine (3TC)		Lopinavir/ritonavir (LPV/r)	
Abacavir (ABC)		Atazanavir	

[113a] (p9)

- 25.36 In addition, the FCO reported that the following ARVs were available privately:

NRTI's	NNRTI's	PI's	NtRTI's
Zidovudine (ZDV, AZT)	Nevarapine (NVP)	Saquinavir (SQV)	Tenofovir
Didanosine (ddl)	Efavirenz (EFV)	Ritonavir (RTV)	Truvada
Emtricitabine (FTC)		Inidavir (IDV)	Truvada/Nevarapine
Stavudine (d4T)		Nelfinavir (NFV)	
		Lopinavir/ritonavir (LPV/r)	
Lamivudine (3TC)		Atazanavir	
Abacavir (ABC)		Invirase	
		Aluvia	
Combination ARVs			
Triomune (Lamivudine + Stavudine + Nevarapine)			
Duovir (Lamivudine + Zidovudine + Nevarapine)			
Didanosine + Ritonavir			
Lamivudine + Stavudine			
Combivir (Lamivudine + zidovudine)			

[13f] (p15-17)

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Women and children

25.37 The Inter Press Service (IPS) reported on 26 July 2010 that:

“Under government policy, care for pregnant women, new mothers and infants receive free care. But the country’s rapid economic decline in the past decade has compelled health institutions to raise their own revenue to meet costs. ... Expecting mothers are required to pay a 50 U.S. dollar booking fee at clinics and government hospitals, but this is equivalent to about a third of a low-ranking civil servant’s monthly salary, an amount many here cannot afford.”
 [15b]

25.38 The IPS article noted that the high costs at public hospitals had driven many mothers to seek health care assistance from traditional healers, potentially exposing mother and child to “... unnecessary life threatening conditions.”
 [15b] The Voice of America, dated 29 July 2010, noted that fees at public hospitals were preventing women from accessing professional maternity services and that this had caused “... maternal deaths, particularly in rural communities ...” [83e]

25.39 The IPS article noted that many mothers “disappear” to avoid paying all or some of the fees, however, “... mothers who fail to pay their fees are denied

the necessary documents needed to get birth certificates for their newborns. 'Our children cannot become full citizens of this country until we pay'." [15b]

25.40 The Voice of America article noted that "The Zimbabwean Ministry of Health ... announced that it plans to do away with hospital and clinic fees for pregnant [women] ..." and also "... resolved to establish maternity waiting homes, again emphasizing improved maternal health care ..." [83e]

25.41 Avert.com updated 23 August 2010 noted that:

"In Zimbabwe, more than 17,000 children are infected with HIV every year, the majority through mother to child transmission. As with VCT [Voluntary Counselling and Testing], the provision of services to prevent the transmission of HIV between mothers and their children during pregnancy is gradually being scaled up. The prevention of mother-to-child transmission (PMTCT) pilot programme was launched at four sites in 1999 and today the programme is nationwide. It aims to provide pregnant women with free VCT and give them access to nevirapine, a drug that significantly reduces the chances of transmission occurring.

"The provision of drugs to prevent MTCT rose from 4% in 2006 to 29% in 2007. Although this is an encouraging scale-up, the provision of PMTCT services remains severely limited by a lack of funding, and access to nevirapine remains low. Around 120,000 children are living with HIV in Zimbabwe, most of whom became infected through mother-to-child transmission. AVERT is calling for rapid improvements in PMTCT in our Stop AIDS in Children campaign." [19c] (p5)

25.42 Behind the Mask, reported on 13 June 2008, that:

"It is generally agreed that lesbians are at least risk of contracting HIV if they remain within exclusively lesbian relationships. However, because of gross generalisations within the HIV and AIDS movement relating to lesbian sexual behaviours, African lesbians are placed on the lowest rung when it comes to risks associated with acquiring or transmitting the HIV virus. ... In Zimbabwe, where women do not enjoy control over their bodies or their sexuality and are forced into marriages and into having children, lesbians are put at the same high risk of contracting HIV as their heterosexual counterparts." [92g]

Gay men and sex workers (male and female)

25.43 An article published by *The Press Institute*, dated 4 December 2009, noted that the country's health policies effectively discriminate against LGBT groups and sex workers as it fails to address their specific health challenges. The article went on to note that one of the problems was that "Homophobia is ... rampant in the health sector." [79a]

MENTAL HEALTH

25.44 The WHO Mental Health Atlas – 2005 (accessed on 21 June 2010) states that:

"The mentally ill are entitled to free health services. The country has disability benefits for persons with mental disorders. Details about disability benefits for

mental health are not available. Mental illness falls under the category that qualifies for tax credits. ... Primary health care workers have the capacity to handle patients with severe psychosis and refer only those that they feel require specialized services. Most of the rural and district hospitals do not have facilities for inpatient care and only 17 district, provincial and central hospitals have primary care teams ... There is a shortage of material and staff to sustain the community care programme.” [Refer to the source document for a list of commonly available psychiatric drugs.] [97c]

- 25.45 A news report in *The Herald* dated 26 January 2010 noted that publicly funded psychiatric units were under funded and “... unable to give as much follow-up help ...” as needed. The source also noted that private psychiatric care was available in the country, but was very expensive. [23e]
- 25.46 Kubatana, last updated 25 July 2009, noted that national NGO Zimbabwe National Associations for Mental Health (ZIMNAMH), campaigns for assistance for people with mental health problems. The organisation is based in Harare. [55b]

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26. HUMANITARIAN ISSUES

OVERVIEW

- 26.01 The Foreign and Commonwealth Office’s *Annual Report on Human Rights 2009*, published in March 2010, noted that:

“The humanitarian situation stabilised in 2009 following a better harvest, the end of the cholera epidemic and sustained international aid. However, Zimbabwe continues to experience serious humanitarian challenges.

“In early 2009, over seven million Zimbabweans were receiving food aid. Although this year’s harvest was better, the World Food Programme (WFP) estimates that up to 2.8 million people may still need some assistance with food security at the peak of Zimbabwe’s ‘hungry season’ in February–March 2010. DFID contributed £9 million in financial year 2008–09 to the WFP-led response and has allocated a further £4m to WFP to strengthen food security this year.

“In 2008–09, Zimbabwe suffered its worst recorded outbreak of cholera. Official UN figures recorded nearly 100,000 cases of cholera and approximately 4,200 deaths. International assistance, including a £10 million package from the UK, played a critical role in tackling the epidemic. DFID has provided a further £4.7 million to UNICEF to prepare and respond to further outbreaks of cholera during the rainy season of 2009–10, by providing cholera kits for vulnerable households, promoting safer hygiene practices, and repairing water and sanitation systems throughout the country.

