Zimbabwe Human Rights NGO Forum
Human Rights & National Institutions

Report

December 2011
– July 2012
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*Dedicated to Eileen May Sawyer*

Her humane values and ideals are immortalised in the reports she edited and engraved in the hearts she touched.
2012 so far has been potentially monumental for the realisation of human rights, the rule of law and democracy in Zimbabwe. Despite several policy and legislative initiatives, progress has been unsatisfactory. A general lack of political will and self-interest still stand as key barriers to the resolution of key national concerns and full enjoyment of human rights by all.

Commendably, there have been recognisable attempts to implement the Global Political Agreement (GPA). This included the initial progress in the constitution making process, sporadic calls for peace, and the proposed judicial and quasi-judicial reforms. Further, the government also accepted most of the major recommendations during Zimbabwe’s Universal Periodic Review at the UN HRC. It has since invited civil society to work on a national implementation action plan. Coupled with this was the historic visit to Zimbabwe by the UN HRC Human Rights High Commissioner at the Government’s invitation.

However, current reforms remain unsatisfactory. Particularly worrying was the government’s rejection of the recommendation to investigate pre-2009 politically motivated violence. This position was confirmed in the limited temporal jurisdiction of the Human Rights Commission. Further, the structural causes of violence remain in place. The operating environment remains tense and highly polarised. This is evidenced by the current persecution of Human Rights Defenders, limited media freedom and the threat to NGOs. Also of grave concern is the delay in the finalisation of the constitution.

In light of this, civil society needs to remain resolute to ensure that minimum conditions for the holding of the impending constitutional referendum and elections are put in place.

Abel Chikomo
Executive Director
This Report has been produced by the International Liaison Office (“IntLO”) of the Zimbabwe Human Rights NGO Forum (“ZHRF” or the “Forum”) for use by Zimbabwe human rights advocates and activists and our regional and international stakeholders. The Report provides information and analysis on developments in Zimbabwe since December 2011. The information covered relates to human rights and institutional reform covering institutions that span the three arms of the state. In particular, the thematic areas covered in the Report encompass the spectrum of the Forum’s mission to reduce organized violence and torture, cruel inhuman and degrading treatment; to challenge impunity and to foster a culture of accountability and the building of institutions of non-violence, tolerance and the respect for human rights in Zimbabwe. The Report also includes an aspect on the international perspective as it is meant to compliment the national perspective provided by the Forum’s Research and Documentation Unit based in Harare.

The report was issued on 1 September 2012. In this Report, the name ZHRF is sometimes used in its narrow sense to refer to the Secretariat but sometimes in its wider sense to encompass its member organisations listed in the Appendix.

The Report is generally divided into two sections. The first section is a summary of events mainly meant for those who want to have a cursory appreciation of the broad terrain during the period under review (December 2011-July 2012 and also a few developments in August 2012). This part also contains our, and our stakeholders’, understanding and interpretation of events.

The second part of the Report provides detailed evidence dividing the main thematic areas including political and civil rights, institutional reform international obligations, ecocide rights, and rights of disadvantaged groups, for example women and children, gays and lesbians. In line with our evidence based advocacy policy, this part aims to provide a compilation of extracts from the source material identified, focusing on the main and recurring themes both at policy and practice levels. All information in the Report is attributed, throughout the text, to the original source material, all of which is accessible through the specified web links. The Report is not intended to be a detailed or comprehensive survey but a tracking, monitoring and evaluation tool of the areas covered. For a more detailed account, the relevant source documents should be examined directly.

The structure and format of the Report reflects what we consider to be the information needs of our stakeholders, usually busy advocates and policy makers who do not have sufficient time to scour through detailed reports. In line with our revised communication strategy we aim to present a quick and well-presented information for decision making but can always request detailed documents or access web links for specific and detailed information.

The information included in this 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. Similarly, the absence of information does not necessarily mean that, for example, a particular event or action did not occur.

As noted above, the Report is a compilation of extracts produced by a number of information sources. Rigorous attempts have been made to resolve discrepancies between information provided in different source documents.

The Report is based substantially upon source documents issued during the previous six months. However, some older source documents may have been included because it contains relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.

This Report and the accompanying source material are public documents. All Reports are published on the Forum website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified are available in electronic form, the relevant web link has been included, together with the date that the item was released. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from IntLO upon request.

In producing this Report, IntLO has sought to provide an accurate, up to date, balanced and impartial compilation of extracts of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to IntLO as below.

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Zimbabwe has been ruled by an Inclusive Government (IG) since February 2009 which followed the signing of a political agreement in September 2008, otherwise known as the Global Political Agreement (GPA). The agreement followed disputed elections in March 2008 characterised by voter intimidation and electoral fraud. The March 2008 elections failed to elect a president in terms of the Zimbabwean constitution. The main opposition leader, Morgan Tsvangirai, withdrew from the second round held in June 2008 due to widespread and escalating violence. President Mugabe was declared a winner. The negotiations leading to the formation of the IG were mediated by the Southern African Development Community (SADC) who were mandated by the African Union to mediate and facilitate talks between the main political parties and to ensure compliance with the benchmarks stipulated under the GPA before the holding of any further election. The details of the GPA are beyond the purview of this report but can be accessed on the following link: http://www.copac.org.zw/phocadownload/GNU/gpa.pdf

Although there has been commendable progress since the coming into force of the IG, major challenges and hurdles still remain. Repressive and anachic conditions still obtains. Repressive and anachic conditions still obtain in Zimbabwe and have been institutionalised under the law, for example, under the so called indigenisation drive. Further, the risk of being prosecuted is all too real and predictable, albeit, on the evidence currently available, the incidence of that persecution is likely to be both random and arbitrary. There is currently a ‘rule by law’ rather than rule of law which has created an environment where people avoid state persecution by engaging in mendacity, fabricating loyalty or remaining mute about their political views. This is an antithesis to the credentials of truly democratic societies where individuals should be free to hold opinions and exercise their fundamental rights. In 2008, at least 23,755 cases of politically motivated violence were recorded, decreasing to about 14,725 in 2009 whilst 2010 had over 10,695. Hot spots for the 2008 election violence continued to witness violence. The ZPP recorded 365 incidents of violence in January 2012, 413 in February 2012, and 475 in March 2012, with a drop in June as the talks about elections calmed down due to SADC insisting that elections should be held after the new constitution (http://www.zimpeaceproject.com/)

According to ZPP July 2012 Report, the month of July witnessed a decrease in the number of politically motivated human rights violations of 375 cases down from the 421 witnessed in June. This is despite a rise in political tensions. Of particular concern were the politically-motivated murder of Simbarashe Nemaura by John ‘Hussein’ Chari- his subordinate at work and long-time political rival and the resurgence of terror bases mainly across in Maslonaland West, Central and East provinces and Masvingo province.