“The UK is the second largest bilateral donor after the US, giving £60 million in aid in 2009–10, the largest-ever UK aid programme to Zimbabwe. Our bilateral aid is channelled through the UN and NGOs, not the Zimbabwean

government. It is both a response to immediate needs and an investment in Zimbabwe's future. It comprises essential food aid and healthcare, including support for the national response to HIV/AIDS, work in the water and sanitation sectors to reduce the risk of further cholera outbreaks, and the provision of seeds, fertilisers, technical assistance and school textbooks." [13e] (p172)

LAND REFORM

- 26.02 A report published by the United States Congressional Research Service entitled *Zimbabwe: The Power Sharing Agreement and Implications for U.S. Policy*, dated 27 October 2009, noted that:

"At the time of Zimbabwe's independence in 1980, the country's white minority, which composed less than 5% of the population, owned the vast majority of arable land. Many observers considered the country's commercial farms crucial to the country's economy, although there was a general recognition that reforms were necessary to provide greater equity in land distribution. Britain initially funded a 'willing buyer, willing seller' program to redistribute commercial farmland, offering compensation to white farmers amenable to leaving their lands. Dissatisfaction with the pace of land reform grew and led in the 1990s to spontaneous and often violent farm invasions. Facing rising political and economic challenges, the Government of Zimbabwe began to implement aggressive land expropriation policies, leading Britain and other donors to begin withdrawing financial support for resettlement. In 2000, the government held a referendum to approve changes to the constitution that would allow land seizures without compensation. The referendum was rejected by 55% of voters. Within days of the vote, however, so-called veterans of the independence struggle and ruling party supporters moved onto an estimated 1,000 white owned farms, and, months later, the President invoked emergency powers to expropriate land without compensation. There were numerous attacks against white farmers and their employees." [6a] (p15)

- 26.03 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that:

"Constitutional amendment 17, enacted in 2005, transferred title of all land previously acquired for resettlement purposes to the government, prohibited court challenges to the acquisitions, and allowed the government to acquire any agricultural land for any purpose simply by publishing a notice of acquisition. In 2006 the Gazetted Land (Consequential Provisions) Act passed into law, requiring all farmers whose land was forcibly seized by the government – and who were not in possession of an official offer letter, permit, or lease – to cease to occupy, hold, or use that land within 45 days and to vacate their homes within 90 days. Only a small number of farmers received an offer letter or lease. Failure to comply is a criminal offense punishable by a fine and a maximum prison sentence of up to two years. The Act was primarily used to target the 4,500 large-scale and primarily white-owned farms in the country for seizure and redistribution to ZANU-PF supporters." [2h] (Section 1f)

- 26.04 The USSD 2009 noted that

"In April 2008 the SADC tribunal ruled that more than 70 white farmers who had been evicted from their lands could remain on their property pending a

May 2008 hearing ... In July 2008 the tribunal reaffirmed the injunction, condemning the government's recent land seizures and turning the issue over to the SADC summit for further action. However, the government asserted that it would move forward with prosecutions of the farmers who remained on the land, effectively ignoring the tribunal's authority.

- 26.05 The BBC reported on 15 September 2008 that with the signing of the power sharing deal, the two main parties agreed that the issue of land ownership would be addressed through a "... comprehensive, transparent and non-partisan land audit ..." [3aw] *The Times* reported on 11 October 2009 that despite the formation of the government of national unit, violent farm invasions continued. [82c]
- 26.06 However, the USSD 2009 noted that in spite of the SADC in November 2008 ruling in favour of 79 farmers "... finding that by barring titleholders from being heard in Zimbabwe's courts, the government violated the rule of law ... the government continued prosecutions of farmers for remaining on state-confiscated farms during the year. In an August 7 letter, Minister of Justice Patrick Chinamasa informed the SADC tribunal that the country was pulling out of the tribunal." [2h] (Section 1f)

Also see [Ethnic Minorities: Whites](#)

Recent land confiscations

- 26.07 The Human Rights Watch *World Report 2010 – Zimbabwe*, published 20 January 2010, noted that: "ZANU-PF and its supporters continued to violently invade commercial farms in total disregard of the rule of law ..." [69I] (p2) The US State Department Report on Human Rights Practices 2009 (USSD 2009), published on 11 March 2010, also noted that farm invasions "were often violent", stated that "Tens of thousands of black farm workers on white-owned farms were beaten, intimidated, or displaced." [2h] (Section 1f)
- 26.08 A report published by the Civil Society Monitoring Mechanism, covering events during January and February 2010, noted that:
- "According to the Commercial Farmers' Union (CFU), 152 of the 300 commercial farms still operational are now being targeted for eviction. The CFU has rounded on the inclusive government, slamming the troubled administration's failure to stop a few extremists from openly threatening physically attacking and illegally evicting commercial farmers and their workers. These ongoing acts of lawlessness, which escalated over Christmas and are spreading into other provinces, violate the basic principles enunciated in the GPA." [48a] (p13)
- 26.09 During 2010 sources reported farm invasions and forced evictions. *The Gulf Times* reported on 4 June 2010 that: "White farmers and their lawyers are struggling with a new wave of violent invasions of what is left of the embattled community's farms, agricultural union officials said yesterday. ... In Buby district in the western province of Matabeleland North, six farmers were evicted at gunpoint, arrested and forced to spend several nights in jail after state security agents seized their farms, officials of the Southern African Commercial Farmers Association said in a statement." [44a] *The Times* reported on 31 January 2010 the case of white farmer Ray Finaughty who

received a “savage beating” by farm invaders. While the local police had previously been sympathetic to Mr Finaughty, *The Times* reported that the local chief inspector had said that he was unable to get involved as the situation was “political” and a “hot potato”. [82f] On 11 June 2010 *The Telegraph* detailed a number of illegal farm evictions that took place in April and May 2010. In one incident the report noted that: “When the police tried to take Gary Godfrey’s farm in Nyamandhlovu [Matabeleland] a few weeks ago, his workers and the locals veterans went to see the superintendent and insisted it stopped. Most of the seizures have been taking place in Nyamandhlovu and Inyathis, districts which are traditionally very independent. People there are tired of being dictated to by the police.” [5f]

For recent developments on land reform/evictions see [Latest news](#)

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FOOD SHORTAGES

- 26.10 A joint report published by Food and Agriculture Organisation of the United Nations, and the World Food Programme (FAO/WFP Report), entitled *FAO/WFP Crop and Food Security Assessment Mission to Zimbabwe*, dated 9 August 2010, noted that:

“Household food security in general improved markedly in 2009 as compared to previous years, mainly due to the improved production in most areas as a result of a better 2008/09 harvest and because of the liberalisation and stabilisation of the economy, making more goods, food and cash (mostly USD and Rands) available and leading to growing confidence in the economy. ... The early 2009 change in policies related to movements of food and use of foreign currencies has resulted in improved availability of cereals in local markets. However, prices remain comparatively high for most households who have only a low income and poor access to cash. ... General poverty and chronic food insecurity has led to reduced diversity of household consumption and has contributed to increased prevalence of chronic malnutrition [in] young children. Another important compounding factor is HIV and AIDS which has affected production (labour) and access (increased health expenditure and reduced income) at the household level and food utilization for the individual. Poor water and sanitation and healthcare related issues also provide an important backdrop to the chronic food insecurity.” [101a] (p21)

- 26.11 The FAO/WFP Report noted that there were large differences across the country as to how people obtained their food, with many in the most fertile areas of the country relying on their “own production” of food, people in other areas, such as more arid and urban areas, relied upon purchasing food. The report noted that while “Diaspora remittances play[ed] a major role in supporting household food needs ...” very poor households, such as “... elderly-headed households, families hosting orphans or with disabled or chronically ill members, those with high levels of dependants, child-headed households and the destitute who lack any resources ...” were unable to “... purchase sufficient food, even at regulated prices ...” [104a] (p23-24&28) An earlier report by the Solidarity Peace Trust entitled *Gone to Egoli*, dated 30 June 2009, found that poorer rural families were less likely to receive remittances than the urban middle classes. [65c] (p7)

- 26.12 The World Food Programme noted that (10 August 2010) that in spite of improvements in the food situation, up to 1.7 million Zimbabweans "... will need food assistance because prices remain comparatively high for families with low incomes and little or now access to US dollars or South African rand ..." [7a]
- 26.13 The Voice of America reported on 7 April 2010 that "... most households in rural areas are now through the peak hunger season and conditions should continue to improve through July as the annual maize harvest picks up and product flows into local markets." The article continued, noting that while the 2010 maize harvest is lower than 2009: "A new FWESNET report said maize and other staple foods are readily available and maize prices have come down from last year, particularly in areas that had good harvests and due to the emergence of a freer market in cereals under the country's unity government." [83d]
- 26.14 The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that: "...food security is already being undermined by the fact that families in rural Zimbabwe do not have any access to foreign exchange, meaning that they are being forced to pay school levies, bus fares and grinding mill fees with their meagre harvests. Bartering and the loss of able-bodied people to the Diaspora continue to impoverish rural Zimbabweans." [65b] (p23)

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POLITICISATION OF FOOD

- 26.15 Reports of political bias in the distribution of food continued through 2008 and into 2009 with food distributions being run by the "... army, the Central Intelligence Organization, the police and district administrators. ... Those who were actually supporting the opposition were getting nothing because the CIO wanted to give ... grain directly to ... supporters ..." (Los Angeles Times, 26 September 2008) [66b] (International Crisis Group, 20 April 2009) [100a] (p9) (The Solidarity Peace Trust report, 30 June 2009) [65b] (p51) The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that access to state supplied food (food supplied by the Grain Marketing Board) was restricted to those who could demonstrate loyalty to ZANU-PF through production of a party membership card. [65b] (p51)
- 26.16 Freedom House noted in *Freedom in the World 2010 – Zimbabwe*, covering events in 2009, published on 3 May 2010, noted that the politicisation of food and agricultural aid was "... ubiquitous at the local level." [96b] (p4) The report also noted that: "Security forces have taken on major roles in crop collection, food distribution ..." [96b] (p6)
- 26.17 However, a report published by the Civil Society Monitoring Mechanism, covering events between March and April 2010, noted that there were no problems in the distribution of food aid, with the report noting that: "No cases were reported of NGOs operations being disrupted." [48b] (p6) However, a joint report published by Food and Agriculture Organisation of the United Nations, and the World Food Programme, entitled *FAO/WFP Crop and Food Security*

Assessment Mission to Zimbabwe, dated 9 August 2010, noted that the distribution of food to children in the northern districts of the Mashonaland was problematic. [101a] (p6) The *Zimbabwe Independent* noted on 22 July 2010 that the Mashonaland provinces are ZANU-PF “strongholds”. [11c]

For recent developments on food security and food aid see [Latest news](#)

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27. FREEDOM OF MOVEMENT

- 27.01 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, stated that:

“The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation; however, the government restricted these rights in practice. The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing assistance to refugees and asylum seekers, but it interfered with some humanitarian efforts directed at internally displaced persons (IDPs).

“During the year armed police continued routinely to erect roadblocks in and around cities and rural districts, especially before planned demonstrations. Security forces claimed that they were looking for criminals, smuggled goods, and food; however, in many cases police arbitrarily seized goods for their own consumption. During the year travel bans on a variety of persons remained in effect. Foreign correspondents were denied visas during the year.” [2h] (Section 2d)

- 27.02 Freedom House, in *Freedom in the World 2010*, dated 3 May 2010, noted that: “The state has extensive control over travel and residence. The government has seized the passports of its domestic opponents, and foreign critics are routinely expelled or denied entry. In 2008, the authorities confiscated the passports of several MDC officials, including Tsvangirai. High passport fees inhibit legal travel.” [96b]

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28. INTERNALLY DISPLACED PEOPLE (IDPs)

- 28.01 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, stated that:

“According to independent assessments, hundreds of thousands of persons remained displaced within the country as a result of government policies including state-sponsored election-related violence, land reform, and Operation Murambatsvina in 2005. Since 2007 the International Organization on Migration (IOM) helped more than 200,000 displaced persons with temporary shelter and food. A total of 8 percent of citizens surveyed in 2007 stated they had moved in the last five years because they were ‘asked to

move.’ Nevertheless, the government denied that a serious IDP problem existed. Historically, the government did not tolerate use of the phrase ‘internally displaced persons’ and instead referred to ‘mobile and vulnerable populations’ (MVPs). During the year the government acknowledged that there were some IDPs in the country and began to agree to use of the term when describing some populations. However, some government officials continued to refuse to describe victims of farm-related displacements as IDPs or MVPs and preferred to call them ‘squatters’.” [2h] (Section 2d)

- 28.02 A report by the Internal Displacement Monitoring Centre (IDMC), dated 21 May 2010, estimated that “... the total number of internally displaced people in Zimbabwe in 2007 was between 880,000 and 960,000.” The report noted that this figure is thought to have increased since 2007 with continuing farm invasions and political violence. [104a] (p4) However, the report noted that in spite of the huge numbers of IDPs “Zimbabwe does not have any of the outward signs of other large displacement crises, such as camps for internally displaced people (IDPs): the displacement crisis in Zimbabwe is to a large extent hidden.” [104a] (p3)
- 28.03 The USSD 2009 reported that: “During the year some local government officials facilitated donor and NGO provision of humanitarian assistance to IDPs. However, in certain cases, particularly those involving disputed farms, the government refused to grant NGOs access to assist displaced persons.” [2h] (Section 2d) The IDCM report noted that “... in some cases humanitarian organisations organisations have continued to be faced with restrictions on access to IDPs. Access has often had to be negotiated with District Administrators and local authorities on a case-by-case basis, and especially in cases of people displaced as a result of new farm invasions, this access has frequently been denied.” [104a] (p9)
- 28.04 The International Organisation for Migration (IOM) reported on 20 November 2009 that in partnership with UNHCR, it would be implementing a “... new programme focusing on the provision of emergency life-saving material and protection assistance to internally displaced persons ...” numbering around 18,000 in Harare and Mashonaland Central. “The IOM will deliver services through its mobile health teams that are already servicing IDP populations whilst UNICEF will provide overall coordination to ensure timely and appropriate treatment reaches children suffering from acute malnutrition in the 11 highly food insecure districts.” [51a]

Operation Murambatsvina

- 28.05 On 18 July 2005, the United Nations (UN) published the findings of its fact-finding mission to Zimbabwe which found that Operation Restore Order or Operation Murambatsvina (meaning, “drive out rubbish”) began on 19 May 2005. [25a] (p7) International Crisis Group reported that: “Operation Murambatsvina (Restore Order) cost some 700,000 Zimbabweans their homes or livelihoods or both and otherwise affected nearly a fifth of the troubled country's population.” (Zimbabwe’s Operation Murambatsvina: The Tipping Point? 17 August 2005) [100c]

Please see the March 2009 update of the Zimbabwe Country Report (<http://www.homeoffice.gov.uk/rds/pdfs09/zimbabwe-260309.doc>) for more information about Operation Murambatsvina.