Although the period under review witnessed potentially monumental developments with various policy incursions and warming up of international relations, hardliners in the ZANU PF Politburo have remained uncompromising and even scoffed at positive international overtures. Their demands, particularly with regard to the constitution have stalled progress which ZANU PF technocrats had agreed with other stakeholders at policy levels. Further the Zimbabwe Human Rights Bill which passed into law, and has wide ranging constitutional significance failed to meet international standards in its ambit.

Among some of the pertinent issues identified by Zimbabwean civil society and other stakeholders were:

- The need to end the culture of impunity by domesticate UNCAT, its optional protocols and criminalising torture
- For the police and Attorney General’s office to honour their constitutional and legislative mandates to investigate and prosecute perpetrators of human rights violations during the 2008 presidential elections
- For the Zimbabwe Human Rights Commission to comply with the Paris Principles.
- Commitment by government to protect Human Rights Defenders and not to interfere with their legitimate activities
- Time-bound reform of key national institutions such as the Attorney General’s office, police, security sector, the constitution and local authority governance.
- Media reform to ensure equal access by all political parties to the state media, the liberalisation of the media and reconstitution of the media governance so as to guarantee the fundamental freedom relating to the right to free expression
- Repeal of repressive legislation such as Public Order and Security Act, Access to Information and Protection of Privacy Act as well as the Urban councils Act
- For the government not to interfere with civilian processes such as the constitution making and impending referendum and for the elections to be contingent upon the fulfilment of the above minimum conditions.
- Electoral reforms including updating of the voters’ roll.
Following now is a month by month general breakdown of the situation insofar as it relates to the human rights situation and institutional reform in the first half of 2012.

**January 2012** was characterised by the harassment of Human Rights Defenders as evidenced by the arrest of members of the Media Monitoring Project of Zimbabwe and Women of Zimbabwe Arise and the intimidation of the Anglican community. Despite the agreement to end politically-motivated violence made by all three political parties in the GNU, this trend which had been reported at the end of 2011 in the November Monitoring Report produced by the Zimbabwe Peace Project, continued.

Zimbabwean civil society organisations declared that 2012 was a year for key democratic reforms, essential if the country was to hold free and fair elections. At the close of 2011, eight Civil Society Coalitions issued a statement reiterating the key benchmarks that should be met before elections could be held.

2012 was anticipated to be a watershed year for Zimbabwe. Urgent challenges in the political, judicial and legal arenas all presented themselves. However, as the Solidarity Peace Trust observed; a 'spell of indecision' hung over Zimbabwean politics as the year got underway. The constitutional reform process was cloaked in uncertainty. The memory of the violence that characterised the 2008 election period left the population fearful.

There was no legislative progress in the month as Parliament was adjourned until the 28th February 2012. Amongst the outstanding legislation lapsed Bills awaiting restoration to the Order Paper included the Public Order and Security (POSA) Amendment Bill (a Private Member’s Bill), the Electoral Amendment Bill and the Zimbabwe Human Rights Commission Amendment Bill.

**February 2012** began with the continued harassment of Human Rights Defenders and drew to a close with a warning bell against NGO’s as the Provincial Governor of Masvingo announced that 29 NGO’s were to be ‘banned’ from operating in the area. The mechanism for the appointment of key public office holders came under the spotlight as the President unilaterally announced the re-appointment of Service Chiefs including the Police Commissioner-General. As the President celebrated his 88th birthday with lavish celebrations in Mutare, Harare witnessed an outbreak of typhoid.

Increasingly strident calls for elections raised fears that the country might go to an election without a new constitution and key democratic reforms. However, the constitutional drafting process inched forward and a first draft was under consideration. The possibility of Zimbabwe and the European Union embarking on re-engagement talks was further enabled when the EU announced the revision of the targeted measures on Zimbabwe and the removal of 51 individuals and 20 entities from a visa and asset freeze ban. February 2012 ended with anticipation. The question on everyone’s lips was how far the Government would go in committing to the protection and promotion of human rights during the final adoption of Zimbabwe’s Universal Periodic Review at the UN Human Rights Council.

**March 2012** began with a revelation about the torrid conditions inside Zimbabwe’s prisons highlighted by women human rights defenders. The cyclical political violence against Zimbabwean women was highlighted during commemorations of International Women’s Day. The repressive environment for media practitioners and the lack of reforms in the media was exemplified by the arrest of journalists and the banning of the sale of independent newspapers in certain rural areas. The alarming state of Zimbabwe’s justice system was highlighted by the harsh sentence against social rights activists convicted for watching media footage of the Egyptian risings. Meanwhile, the constitutional drafting process dragged on and the legislative reform progress was stalled again as Parliament adjourned once again. Australia also announced an easing of its travel and financial sanctions.

The most encouraging developments came from the acceptance by the Government of Zimbabwe of a number of key human rights recommendations arising out of the Universal Periodic Review of Zimbabwe at the UN Human Rights Council. Most notable amongst these was the commitment to ratify the Convention against Torture and its Optional Protocols.

**April 2012** commemorated Zimbabwe’s 32nd year of independence, the President and his supporters continued to call for an early election. There were continued concerns over the slow pace of reforms and fears that the constitution might not be ready before an election. Concern was also raised about the pronouncements by the Minister of Youth Development, Indigenisation and Economic Empowerment about the compulsory acquisition of 51% stake in foreign owned mines in Zimbabwe.