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29. CITIZENSHIP AND NATIONALITY

- 29.01 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, stated that the Citizenship Act

“... requires all citizens with a claim to dual citizenship to have renounced their claim to foreign citizenship by January 2002 to retain their Zimbabwean citizenship. The act revokes the citizenship of persons who fail to return to the country in any five-year period. However, the High Court ruled in 2002 that this interpretation does not take into account the fact that persons are not automatically guaranteed foreign citizenship merely because their parents were born in a foreign country, as some countries require persons to confirm their citizenship, in which case they could be rendered stateless. It further held that it is incorrect to presume that when one has a parent or parents that are born out of the country, they are citizens of the other country by descent. In addition, some countries, including in southern Africa, do not have a means to renounce citizenship. Independent groups estimate that as many as two million citizens may have been disenfranchised by the law, including those perceived to have opposition leanings, such as the more than 200,000 commercial farm workers from neighboring countries and approximately 30,000 mostly white dual nationals. The problem became particularly acute during voter registration in late 2007 and during the 2008 elections, when some were denied the right to vote – despite having voted previously – because they could not adequately demonstrate their citizenship.” [2h] (Section 2d)

- 29.02 However, correspondence from the UK Foreign and Commonwealth Office dated 2 October 2006, noted that they had consulted a respected lawyer in Harare who was of the opinion that: “Only those who had acquired their citizenship by registration can be deprived of it after 5 years continuous absence outside the country.” i.e. categories of citizenship obtained through “... birth or descent, cannot be deprived of their citizenship regardless of how long they remain outside the country.” [13g]

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30. ID CARDS AND OFFICIAL DOCUMENTS

- 30.01 CNN reported on 22 November 2001 that the National Registration Act and the Criminal Procedure and Evidence Act make it compulsory for people to carry a national ID card, a passport or a driver's licence. People stopped without these documents are liable to a fine or a term of imprisonment. [8a]

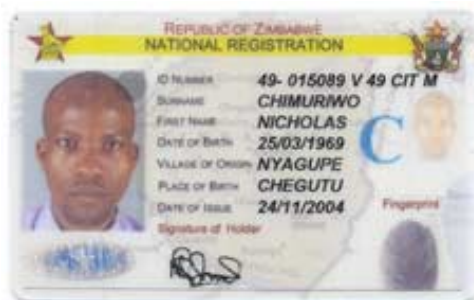
- 30.02 The Zimbabwean Ministry of Home Affairs website, accessed 1 September 2010, states that non-citizens of Zimbabwe can obtain a Zimbabwean ID Card on production of a passport and a residence permit which is 6 months old. [108a]

The following link contains information about birth, marriage, death certificates, and travel documents.

http://www.moha.gov.zw/index.php?link=rg_about

- 30.03 ZimOnline, dated 29 November 2006, noted that the Zimbabwe Registry Office had stopped issuing metal ID cards and had replaced them with plastic, but that they "...had now stopped issuing even the plastic cards ..." because of a lack of resources. [49a] A report published by the Zimbabwe Election Support Network, dated 15 November 2007, appeared to note that plastic ID cards were still not being issued – possibly as a result of a continuing lack of resources. [19a] However, the website of the Ministry of Home Affairs, accessed 1 September 2010, notes that the new plastic ID card is available. [108a]

An example of a Zimbabwe ID Card



(Zimbabwe Ministry of Home Affairs, accessed 1 September 2010) [108a]

- 30.04 The Foreign and Commonwealth Office reported on the 20 April 2009 that the word Alien on ID cards indicates that the holder is not a citizen of Zimbabwe, but is a non-Zimbabwean national living in the country. [13c]
- 30.05 IRIN News reported on 13 May 2010 that the Zimbabwean government had earlier in the year introduced a new Temporary Travel Document (TTD). The new TTD costs US\$37 and is valid for six months. The TTD was introduced because of a huge backlog in passport applications and because a full passport is too expensive for many people costing US\$170. [10c]

Forged and fraudulently obtained documents

- 30.06 Sources stated that most official documentation was obtainable through fraudulent means. Genuine, official documents, could be obtained either by payment of bribes to corrupt officials (Institute for War and Peace Reporting, 1 June 2007) [77b] (*The Herald*, 17 April 2009) [23d], or through unofficial contacts on the black market. (*The Herald*, 21 March 2007) [23h]
- 30.07 The Solidarity Peace Trust reported on 30 June 2009 that even where genuine documents are issued correctly, some public officials are demanding large amounts of foreign currency before handing them over. The report noted that

one public official demanded 200 South African Rand (about £17 at June 2009 exchange rates) for a death certificate. [65b] (p22)

30.08 *The Zimbabwean* reported on 17 February 2010 that:

“South African authorities have confiscated over 5,000 fraudulently-acquired [South African] passports from Zimbabweans ... In December last year, the neighbouring country’s Home Affairs ministry launched a crackdown on foreigners using fraudulently-acquired South African travelling documents.

“A large number of Zimbabweans [SW Radio Africa, dated 9 June 2010, estimated 3 million Zimbabweans were living in South Africa [53k]] who have lived in the neighbouring country for more than five years, especially those from Matabeleland, use South African national registration documents and passports, which are fraudulently obtained by either misrepresenting facts with the assistance of some locals, or paying officials at the Home Affairs offices.” [99c]

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31. EXIT AND RETURN

- 31.01 Jane’s Security Sentinel – *Country Profile: Zimbabwe* (Security and Foreign Forces, accessed 25 January 2007), noted that the Central Intelligence Organisation (CIO) is responsible for immigration security at Harare International Airport – “... especially on flights to the UK and US.” [90m] *The Telegraph* noted in an article dated 22 May 2006, that the details of every person passing through airport immigration is fed into a central computer system. [5c] (p1) However, Peta Thorneycroft, a respected Zimbabwean journalist, questioned the effectiveness of security processes at Harare Airport stating that the processes were “... not terribly efficient ... despite their electronic scanning.” (NewZimbabwe.com, 17 January 2007) [41d]
- 31.02 Reliefweb reported on 19 March 2009 that during February 2009 over 80,000 Zimbabweans returned to the country from South Africa with most of them holding South African asylum permits. It further noted that:
- “Zimbabwean professionals, many of them teachers, are coming home and seeking readmission into the public service, in response to a move by the country’s new inclusive government to pay civil servants in foreign currency and relax conditions for rejoining the sector. The influx is a response to calls from President Robert Mugabe and Prime Minister Morgan Tsvangirai for the more than three million exiles ... to return to Zimbabwe to help rebuild the country.” [22a]
- 31.03 On 8th May 2009 Prime Minister Morgan Tsvangirai, encouraged exiled Zimbabweans at a meeting in South Africa, to move beyond political divisions and help in the rebuilding of the country. Mr Tsvangirai stated that while Mugabe and ZANU-PF had been part of the problem, they were also part of the solution and asked Zimbabweans in exile to be prepared to reconcile their differences so that the country could be rebuilt. [40a]

- 31.04 A joint report published by Food and Agriculture Organisation of the United Nations, and the World Food Programme, entitled *FAO/WFP Crop and Food Security Assessment Mission to Zimbabwe*, dated 9 August 2010, noted that between 2006 and 2009 the IOM had assisted 314,000 Zimbabwean to return to Zimbabwe via the Beitbridge border post with South Africa. The source continued, noting that "... over 57,000 migrants returning from Botswana were assisted at the Plumtree reception centre between June 2008 and June 2009." [101a] (p6)

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32. EMPLOYMENT RIGHTS

- 32.01 The US State Department Report on *Human Rights Practices 2009* (USSD 2009), published on 11 March 2010, noted that:

"There is no national minimum wage except for agricultural and domestic workers. Government regulations for each of the 22 industrial sectors continued to specify minimum wages, hours, holidays, and required safety measures. The minimum wage did not provide a decent standard of living for a worker and family, and more than 85 percent of the population continued to live below the government's poverty line. The Ministry of Labor and Social Welfare is responsible for enforcing the minimum wage; however, monitoring systems were ineffective, and many agricultural and domestic workers were remunerated below the minimum wage. In 2008 the ILO reported that four of five jobs in the country were in the informal sector, 78 percent of which were in the agriculture. This trend continued during the year. These jobs generally provided extremely low cash income and poor working conditions and did not offer adequate worker protections. In April the National Social Security Administration (NSSA) announced that pensioners would receive \$25 per month; the ZCTU and pensioners complained that the pension was inadequate.

"The maximum legal workweek is 54 hours, and the law prescribes a minimum of one 24-hour rest period per week. No worker is allowed to work more than 12 continuous hours; however, there was little or no enforcement, particularly in the agricultural and domestic worker sectors. The law prescribes that workers receive not less than twice their standard remuneration for working on a public holiday. However, workers were unlikely to complain to authorities about violations due to fear of losing their jobs.

"The public service commission sets conditions of employment in the public sector. Health and safety standards were determined on an industry-specific basis. The government designated the Zimbabwe Occupational Safety Council, a quasigovernmental advisory body made up of six representatives each from the government, employers, and trade unions, to regulate working conditions; however, budgetary constraints and staffing shortages, as well as its status as an advisory council, made the council ineffective. The NSSA continued to experience difficulty monitoring the thousands of work sites across the country; however, it continued to close shops and factories not in compliance. The NSSA reported in 2007 that a high turnover in staff meant that only 20 of 31 safety and health inspector positions were filled to monitor an estimated 14,000 registered factories. In 2007 government media reported 64 workplace fatalities and 5,568 injuries through November. By year's end

the government had not taken action to address health risks in the workplace. Workers have a legal right to remove themselves from dangerous work situations without jeopardy to continued employment, but in practice they risked the loss of their livelihood if they did so.” [2h] (Section 7e)

Further detailed information regarding trade union rights and violations can be found at the [International Trade Union Confederation’s report](#).

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Annex A: Chronology of major events

- 1889** Rhodes' British South Africa Company (BSA) gains a British mandate to colonise what becomes Southern Rhodesia. [3ag]
- 1953** Britain creates the Central African Federation, made up of Southern Rhodesia (Zimbabwe), Northern Rhodesia (Zambia) and Nyasaland (Malawi). [3ag]
- 1963** The UK dissolves CAF; Northern Rhodesia and Nyasaland granted independence by the UK under majority rule administrations, as Zambia and Malawi respectively. [3ag]
- 1965** Rhodesia Front Prime Minister, Ian Smith, makes illegal unilateral declaration of independence (UDI) for Southern Rhodesia from the UK, renaming the territory Rhodesia. [3ag]
- 1972** Guerrilla war against white rule intensifies, with rivals Zanu and Zapu operating out of Zambia and Mozambique. [3ag]
- 1976** ZAPU and ZANU combine their military efforts in the Patriotic Front (PF) alliance. [90i]
- 1978** Smith yields to pressure for negotiated settlement. Elections for transitional legislature boycotted by Patriotic Front made up of Zanu and Zapu. New government of Zimbabwe Rhodesia, led by Bishop Abel Muzorewa, fails to gain international recognition. Civil war continues. [3ag]
- 1979** Ian Smith’s administration concludes an ‘internal settlement’ with some Black nationalists; Bishop Abel Muzorewa becomes first Black Prime Minister of ‘Zimbabwe-Rhodesia’. [90i]
December: Lancaster House constitutional conference in London, attended by all parties including the PF produces independence settlement for Rhodesia; Whites to be guaranteed 20 seats in new 100-seat parliament. [90i]
- 1980** **February:** Robert Mugabe’s ZANU-PF party wins 57 out of 80 ‘common roll’ seats and Nkomo’s PF (ZAPU) wins 20 seats; Bishop Muzorewa’s UANC party wins only three seats and Rhodesia Front wins all 20 seats reserved for Whites. [1d]
April: Independence of Zimbabwe – Robert Mugabe of ZANU-PF becomes Prime Minister and Reverend Canaan Banana becomes President, with ceremonial duties only. [1d]

- 1982-87** Matabeleland Massacres; Government sends mainly Shona Fifth Brigade to quell dissent – thousands killed during *Gukurahundi* pacification campaign, causing resentment of Government by the Ndebele. [1d]
- 1987** Reconciliation between ZANU-PF and ZAPU ends Matabeleland conflict; ZANU-PF and ZAPU merge, keeping ZANU-PF name; reserved seats for Whites abolished; Prime Minister Mugabe becomes executive President. [1d]
- 1988** Amnesty proclaimed in Matabeleland, leading to rapid improvement in security; Edgar Tekere expelled from ZANU-PF for persistent denunciation of party leadership and policies. [1d]
- 1990** **March:** Mugabe wins Presidential election, polling 2.03 million votes against ZUM's Edgar Tekere's 413,840; ZANU-PF wins 117 of the 120 contested seats in parliamentary elections, with ZUM taking 20% of the vote and two seats. [90i]
- 1990** **August:** Joshua Nkomo becomes Vice-President, in addition to existing Vice-President Simon Muzenda. [90i]
- 1995** **April:** ZANU-PF wins decisive victory in general elections, although eight opposition parties boycott polls – ZANU-PF takes 118 seats and Sithole's ZANU-Ndonga two.
October: Sithole charged with conspiracy to assassinate Mugabe. [90i]
- 1996** **March:** Mugabe wins Presidential elections with nearly 93 per cent of the vote, but turnout less than 32 per cent. [1d]
- 1997** **July:** Criminal charges brought against former President Canaan Banana for alleged sexual assault against a former male employee. [1d]
December: Sithole found guilty of plotting to kill Mugabe and sentenced to two years' imprisonment, but released on bail pending appeal. [1d]
- 1999** **July:** Vice-President Joshua Nkomo dies. [90i]
September: Movement for Democratic Change formed. [90i]
- 2000** **February:** President Mugabe suffers defeat in referendum on draft constitution. [3ag]
Squatters seize hundreds of white-owned farms in an ongoing and violent campaign to reclaim what they say was stolen by settlers.
June: Parliamentary elections: Zanu-PF narrowly fights off a challenge from the opposition Movement for Democratic Change (MDC) led by Morgan Tsvangirai, but loses its power to change the constitution. [3ag]
- 2001** **May:** Defence Minister Moven Mahachi killed in a car crash - the second minister to die in that way in a month. [3ag]
July: Finance Minister Simba Makoni publicly acknowledges economic crisis, saying foreign reserves have run out and warning of serious food shortages. Most western donors, including the World Bank and the IMF, have cut aid because of President Mugabe's land seizure programme. [3ag]
- 2002** **February:** Parliament passes a law limiting media freedom. The European Union imposes sanctions on Zimbabwe and pulls out its election observers after the EU team leader is expelled. [3ag]

- March:** Mugabe re-elected in presidential elections condemned as seriously flawed by the opposition and foreign observers. Commonwealth suspends Zimbabwe from its councils for a year after concluding that elections were marred by high levels of violence. [3ag]
- April:** State of disaster declared as worsening food shortages threaten famine.
- June:** 45-day countdown for some 2,900 white farmers to leave their land begins, under terms of a land-acquisition law passed in May. [3ag]
- 2003** **March:** Widely-observed general strike is followed by arrests and beatings. [3ag]
- June:** Opposition Movement for Democratic Change (MDC) leader Morgan Tsvangirai is arrested twice during a week of opposition protests. He is charged with treason, adding to an existing treason charge from 2002 over an alleged plot to kill President Mugabe. [3ag]
- 2003** **November:** Canaan Banana, Zimbabwe's first black president, dies aged 67.
- December:** Zimbabwe pulls out of Commonwealth after organisation decides to extend suspension of country indefinitely. [3ag]
- 2004** **March:** A group of mercenaries allegedly on the way to Equatorial Guinea to stage a coup is intercepted after landing at Harare airport. Their leader, British national Simon Mann, is sentenced to seven years in prison for attempting to buy guns. [3ag]
- October:** Opposition leader Morgan Tsvangirai is acquitted of treason charges relating to an alleged plot to kill President Mugabe. However he continues to face a further separate treason charge. [3ag]
- 2005** **January:** The US labels Zimbabwe as one of the world's six "outposts of tyranny". Zimbabwe rejects the statement. [3ag]
- March:** Ruling Zanu-PF party wins two-thirds of the votes in parliamentary polls. Main opposition party says election was rigged against it. [3ag]
- May-July:** Tens of thousands of shanty dwellings and illegal street stalls are destroyed as part of a "clean-up" programme. The UN estimates that the drive has left about 700,000 people homeless. [3ag]
- 2005** **August:** Prosecutors drop remaining treason charges against opposition leader Morgan Tsvangirai. [3ag]
- November:** Ruling Zanu-PF party wins an overwhelming majority of seats in a newly-created upper house of parliament, the Senate. [3ag]
- The opposition MDC splits over its leader's decision to boycott the poll.
- December:** UN humanitarian chief Jan Egeland says Zimbabwe is in "meltdown". [3ag]
- 2006** **May:** Year-on-year inflation exceeds 1,000%. New banknotes, with three noughts deleted from their values, are introduced in August. [3ag]
- September:** Riot police disrupt a planned demonstration against the government's handling of the economic crisis. Union leaders are taken into custody and later hospitalised, allegedly after being tortured. [3ag]
- December:** Ruling ZANU-PF party approves a plan to move presidential polls from 2008 to 2010, effectively extending Mr Mugabe's rule by two years. [3ag]