The month ended with the launch in London of the ‘Taking Transitional Justice to the Diaspora Outreach’ report by the Forum’s International Liaison Office. Honourable Moses Mzila Ndlovu, the Co-Chair of the Organ on National Healing, Reconciliation and Integration accepted the report at an event in London but voiced doubt as to whether justice for the victims of political violence would be possible in the current environment.

**May 2012** began with World Press Freedom Day which provided an opportunity for civil society organisations to express concern about the growing intolerance of media freedom in the country and the lack of progress in repealing repressive media legislation. The Zimbabwe Peace Project confirmed that the ramping up of calls for elections had resulted in an increased level of inter and intra party political violence in previous months. After a lengthy recess, Parliament finally resumed sitting and its legislative work included the Human Rights Commission Bill and the Electoral Amendment Bill.

Victims of political violence were provided some comfort by news of a landmark South African High Court ruling that the South African authorities must investigate Zimbabwean officials in South Africa accused of torture or crimes against humanity in Zimbabwe.

Two particularly positive developments took place in May. The first was an initial meeting between the Zimbabwean Ministerial re-engagement team and the European Union. The Zimbabwean ministerial team pressed for the full removal of
sanctions whilst the EU recognised progress and encouraged the continuation of the reform process.

The second positive development in the month was the first ever visit to Zimbabwe by the United Nations High Commissioner for Human Rights. Despite attempts by Government to hijack the High Commissioner’s meetings with civil society, civil society had the opportunity to meet and brief her and the High Commissioner addressed critical issues, including calling for peaceful, free and fair elections. Barely 24 hours after the departure of the UN Chief, there was shock and sadness as MDC activist Cephas Magura was violently attacked and murdered in the full view of the police. The incident provided a chilling example of the partisan nature of policing in the country and underlined the urgent need for reforms.

**June 2012** witnessed further positive developments as the region continued to maintain a strong stance on Zimbabwe. The SADC Summit in Luanda at the beginning of the month effectively put an end to calls for an early election without an agreed and acceptable electoral structure being in place as envisaged by the GPA. The role of the military in the diamond fields and the possibility that diamond revenue might finance election violence was raised in a report by Global Witness also issued in June.

Impetus towards the drafting of the new constitution began to pick up pace thereafter and devolution of power emerged as one of the key sticking issues.

The UN International Day in Support of Torture Victims provided an opportunity for the Forum to point to the particular significance of the 2012 commemorations given the Government’s commitment to ratify the UN Convention against Torture, Cruel, Inhuman and/or Degrading Treatment and its Optional Protocol.

**July 2012** featured the intimidation of key human rights defenders as the Forum’s Executive Director was summoned to answer charges of running an illegal organisation. Legislative progress was made during the month as the amended Electoral Bill and Human Rights Commission Bill passed quickly through both houses of Parliament to await Presidential assent.

Civil society organisations welcomed the establishment of the country’s first framework for considering human rights violations but expressed concern that the Zimbabwe Human Rights Commission did not conform with the ‘Paris Principles’ which amongst other things highlights the need for the independence of such bodies. They also expressed regret that the proposed legislation would fail to bring to book perpetrators of human rights injustices prior to 2009 and thus continue the cycle of impunity. The month ended with the final consolidated draft of the new constitution being released and made public.
Given the domestic, regional and international dynamics of the Zimbabwean situation, we propose to provide a general picture of how both the regional and international discourse impacted on the domestic situation before forecasting our projection beyond August 2012.

At the regional level, SADC were generally supportive of the need for further reforms before the elections. This position corresponded with that taken by civil society in Zimbabwe. However, the SADC position as outlined in the Communiqué of the Extraordinary Summit of SADC Heads of State and Government in Luanda, Angola on 1 June 2012 did not go far. Whilst SADC acknowledged the stakeholders’ commitment, cooperation and efforts towards the implementation of the Global Political Agreement, it urged the parties to the GPA to finalise the constitution-making process and subject it to a referendum thereafter. The Summit also urged the parties to the GPA, assisted by the Facilitator, to develop an implementation mechanism and to set out time frames for the full implementation of the Roadmap to Elections. This position lacked on the specifics; it did not provide timelines and did not exhibit tough political will. However, although this Summit was not a game changer, it was a game-keeper and maintained the strong stance on Zimbabwe first exhibited at the SADC Summit in Livingstone in March 2011.

The European Union (“EU”) similarly acknowledged progress particularly the visit to Zimbabwe of the UN High Commissioner for Human Rights (UN HCHR) at the invitation of the GNU. It recognised the improvement that has been achieved in the human rights situation but added the qualification that in the footsteps of Australia, who, through its Foreign Affairs Ministry had eased sanctions on 5 March 2012 but announced that it would also continue to prevent the adult children of listed individuals from studying in Australia and prohibit Defence links and the sale of military equipment to Zimbabwe.

The United Nations largely shaped thinking on Zimbabwe during the first half of the year. This began with the adoption of the Universal Periodic Review report on Zimbabwe on 12 March 2012, where the Zimbabwe government accepted most of the major recommendations made during its review in October 2011. During the Session, the United Nations High commissioner for Human Rights urged the government to engage civil society in the implementation of the UPR recommendations. This was followed by the historic first visit to Zimbabwe by Navi Pillay, the UN High Commissioner for Human Rights. The High Commissioner recommended that sanctions be lifted but she also urged Zimbabwean President Robert Mugabe to ensure that the upcoming elections were non-violent and, both free and fair.

Regarding the USA, on 26 July 2012 the United States’ outgoing ambassador to Zimbabwe said that Washington would only lift sanctions against President Robert Mugabe and his inner circle if polls are held peacefully. In saying this, there were in existence disturbing signs of potential violence and pointed out that given that sanctions were a response to violent elections, it would be appropriate to remove them if there was a free, fair and credible election (Bulawayo 24 News, 26 July 2012). He also urged security chiefs to keep out of politics stating that the role of the military is to defend the nation which can be achieved by developing a degree of professionalism and de-link their personal political convictions from the carrying out of their professional duties. In this regard the USA retained its moral stance and upheld the Obama administration’s ideals of non-compromise in its approach to human rights issues.