- 2007** **February:** Rallies, demonstrations banned for three months. The ban is extended in May. [3ag]
March: Opposition leader Morgan Tsvangirai is hospitalised after his arrest at a rally. One man is shot dead as riot police move to disperse the gathering. [3ag]
June: Ruling ZANU-PF and opposition MDC hold preliminary talks in South Africa. [3ag]
- 2008** **March:** Opposition MDC claims victory in presidential and parliamentary elections. [3ag]
May: Electoral body says Tsvangirai won most votes in presidential poll, but not enough to avoid a run-off against Mugabe. [3ag]
June: Run-off goes ahead despite calls from around the world. Mugabe declared winner. Tsvangirai pulled out days before poll, complaining of intimidation. Russia, China veto a Western-backed UN Security Council resolution to impose sanctions. [3ag]
July: EU, and US widen sanctions against Zimbabwe's leaders. [3ag]
Sept: Mugabe and Tsvangirai sign power-sharing agreement. Implementation stalls over who gets top ministerial jobs. [3ag]
December: Zimbabwe declares national emergency over a cholera epidemic and the collapse of its health care system. [3ag]
- 2009** **January:** Government allows use of foreign currencies to try stem hyperinflation. [3ag]
February: Tsvangirai is sworn in as prime minister, after protracted talks over formation of government. [3ag]
March: Susan Tsvangirai, wife of Prime Minister Morgan Tsvangirai, was killed following a car crash on 6th March that also injured Mr Tsvangirai. Officially, Mr Tsvangirai claimed that the crash was an accident [53a], although senior members of the MDC expressed doubts, with many other MDC activists believing that the crash was planned by a clique within Zimbabwe's security forces. [5a]
May: The Zimbabwean African People's Union (ZAPU), a wing of ZANU-PF, announced that it had formally split from the ruling party. [67a]
June: Morgan Tsvangirai announces that the 'acrimony is over' between him and President Robert Mugabe and urges Zimbabweans to put their differences behind them to rebuild the country. [3v]
Constitutional review begins. Tsvangirai tours Europe and US to drum up donor support. [3ag]
September: One year after power-sharing deal, MDC remains frustrated and alleges persecution and violence against members.
Arrival of EU and US delegations seen as signs of thaw in foreign relations. Both maintain stance on targeted sanctions.
IMF provides \$400 million support as part of G20 agreement to help member states. [3ag]
October: Mugabe calls for new start to relations with West. [3ag]
Prime Minister Tsvangirai announced that the MDC was withdrawing co-operation with the government in the Cabinet and Council of Ministers. Mr Tsvangirai points to continuing abuses and a lack of co-operation from ZANU-PF. [103a]
- 2010** **January:** Prime Minister Morgan Tsvangirai urges the easing of targeted sanctions, saying the unity government's progress should be rewarded.

Zimbabwe's High Court rejects a regional court ruling against President Mugabe's land-reform programme. [3c]

March: New rule forces foreign-owned businesses to sell majority stake to locals. [3c]

June: Commercial farmers say they are under a renewed wave of attacks. [3c]

August: Zimbabwe resumes official diamond sales, amid controversy over reported rights abuses at the Marange diamond fields. [3c]

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Annex B: Political organisations

ZANU-PF

The Economist Intelligence Unit's *Zimbabwe Country Profile, 2008*, noted that since independence from the United Kingdom in 1980 the country has been ruled by Robert Mugabe and ZANU-PF. The report stated that:

"At independence ZANU-PF's ideology was initially Marxist-Leninist, but from the late 1980s in line with the fall of communism the president did reluctantly allow a move towards market-oriented economic policies. As the political crisis in Zimbabwe has intensified in recent years, Mr Mugabe has reverted to more revolutionary language, notably the need to complete the chimurenga (the revolution by which he came to power) through the redistribution of land. He has also at various times called for the nationalisation of mines and industries." [24n]

Jane's Sentinel *Country Risk Assessment: Zimbabwe*, dated 10 September 2009, noted that:

"ZANU-PF holds five-yearly congresses as its primary decision-making mechanism. Its congress in early December 2004 led to the appointment of a new ZANU vice-president, Joyce Mujuru. The event was closely managed by Mugabe and left open the question of his succession. This question continues to dominate the party's internal politics, but for now remains open. The party again endorsed Mugabe as its presidential candidate for the 2008 elections and appears to have been wholly unprepared for its defeat in the first round in March in the National Assembly and presidential polls." [90e] (Internal Affairs)

The Zimbabwe Independent reported on 29 October 2009 that ZANU-PF is due to hold its next party Congress in December. One of the main issues for discussion and for the party to vote on is a replacement for the late Vice-President Msika. The report noted that ongoing power struggle within the party will have an influence over who obtains the post. "So far four senior members, Naison Ndlovu, Cain Mathema, Ambrose Mutinhiri and Obert Mpofu have openly declared their interest in the post. [11a] The States in Transition Observatory, noted in the report, Zimbabwe Government of National Unity Watch – October 2009 (dated 10 November 2009), that ZANU-PF chairman John Nkomo had been nominated to take the post of vice president, but dissent within the party became apparent after 'War Veterans' in Bulawayo rejected his nomination and Commissar Richard Ndlovu stated that the process was null and void because the correct nomination procedures had not been followed. [9f] (p4)

Movement for Democratic Change (MDC-T and MDC-M)

“Founded in September 1999, the Movement for Democratic Change (MDC) emerged from ... a coalition of civil society groups, the National Constitutional Assembly (NCA)” and the Zimbabwe Congress of Trade Unions (ZCTU) to fight a constitutional referendum in February 2000. “The MDC, led by former ZCTU leaders Morgan Tsvangirai and Gibson Sibanda, campaigned for a 'No' vote that carried the day.”

The MDC went on to contest the June 2000 parliamentary elections and only narrowly missed out on gaining a majority. “By then the government had unleashed a campaign of intimidation against the MDC, including manipulation of the electoral rules.” Morgan Tsvangirai contested the 2002 presidential election, and lost to Robert Mugabe. Shortly afterwards, Tsvangirai and other prominent members of the party were charged with treason - charges that were later dropped.

In 2005, “Mugabe's decision to introduce a Senate ... plunged [the party] into crisis when Tsvangirai opposed the MDC's participation in the senate polls.” The MDC formally split in two, with the smaller faction fielding candidates in the Senate elections. The bulk of the party remained loyal to Morgan Tsvangirai.

The smaller faction of the party elected its own leader in Arthur Mutambara, becoming known as the MDC-M. The main faction is known as MDC-T (Tsvangirai). “The MDC-T - as the original MDC faction - also continued to enjoy the support of the National Constitutional Alliance, the Zimbabwe Congress of Trade Unions and the Zimbabwe Students Organisation.” [90]

MDC party symbols and slogans

The MDC's symbol is an open hand, palm outstretched. The party's slogan during the June 2000 parliamentary election campaign was ‘Chinja Maitiro, Maitiro Chinja’ in Shona and ‘Guqula Izenzo, Izenzo Guqula’ in Ndebele. The closest English translation is ‘Now is the time, fight for change, support the Movement’. [12b]

See sections [4 – Elections and Power-Sharing Talks 2008](#) and [5 – Recent Developments](#) for recent information on both formations of the MDC.

Movement for Democratic Change99 (MDC99)

BBC Monitoring, dated 8 May 2010, noted that: “Maverick politician Job Sikhala recently broke ranks with the smaller formation of the Movement for Democratic Change (MDC) following sharp policy differences two weeks ago formed a third splinter group.” Mr Sikhala claimed that MDC99 was not a new political party but later described himself as the interim president of MDC99. [118a]

Mavambo/Kusile/Dawn (MKD)

Simba Makoni, a former finance minister within ZANU-PF [BBC News, 9 April 2009] [3ag], who ran against President Mugabe in the 2008 presidential election, announced that he was formally launching “... a new opposition political party, vowing to ‘clean up the politics of Zimbabwe’ and to uphold human rights and democracy if elected to power.” The Africa Research Bulletin, covering events between 1-31st July 2009, noted that Mr Makoni announced that the new party would be called Mavambo/Kusile/Dawn (MKD) “... meaning ‘The beginning of a new dawn’ in Shona, Makoni said, ‘Our vision is a stable, united and responsive governance system that will provide genuine empowerment, not a government that accumulates wealth among the few at the

expense of others.’ ... Makoni is interim president of the MKD while former spokesman Godfrey Chanesta is interim chairman.” [76a] (18035)

ZANU-Ndonga

The late Reverend Ndabaningi Sithole, who led ZANU before Robert Mugabe, set up ZANU-Ndonga. The party held two seats in Parliament prior to the elections in June 2000. (The Telegraph, 14 December 2000) [5a]

ZAPU (Zimbabwe African People’s Union) [ZAPU 2000]

ZAPU, or ZAPU 2000, was formed as a resurgent group of the former ZAPU party of the late Joshua Nkomo in 1999. The party advocates a federal system for Zimbabwe, with considerable powers devolved to Matabeleland. The party was unable to agree an electoral alliance for the June 2000 elections with the MDC, as the latter does not support a federal structure. ZAPU candidates stood in most constituencies in Matabeleland and Bulawayo in June 2000 but failed to win any seats.

In early January 2002, ZAPU leader Agrippa Madlela announced that he would not contest the March 2002 presidential election. His decision split ZAPU into two factions. Paul Siwela, leader of a splinter group, announced his candidature for the presidency, standing for ZAPU.

On 17 May 2009 ZWNews reported that the Zimbabwean African People’s Union (ZAPU), a wing of ZANU-PF, had announced that it had formally split from the ruling party. [67a] ZAPU, which was effectively forced to merge with ZANU following the Matabeleland Insurgency (See 3.04 for further details of the Matabeleland Insurgency) [28] (Chapter 7) voted in favour of the de-coupling of the two parties at a special party congress, attended by around 1,000 delegates at McDonald Hall in Mzilikazi. Dumiso Dabengwa was appointed the interim chairman of the party. [67a]

The Solidarity Peace Trust report, *Walking a thin line*, published on 30 June 2009, noted that: “... the revived Zimbabwe African People’s Union (ZAPU), decisively marginalised by the MDC as a political opposition since 2000, and effectively emasculated in the terms of the GPA, formerly withdrew from the Unity Accord signed with Zanu PF in 1987, on the 16th May 2009.” [65b] (p13)

United Parties [UP]

The United Parties (UP) grouping was established by Bishop Muzorewa, leader of the UANC, in 1994 after UANC’s merger with the Zimbabwe Unity Movement (ZUM). UP boycotted the 1995 general elections. In the presidential elections in 1996, Bishop Muzorewa was denied permission to withdraw his candidacy prior to the ballot and received 4.7 per cent of the vote. UP has failed to win any seats in subsequent elections.

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Annex C: Prominent people: past and present

Robert Gabriel Mugabe

Shona, first Prime Minister of independent Zimbabwe 1980–87, first executive President 1987 to present, leader of governing ZANU-PF party.

Morgan Tsvangirai

Shona, President of opposition MDC, previously Secretary-General of Zimbabwe Conference of Trade Unions (ZCTU) and one-time ZANU-PF party official.

Gibson Sibanda MP

Vice-President of MDC and leader of MDC MPs in Parliament.

Simon Vengayi Muzenda

ZANU-PF, former Vice-President of Zimbabwe. Died September 2003.

Joseph Msika

ZANU-PF, one of two Vice-Presidents of Zimbabwe, replaced Joshua Nkomo after his death in 1999. Joseph Msika died on 4 August 2009.

Joyce Mujuru MP

ZANU-PF, one of two Vice-Presidents of Zimbabwe, replaced Simon Vengayi Muzenda in December 2004. In recent years she has positioned herself as the front runner in any possible take over.

Solomon Mujuru

Husband of Vice-President Joyce Mujuru, Solomon Mujuru was the military commander of the ZANLA forces prior to independence. In spite of his retirement from the army in 1992 and from parliament in 2000 he remains an influential figure within the country; he remains a member of ZANU-PF's Politburo and Central Committee.

Professor Jonathan Moyo MP

Ndebele, Former ZANU-PF Minister of State for Information and Publicity. The only non-party affiliated member of parliament.

Professor Welshman Ncube MP

Ndebele, Secretary-General of the pro-senate MDC, MP for Bulawayo North. He is the main driving force of the Mutambara faction.

David Coltart MP

White Zimbabwean, prominent human rights lawyer, MDC MP for Bulawayo South and Shadow Justice Minister.

Chenjerai 'Hitler' Hunzvi MP

Leader of war veterans in farm occupations, elected as ZANU-PF MP for Chikomba in June 2000; died in June 2001.

Ian Douglas Smith

Prime Minister of colonial Southern Rhodesia in 1960s, illegally declared independence (UDI) of Rhodesia from UK in 1965, PM until 1979, he died on 20 November 2007.

Joshua Nkomo

Ndebele, leader of ZAPU until party's merger with ZANU-PF in 1987, Vice-President of Zimbabwe from 1990 until his death in 1999.

John Nkomo

John Nkomo is seen as a possible successor to Mr Mugabe. He is currently the national chairman of ZANU-PF and commands considerable respect within the

party. He could well become the second vice-president if the current incumbent, Joseph Msika, is forced to retire because of ill health.

Reverend Canaan Banana

First, non-executive, President of Zimbabwe 1980–1987; sentenced to a year in prison in 2000 for sexually assaulting a male employee, Released from prison January 2001.

Bishop Abel Muzorewa

Prime Minister of 'Zimbabwe-Rhodesia' under power-sharing 'internal settlement' in 1979, former leader of UANC, leader of United Parties since 1994, United Methodist Church's Bishop of Zimbabwe.

Reverend Ndabaningi Sithole

Former leader of ZANU, latterly leader of small ZANU-Ndonga party, died 2000.

Margaret Dongo

Leader of Zimbabwe Union of Democrats (ZUD), MP for Harare South until lost seat in June 2000 elections.