On the other hand, the position by the BRICS emerging powers was mainly dominated by its relationship with China apart from South Africa which has already been covered above. China remained largely mute on Zimbabwe although there we signs of economic ties growing stronger under Zimbabwe’s ‘Look East Policy’ (zmfa.gov.zw). The report issued in June by Global Witness called into question whether diamond revenue was financing a parallel government and called for an investigation into the activities of Chinese and Zimbabwean business interests to ascertain if they were undermining democratic institutions and contributing to human rights abuses in Zimbabwe. However, China’s attitude towards human rights generally and what it might be thinking can be gleaned from the way it blocked the United Nations Security Council resolution for sanctions on Damascus on 19 July 2012, despite several appeals for united and concerted action to help end the escalating violence in Syria.
ZANU PF is still in control of the strategic ministries and state apparatus such as the Ministry of Defence, Prisons and the Ministry of Mines and the Office of the President. With the huge but opaque diamond revenue, they now have off-budget sources of finance to run a parallel state with its “weapons of mass destruction.”

This fear is confirmed by Crisis in Zimbabwe Coalition (24 July 2012) and also by Action Aid Denmark (May, 2012), wherein they note that there is continued presence, utterances and interference by the military in civilian political matters and a lack of political will to realign this critical sector. In addition they also note the continued non-existence of free political activity as seen through disruption of rallies, peaceful marches and meetings organised by political players and civil society. As recently suggested by Edwin Sanda of the Malawi Parliament, “If an individual won an election by intimidation in 2008 and they still want to stand in the next election, chances are that they will still intimidate because nothing has changed, they are still unpopular”.

Though it would be easy for a free and relatively peaceful referendum to take place, it is feared that those who continue to be able to turn on the tap of violence can do so almost at will. The violence is still there, whenever ZANU PF and its apparatus want to carry out some atrocity. They can still do huge damage at will, and the money from the illegal diamond sales makes it easier for the violence to be turned on, with the machinery that they have (per Kate Hoey, UK House of Commons Hansard, 17 July 2012).

There is a general consensus that Mugabe will not give up power peacefully, or that he will agree to hold a free, fair and credible election. In the run up to the elections there is a likelihood of key security personnel running in the ZANU PF primaries (ibid, Zimbabwe CSOs, May 2012). If these military people subsequently cause mayhem in the forthcoming elections, it will be easy for ZANU PF to either deny responsibility or to justify that mayhem on the basis that the military are simply protecting Zimbabwean’s sovereignty.

In response to this, civil society needs to come up with a clear strategy backed by robust communication mechanisms. They should engage both at grassroots and policy levels. At grassroots they need to empower communities to be vigilant not only to vote in peace but also to defend their vote. Latest communication technology, for example mobile phones and social media can be explored and utilised in keeping the world up to date and minimise rigging. However the immediate priority is to ensure that as many people as possible especially the youth enrol to vote. A good example is the current “your vote is your swagger” initiative which is an excellent attempt to engage the young people. At policy level, civil society should continue engaging with progressive forces both at local, regional and international levels but such engagement should have resonance with what is happening at grassroots level. This also helps to ensure that there is a quick international response to any crisis that may arise.

Apart from the possibility of a violent election, electoral fraud is similarly another high possibility. According to evidence from research, electoral fraud is most likely to occur during elections in countries where basic freedoms and rights are not sufficiently guaranteed. Zimbabwe would undoubtedly fit the typology of a country in which basic freedoms and rights are not guaranteed, and indeed, since 2000, Zimbabwe has con-
sistently been described in the annual Freedom House reports as a country that is “not free” (RAU, May 2012).

Stakeholders’ responses must be coordinated, evidence-based and progress must be measured against agreed but flexible benchmarks as generally contained in the GPA. An audit must be carried out measuring not only the change and progress but also the quality of change and progress, where implementation of the GPA is concerned (Crisis, July 2012). Although civil society must continue to uphold the principle of all the benchmarks contained in the GPA, they also need to be pragmatic in sequencing their priorities as there is insufficient time between now until when the elections are constitutionally due. Some reforms require legislative backing and this will take time particularly in Zimbabwe’s hung parliament and the President’s power to withhold consent to signing bills into law.

The international community should continue to support SADC efforts and in doing so they should remain true to their incremental approach, staggering engagement in the same way the UK government has been engaging Burma. Whereas the international community should lean more towards the carrot than the stick, SADC should lean more towards the stick in a reversal of roles. They should form a frontline in the way they did during apartheid. In doing so SADC leaders should be reminded that their solidarity should be with the people of Zimbabwe and not only with the politicians. Engagement with civil society is a hallmark of the new approach to international diplomacy (per Council for a Community of Democracies, A diplomatic Handbook).

SADC and South Africa in particular as the guarantor of the safety and rights of the Zimbabwean people, must reward in full the trust bestowed upon them. This should include an unequivocal refusal by South Africa, leading the rest of SADC, to excuse or turn a blind eye to any resurgence of violence. They have a responsibility to the people of Zimbabwe and to the international community. It is quite encouraging that the Maputo Communiqué (August 2012) emphasizes the need for free and fair elections, insists on timeframes and places the interests of the nation above politics in no uncertain terms. All progressive forces within Zimbabwe and the region now need to effectively follow up on the Maputo Communiqué in ensuring that all parties have an equal say in dictating the pace of reforms and the process leading to the constitutional referendum and elections. Such an early strategic positioning will strengthen their position to have an equal say in the electoral process itself to ensure that the process and outcomes are free, fair and credible.

On a positive note, and in our view and in the view of the majority of our stakeholders, the majority of Zimbabweans will turn out to vote, in spite of all the intimidation and political machinations and if the people’s vote is amply defended as suggested above, the current silent constitutional revolution that began when the GPA was signed in 2008 is likely to give birth to a full constitutional democracy.
Political and civil rights

23.12.2011 Despite an agreement by all three Political Parties in the inclusive government to end politically motivated violence, November 2011 was dominated by cases of displacement, assault, harassment and intimidation mainly related to access to food and aid (ZPP).