Edgar Tekere

Former ZANU-PF Secretary-General, expelled from party 1988 for denouncing plans for one-party state, founded opposition Zimbabwe Unity Movement 1989 and unsuccessfully challenged Mugabe for Presidency in 1990.

Tarugarira Wilson Khumbula MP

ZANU-Ndonga MP for Chipinge South, the only MP not from ZANU-PF or MDC elected in June 2000

Border Gezi

Former ZANU-PF Minister for Youth, Gender and Employment Creation. Initiated the National Youth Service programme, the members/graduates of which are sometimes called Border Gezi's, or Green Bombers or Taliban.

Constantine Guveya Chiwenga (General)

Commander of Zimbabwe Defence Forces (since 1 January 2004).

Vitalis Zvinavashe (General)

Commander of Zimbabwe Defence Forces, 1994–2003.

Pius Ncube

Roman Catholic Archbishop of Bulawayo, Zimbabwe, widely known as a human rights advocate and an outspoken critic of President Robert Mugabe. Heads a multi-denominational church coalition that seeks to improve the conditions of Zimbabweans. He received a Human Rights Award from Human Rights First on 23 October 2003, for speaking out against torture and confronting the Mugabe government. In September 2007 Pius Ncube was implicated in an adultery scandal, thought by many to have been inspired by the CIO, and subsequently resigned as Archbishop of Bulawayo.

Arthur Mutambara

President (leader) of the pro-Senate faction of the Movement for Democratic Change (MDC). Mutambara holds a PhD from Oxford University in Robotics and Mechatronics, and held professorships in that field in several US institutions. In the late 1980s, he rose to prominence at the University of Zimbabwe, leading the first anti-government student protests since independence.

Wellington Chibebe

Mr Chibebe has been leader of the Zimbabwe Congress of Trades Unions (ZCTU) since 2001.

Gideon Gono

As head of the Reserve Bank of Zimbabwe, he is the main driver of economic policy. He appears to have the ear of the president, and has retained his position in spite of mild criticism of government economic policy and the ongoing decline in the economy. Some commentators suggest that he is a contender for the presidency when Mugabe steps down.

Emmerson Mnangagwa

Former head of the CIO, Emmerson Mnangagwa was until 2005 the prime contender to succeed Mr Mugabe. He was sidelined after too closely contesting the power of Mr Mugabe in the battle to appoint a new vice-president in 2005. However, Mugabe has kept Mnangagwa in the party and recently was said to favour Mnangagwa over Joyce Mujuru in an eventual take over.

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Annex D: Government of National Unity

Under the terms of the power sharing agreement Robert Mugabe remains head of state as President. Morgan Tsvangirai (leader of the larger opposition group MDC-M) was sworn in as prime minister on February 11th with Arthur Mutambara (leader of the splinter opposition group MDC-M) being sworn in as deputy prime minister on the same day. Zimbabwe's new cabinet was sworn in on February 13th. (Economist Intelligence Unit, 13 February 2009) [24f] The rest of the information is provided by the following sources: (BBC News, 12 February 2009) [3ae], (CIA, 27 May 2009) [56b] and (Reuters, 9 February 2009) [75d].

HEAD OF STATE & PRIME MINISTER

President	Robert Mugabe (ZANU-PF) [56b]
Vice President	John Nkomo (ZANU-PF) [56c]
Vice President	Joyce Mujuru (ZANU-PF) [56b]
Prime Minister	Morgan Tsvangirai (MDC-T) [56b]
Deputy Prime Minister	Arthur Mutambara (MDC-M) [24f]
Deputy Prime Minister	Thokozani Khupe (MDC-T) [75d]

MINISTERS AND MINISTERS OF STATE

Mugabe and Tsvangirai agreed the following list of new ministries on 13 September 2008 (see below). [75b] On 13 February 2009, *The Herald*, published a full list of names of appointees to the Cabinet and junior ministries. However, the source did not state which portfolios had been allocated to whom. [23] A copy of the list can be found at the following link: <http://allafrica.com/stories/printable/200902130014.html>
<https://www.cia.gov/library/publications/world-leaders-1/world-leaders-z/zimbabwe.html>

Finance	Tendai Biti (MDC-T) [3ae]
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Home Affairs (Shared)	Kembo Mohadi (ZANU-PF) [3ae]
Home Affairs (Shared)	Theresa Makone (MDC) [56c]
Foreign Affairs	Simbarashe Mumbengegwi (ZANU-PF) [56b]
Defence	Emmerson Mnangagwa (ZANU-PF) [3ae]
Justice and legal Affairs	Patrick Chinamasa (ZANU-PF) [3ae]
Constitutional and Parliamentary Affairs	Eric Matinenga (MDC-T) [3ae]
Lands and Rural Resettlement	Herbert Murerwa (ZANU-PF) [56c]
Deputy Minister	Roy Bennet (MDC-M) [3ae]
Environment, Natural Resources and Tourism	Francis Nhema (ZANU-PF) [56b]
Economic Planning and Development	Tapiwa Mashakada (MDC) [56c]
Transport	Nicholas Goche (ZANU-PF) [56b]
Local Government, Urban/Rural Development	Ignatius Chombo (ZANU-PF) [56b]
Health and Child Welfare	Henry Madzorera (MDC-T) [3ae]
Public Service	Elphas Mukonoweshuro (ZANU-PF) [56b]
Higher and Tertiary Education	Stanislaus Mudenge (ZANU-PF) [56b]
Education, Sports and Culture	David Coltart (MDC-M) [56b]
Energy and Power Development	Elton Mangoma (MDC) [56c]
Mines and Mine Development	Gift Chimankire (MDC-T) [56c]
Water Resources and Management	Samuel Nkomo (MDC) [56b]
Public Works	Joel Gabuza (MDC-T) [56c]
Public Service	Elphas Mukonoweshuro (MDC-T) [56b]
Youth Development, Indigenisation ...	Savior Kasukuwere (ZANU-PF) [56b]
Industry and Commerce	Welshman Ncube (MDC-M) [56b]
Information Communication Technology	Nelson Chamisa (MDC-T) [56b]
National Housing	Giles Mutsekwa (MDC-T) [56c]
Enterprises and Parastatals	Gordon Moyo (MDC-T) [56c]
Small and Medium Enterprises	Sithembiso Nyoni (ZANU-PF) [56c]
Science and Technology	Henri Dzinotyiwei (MDC-T) [56b]
Media, Information and Publicity	Webster Shamu (ZANU-PF) [56b]
Women's Affairs	Olivia Muchena (ZANU-PF) [56b]
Regional Integration and International Trade	Priscila Misihairabwi-Mushonga (MDC-M) [56b]
Labour and Social Services	Paurina Gwanyanya-Mpariwa (MDC) [56b]
Tourism and Hospitality Industry	Walter Mzembi (ZANU-PF) [56c]
Min. of State President's Office	Didymus Mutasa (ZANU-PF) [56b]
Min. of State National Security	Sidney Sekeramayi (ZANU-PF) [56c]
Min. of State Prime Minister's Office	Gordon Moyo (MDC-T) [56b]
Governor, Reserve Bank of Zimbabwe	Gideon Gono (ZANU-PF) [56b]

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Annex E: List of abbreviations

AI	Amnesty International
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPJ	Committee to Protect Journalists
EU	European Union
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House

GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IOM	International Organisation for Migration
MSF	Médecins sans Frontières
NGO	Non-Governmental Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
OECD	Organisation of Economic Cooperation and Development
RSF	Reporteurs sans Frontières
STD	Sexually Transmitted Disease
STC	Save The Children
TB	Tuberculosis
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

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Annex F: References to source material

The Home Office is not responsible for the content of external websites.

Numbering of source documents is not always consecutive because some older sources have been removed in the course of updating this document. (If applicable)

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