24.11.2011 Three staff of the Forum’s member organisation, the Media Monitoring Project of Zimbabwe, (MMPZ) were arrested in Gwanda. The three were charged under the Public Order and Security Act in connection with a community meeting on public information rights. The release of the three was granted on 16.12.11 and they were remanded out of custody until 15.1.12.

http://www.kubatana.net/html/archive/media/120125mmpz.asp?sector=MEDIA&year=2012&range_start=91

04.01.2012 In a case perceived to be politically motivated, WOZA leaders Jenni Williams and Magodonga Mahlangu appeared in court on charges of kidnapping and theft. WOZA reported that the trial resumes on 16.1.12 and that with the many inconsistencies and contradictory witness statements, they will be applying for a discharge.

http://wozazimbabwe.org/?p=1142/

11.01.2012 Police prevent an Anglican annual prayer retreat in Marondera and solidarity was expressed by the Diocese of Southwark, Bishop Christopher of Southwark


23.01.2012 Zimbabwe Lawyers for Human Rights (ZLHR) issued a HRDs Alert containing the welcome news of the acquittal of Joel Hita, a senior official with the Zimbabwe Human Rights Association (ZimRights). Joel was charged with organising a photograph exhibition in Masvingo showing the violence of the 2008 election period.

http://www.zlhr.org.zw/index.php?option=com_content&task=view&id=43&Itemid=84

08.02.2012 A report entitled ‘Every School has a Story to Tell: A Study into Teacher’s Experiences with Election in Zimbabwe’ was released by the Progressive Teachers Union of Zimbabwe (PTUZ). It looked at the scope, nature, pattern and impact of elections in Zimbabwe on service delivery in schools. Based on a national survey of teachers carried out during April and June 2011 in all ten Provinces, it particularly focused on violations faced by teachers during election periods, reporting that 51% of teachers directly experienced political violence whilst 56% witnessed it.


http://www.kubatana.net/html/archive/edutra/110930ptuz.asp?sector=EDUTRA&year=0&range_start=1

http://www.kubatana.net/html/archive/media/111219misaz.asp?sector=MEDIA&year=0

http://www.kubatana.net/html/archive/media/120111mmpz.asp?sector=MEDIA&year=2012&range_start=121.2011&range_start=1
13.02.2012  ZANU PF leads a campaign of intimidation in the Zaka district of Masvingo Province.  

14.02.2012  Global Witness released a report entitled ‘Diamonds, a good deal for Zimbabwe’ revealed the link between diamond revenue and political violence.  
   [http://www.globalwitness.org/library/don%E2%80%99t-let-mugabe-be-your-valentine]

17.02.2012  The Masvingo Provincial Governor orders the suspension of the activities of the 29 NGO’s for allegedly failing to register their operations in contravention of the law and his powers.  

23.02.2012  Zimbabwe is cited as being amongst a number of countries that have witnessed an increase in attacks on human rights defenders (HRDs) in their homes or offices and intimidation of HRDs by the judicial authorities (Annual Report of Frontline Defenders)  
   [http://www.frontlinedefenders.org/files/front_line_defenders_2012_annual_report_inspiring_hope_and_provoking_a_backlash_0.pdf]

23.01.2012  Torture has become entrenched amongst the police (ZLHR).  
   [http://www.zlhr.org.zw/]

28.02.2012  Human rights activist Paul Chizuze of the Solidarity Peace Trust (SPT) disappeared and has not been seen since 8.2.12.  
   [http://www.solidaritypeacetrust.org/cgi-bin/dada/mail.cgi/archive/mailings/20120228022655/]

27.02.2012  Zimbabwe’s prison conditions described as horrendous by two women who had just spent nine months in solitary confinement in Chikurubi Maximum Security Prison (Legal Monitor)  
   [http://www.kubatana.net/html/archive/hr/120227zlhr1.asp?sector=POLACT&year=0&range_start=1]

29.02.2012  Following the purported banning of NGO’s in Masvingo, some NGOs are being forced to pay exorbitant fees by local authorities before they are allowed to carry out their work (CSOs joint statement).  

02.03.2012  29 residents of Glenview accused of murdering police officer Petros Mutedza were indicted and the trial was to begin in the High Court on 12.3.12 in a case believed to be politically motivated.  

07.03.2012  COTRAD reported on the suppression of an attempted demonstration against the banning of 29 NGO’s in the Province. COTRAD offices are raided and materials impounded by ‘unidentified men’.  
   [http://www.kubatana.net/html/archive/demgg/120306cotrad.asp?orgcode=COM008&year=0&range_start=1]

12.03.2012  Cynthia Manjoro and 28 others are denied bail and Cynthia with the trial due to appear in court on 09.03.2012 for the alleged murder of police officer Petros Mutedza in May 2011 The Youth Initiative for Democracy awards an honour to Cynthia’s contribution to Zimbabwe’s democratisation agenda (ZimRights).  
   [http://www.thezimbabwean.co.uk/human-rights/56949/yidez-honours-cynthia-manjoro.html]

13.03.2012  Cases of politically motivated violence remained high, with 365 incidents recorded in January 2012. ZPP cautioned that with an imminent drought and proposed elections, a violent election campaign combined with the politicisation of food aid was likely. The atmosphere remained volatile in the Midlands, Masvingo and Manicaland provinces (ZPF).  

26.03.2012  The conviction of Munyaradzi Gwisai and the five others for watching a video on the Arab Spring is described as harsh and could be perceived, by a reasonable person, as delivering a political message (ZLHR Legal Monitor).  
   [http://www.kubatana.net/html/archive/hr/120326zlhr.asp?orgcode=ZIM007&year=0&range_start=1]

29.03.2012  The State case against Catholic priest Father Mkandla and Hwange resident Oliver Chikumba collapses. They were charged for breach of security laws by convening a healing service at a school and under the Criminal Law (Codification and Reform) Act for allegedly uttering a statement concerning the President (ZLHR Legal Monitor)  
   [http://www.zlhr.org.zw/index.php?option=com_content&task=view&id=43&Itemid=84]
30.03.2012 There are 413 incidents of politically motivated human rights violations in February and noted that this was up from the 365 witnessed during the month of January 2012. This follows President Mugabe's televised birthday speech during which he said that elections would have to be held this year, with or without a new constitution.


02.05.2012 Politically motivated human rights violations continued in an upward trend during the month of March 2012 which stood at 475 from 413 recorded in February. These were mainly attributed to inter and intra party fighting in some provinces as the main political parties geared up for elections (ZPP)


07.05.2012 Villagers in Buhera in the province of Manicaland were discussing strategies of non-violence to protect themselves from the kind of election related political violence witnessed during the 2008 election campaign (ZLHR Legal Monitor).

- http://www.kubatana.net/Html/archive/hr/120511zlhr.asp?sector=LAB&year=0&range_start=1

07.05.2012 ZimRights reports on successful peace-building workshops in Zaka in the province of Masvingo (ZimRights).

- http://www.kubatana.net/html/archive/hr/120509zimright.asp?orgcode=ZIM038&year=0&range_start=1

11.05.2012 Five University of Zimbabwe students were granted an interim order lifting an indefinite suspension issued to them by the University of Zimbabwe (SST)

- http://www.kubatana.net/html/archive/edutra/120511sst.asp?orgcode=STU002&year=0&range_start=1

26.06.2012 Five employees of the Zimbabwe Human Rights Association (ZimRights) were briefly arrested and detained during the week in Karoi as they attempted to hold legal clinics (ZimRights)


18.05.2012 Trial date for the 29 Glenview residents charged with the murder of police officer Petros Mutedza and in the meantime they are still in custody.

- http://www.kubatana.net/html/archive/hr/120518zimright.asp?orgcode=ZIM038&year=0&range_start=1

29.05.2012 Police in Bulawayo stopped a BPRA leadership training workshop and confiscated materials (Bulawayo Progressive Residents Association (BPRA)).


29.05.2012 A further Press Statement of 29.5.12 reported on legal efforts to compel the Immigration authorities to release the passport of BBC classical music presenter, Petroc Trelawney. The state case is finally dismissed on 31.05.2012 (ZLHR).


31.05.2012 Cephas Magura of the MDC (T) is murdered in Mudzi by ZANU PF supporters during an MDC (T) rally. This widely condemned by civil society and also by the USA embassy especially as it comes soon after the visit by the UN HRC High Commissioner.

Institutional Reforms

Elections and electoral laws

20.01.2012 The Institute for Democratic Alternatives in Southern Africa released Zimbabwe Election Watch covering the period from November to December 2011. The Zimbabwe Election Watch measures Zimbabwe’s electoral environment against the SADC guidelines governing democratic elections.

25.01.2012 There is an increasing call for democratic reforms to be put in place as a precursor to any elections. Crisis Coalition provided a summary of the key benchmarks that should be met before any elections take place as identified by eight civil society coalitions and articulated in their statement of 20.12.11. A number of civil society representatives were preparing to travel to Addis Ababa for the AU Ordinary Summit to pressure the AU to push Zimbabwe for urgent electoral reforms.

29.01.2012 President Mugabe continues to call for elections despite the absence of reforms.

01.03.2012 There is an increase in civil society awareness of breaches of the Global Political Agreement (GPA) recorded during December 2011 and January 2012 (Sokwanele ZIGWatch).

09.03.2012 Brian Raftopoulos speaks of the ‘The Shadow of Elections’.

07.02.2012 The NCA noted with dismay the enthusiasm exhibited by government officials in calling for elections at the same time ignoring the fundamental need for coming up with a proper constitution to guarantee people’s rights (NCA).

22.02.2012 At his 88th birthday, President Mugabe says he is not ready to groom a successor, that his party may choose to reject President Zuma as Facilitator for Zimbabwe and that elections will take place this year (Crisis).

08/01/2012 There is uncertainty around the Constitutional Referendum and elections as SADC plans for a Zimbabwe Summit following the African Union Summit and fears of violence linked to the reported discovery of gold in Kwekwe.

22.02.2012 The findings from 210 long term ZESN observers deployed in 2011 provides an analysis of the implications for free and fair elections given the current human rights situation. ZESN observers noted that in the period police violence culminated in the death of a civilian and the injury of 11 civilians. It further noted that the political environment, whilst seeming calm, was filled with tension.

29.03.2012 IDASA releases its Zimbabwe Election Watch February 2012 measuring the electoral environment in Zimbabwe against the SADC Principles and Guidelines Governing Democratic Elections.

03.04.2012 The Zimbabwe Election Support Network (ZESN) and the SADC Election Support welcome the Declaration of Global Principles for Non-Partisan Election Observation by Citizen Organisations launched at the UN on 3.04.12, with the hope that Zimbabwe and other SADC governments will create a conducive environment to provide for access and the security of non-partisan observers and monitors.

25.04.2012 There is a twin danger of violence and drought and asks if Zimbabwe can have a free and fair election (Crisis).

02.05.2012 A paper calling for democracy and elections in Africa and in Zimbabwe was issued on 2.5.12 by the Research and Advocacy Unit (RAU). Entitled ‘Bucking the Trends: Africa, Zimbabwe, Demand for Democracy and Elections’.

25.05.2012 The Inclusive Government called to honour its collective responsibility to further the objectives of the African Union which are around unity, the promotion of common values of peace, security and stability and prosperity for Africans (ZLHR).
The Institute for Democratic Alternatives in Southern Africa (IDASA) issued Zimbabwe Election Watch for April 2012. This measured the electoral environment in Zimbabwe according to the SADC Principles and Guidelines Governing Democratic Elections.

http://www.idasa.org/newsletters/view/201/2512/

ZESN noted concern over the further militarization of the political parties such as ZANU PF.

http://www.zesn.org.zw/pub_view.cfm?pid=319

The SADC Extraordinary Summit insists on reforms before elections as there was a real danger that the next 12 months might come and go without significant electoral or constitutional reforms unless SADC increases pressure on Zimbabwe urgently to institute required reforms (Crisis).


The army, police, Attorney General’s Office, Central Intelligence Agency and Prison authorities aided ZANU PF during the 2008 election period (ZLHR).


Veritas Constitution Watch reported on a Press Briefing given by the three co-chairs of the Constitution Select Committee (COPAC). It reported that the Committee was reviewing the first draft proposal of the new constitution and that the positions taken were not yet final. It is also reported that the end of March was envisioned as the date for a second All Stakeholders’ Conference.

http://www.zimbabwesituation.com/feb12_2012.html#Z15

The Crisis in Zimbabwe Coalition (Crisis) issued a Communiqué which also focused on the constitution drafting process. Crisis warned that ZANU PF was attempting to discredit the draft constitution before its release.


A further Veritas Constitution Watch 2012 of 20.2.12 looked at other developments in the constitutional drafting process. It considered the implications of some of the provisions of the draft constitution which were leaked, including the supposed limitations on Presidential candidates.


The Constitutional Select Committee (COPAC) released a document, signed by all three COPAC co-Chairs, which sets out the 26 constitutional principles that guided the constitution drafting process (Veritas).


Civil society affirms and supports the constitution making process despite the confusion surrounding it. This followed a public meeting on the topic (Crisis, ZimRights).

http://www.thezimbabwean.co.uk/human-rights/56557/civil-society-pledges-support-to.html

The Draft Constitution was still being reviewed and it ventures a possible revised time-frame on the post drafting stage of the constitutional process.

Constitution

http://www.zambabwe.org/zimbabwe/constitution/
02.06.2012 The issue of devolution comes to the fore and civil society feels that if Zimbabwe is to adopt devolution in the new constitution, best operational practices should be learnt from other countries, such as South Africa, to ensure accountability, openness and responsiveness. ZimRights on 22 June felt the centralised government in Zimbabwe had already proven its inability to adequately and equitably share resources amongst the country’s provinces.

- http://wozazimbabwe.org/?p=1268

16.06.2012 The work on the constitution speeded up since the SADC Summit in Luanda, Angola (Veritas constitution watch).


27.06.2012 As speculation and frustration mounted over when the draft constitution would be made public, over 100 Women of Zimbabwe Arise (WOZA) Human Rights Defenders were arrested on 27.6.12 following a series of peaceful sit-in protests demanding the release of the draft constitution.

- http://wozazimbabwe.org/?p=1300

06.07.2012 A civil society delegation to Namibia to discuss obstacles in the way of implementing the Global Political Agreement (GPA), SADC’s roadmap to elections in Zimbabwe.


19.07.2012 Constitution Watch of 19.7.12 contained the final consolidated draft of the new constitution as released on 18.7.12.

- http://www.thezimbabwean.co.uk/news/zimbabwe/59576/the-second-draft-of-

16.07.2012 The Veritas Constitution Watch 2012 of 16.7.12 provided an update on the on-going constitution making process. It reported that negotiators reached an agreement over the second draft and laid out what the next steps might be.


25.01.2012 Zimbabwe was ranked 117th in the 2011-2012 World Press Freedom Index issued by Reporters without Borders.


08.02.2012 The Chair of the Zimbabwe Media Commission threatens to stop the circulation in Zimbabwe of foreign newspapers not registered under the Access to Information and Protection of Privacy. It also reports on the contentious issue of appointments to key public offices in the Inclusive Government (Veritas).


27.02.2012 There is an affirmation of the need for a free media in Southern Africa made at the 7th Regional meeting of the African Caribbean Pacific - European Union (ACP-EU) Joint Parliamentary Assembly held in Lusaka, Zambia on 22-24.2.12 (MISA Zambia).


27.02.2012 The Final Communiqué of the ACP-EU JPA Regional meeting referred to a free media as “a prerequisite to development in the promotion of democracy, human rights and good governance”. It also addressed issues of the contribution mineral resources can make to development and the importance of improving democracy beyond the mere holding of elections.


29.02.2012 Women of Zimbabwe Arise (WOZA) collected 99 974 signatures on a petition calling for the reform of the Zimbabwe Broadcasting Corporation and reduction in the licensing fees in areas that only have one television station.

- http://www.kubatana.net/html/archive/women/120228woza.asp?orgcode=WOM010&year=0&range_start=1

19.07.2012 Constitution Watch of 19.7.12 contained the final consolidated draft of the new constitution as released on 18.7.12.

- http://www.thezimbabwean.co.uk/news/zimbabwe/59576/the-second-draft-of-

29.02.2012 The Prime Minister Tsvangirai encourages the use of social media sites as platforms for Zimbabweans to express themselves in a country that has failed to satisfactorily diversify its media (MISA SA).

- http://www.kubatana.net/Html/archive/media/120229misaz.asp?sector=INFTEC&year=0&range_start=1

01.03.2012 MISA is attacked by the government sponsored Herald newspaper after seeking people’s views and collecting signatures on the issue of community radio stations (MISA).

- http://www.kubatana.net/Html/archive/media/120301misaz.asp?sector=INFTEC&year=0&range_start=1
The decision by Alpha Media Holdings (publishers of Newsday, the Zimbabwe Independent and The Standard) to appoint retired Supreme Court judge Justice Ahmed Ibrahim as a public ombudsman is welcomed (MMPZ).


MMPZ issued a report for the occasion. It provided an overall statistical overview on media coverage on the 16 Days of Activism against Gender Based Violence (GBV) and a qualitative analysis of the issue.

http://www.mmpz.org/category/thematic-reports/thematic-reports/zimbabwe-media%E2%80%99s-coverage-16-days-activism-campaign-again

The Research and Advocacy Unit called for an end to cyclic political violence against Zimbabwean women as a way of empowering rural women to eradicate poverty and hunger.

http://www.kubatana.net/html/archive/demgg/120308rau.asp?orgcode=RES002&year=0&range_start=1

Concerns raised on the ‘banning’ of ‘The Daily News’ in several rural areas in Mashonaland East (MISA Zimbabwe).

http://www.misa.org/cgi-bin/viewnews.cgi?category=2&id=1331568537

Four journalists who were covering a story on pollution were arrested in Nyanyadzi in Manicaland (MISA). MISA subsequently reported this concern at the NGO Forum on Participation in the 51st Session of the African Commission on Human and People’s Rights in Banjul, The Gambia from 18.4 -2.5.12.


http://www.misa.org/accesstoinformationinafrica.html

Despite the media reform mandate given to the coalition government by the Global Political Agreement, Zimbabweans are still awaiting the repeal of repressive legislation (MMPZ).

http://www.mmpz.org/category/advocacy/submissions-presentations/world-press-freedom-day-statement

There was a call for increased commitment by the government in eradicating media repression and facilitating media diversity, pluralism and responsible journalism in the country (ZLHR).


Directors of KISS FM bemoaned the adjudication process employed by the Broadcasting Authority of Zimbabwe in the awarding of commercial radio broadcasting licences (MISA Zimbabwe).

http://www.misa.org/cgi-bin/viewnews.cgi?category=2&id=1331568537

MISA proposed a model Public Broadcasting Charter.


The Minister of Media, Information and Publicity and the Chair of the Broadcasting Authority of Zimbabwe (BAZ) appeared before the Parliamentary Portfolio Committee on Media, Information and Communication Technology to answer questions on the legality of appointments to the BAZ Board (MISA).

http://www.kubatana.net/html/archive/media/120524misaz1.asp?orgcode=MED002&year=0&range_start=1

A lone soldier confiscated newspapers from vendors selling copies of the Daily News and Newsday in the Midlands town of Gokwe.

http://www.misa.org/surrendernewspapers.html
28.05.2012 There are threats to attack vendors selling privately owned newspapers made by Zimbabwe Ex-Political Prisoners, Detainees and Restrictees’ Association (MISA).

http://www.kubatana.net/html/archive/media/120528misaz.asp?orgcode=MED002&year=0&range_start=1

27.06.2012 MISA welcomes the ending of the broadcasting monopoly of Zimbabwe Broadcasting Authority as the newly licensed Zimpapers’ Talk Radio Star FM went to air for the first time and urges it to be independent.

http://www.kubatana.net/html/archive/media/120627misaz.asp?orgcode=MED002&year=0&range_start=1

17.07.2012 MISA reported on the arrest of photojournalist Aaron Ufameli of the privately owned ‘Newsday’. His arrest reportedly came as he was covering a demonstration by the women’s movement in Africa Unity Square in Harare.


Legal and Judiciary reforms

02.01.2012 The lapsed Private Member’s Bill to amend the Public Order and Security Act is gazetted (Veritas).


10.01.2012 Zimbabwe Lawyers for Human Rights (ZLHR) issued a Press Statement about the opening of the 2012 Legal Year. ZLHR welcomed recent positive developments and expressed the wish that these will improve the efficiency and the effectiveness of the judiciary. It noted that 2012 is likely to be a watershed year for Zimbabwe in view of the increased rights abuses on the general public. ZLHR calls for the judiciary and legal system to urgently address challenges in order that this arm of government effectively carries out its mandate of protecting the rights of all Zimbabweans without fear or favour, in a timely, professional manner and with transparency and accountability.

http://www.zlh.org.zw/index.php?option=com_content&task=view&id=43&Itemid=84

11.01.2012 The High Court dismisses the Attorney General’s appeal against the Magistrate’s decision to admit MMPZ staff on bail (see under Operational environment for background to this case).

http://www.kubatana.net/html/archive/media/120111mmpz.asp?sector=MEDIA&year=2012&range_start=121

23.02.2012 Two people are convicted for political violence belatedly. Exemplifying the partisan nature of policing and the unwillingness of the Zimbabwe Republic Police to bring perpetrators to justice in cases of a political nature but also showing signs of judicial independence (Veritas).


30.03.2012 The High Court in Harare grants a Civil Imprisonment Order against Garikayi Nyamakombo, the perpetrator of political violence who failed to comply with an earlier order to pay damages to the victim, Mr Caleb Marange, since most of the perpetrators of politically motivated violence are in the habit of ignoring summonses demanding damages for injuries sustained and property loss suffered as a result of organised violence and torture (OVT).


11.04.2012 The Judiciary holds a ceremony to launch a code of ethics following the coming into force of the Judicial Service Act in June 2010 (Veritas).

http://www.zimbabwesituation.com/apr13_2012.html#Z18
The Zimbabwean Diaspora demands for justice for past human rights violations. This emerged from the Transitional Justice to the Diaspora report which was launched by the Forum’s International Liaison Office on 30.4.12.

http://www.kubatana.net/Html/archive/hr/120514zthr.asp?sector=HIVAID&year=0&range_start=1

The Southern African Litigation Centre (SALC) and the Zimbabwe Exiles Forum (ZEF) issued a Press Statement about a landmark ruling in the North Gauteng High Court in South Africa. The Court ruled that the South African Authorities must investigate officials accused of torture or crimes against humanity in Zimbabwe.

http://www.southernafricalitigationcentre.org/news/item/News_Release_High_Court_Orders_South_African_Authorities_to_Investigate_Crimes_Against_Humanity_Committed_in_Zimbabwe

ZimRights applauded the probing and prosecution of some constituency leaders over the misuse of the Constituency Development Funds.

http://www.kubatana.net/Html/archive/hr/120229zimright.asp?sector=HR&year=2012&range_start=331

Zimbabwe Lawyers for Human Rights (ZLHR) issued an HRD’s Alert of 12.7.12. It reported that the Supreme Court dismissed the President’s election application and ruled that the date for three by-elections in Matabeleland be gazetted.


Veritas reports on two recent criminal prosecutions by police officers for conduct amounting to torture and their implications on the culture of impunity and how they should encourage the government to accede to the UN Convention against Torture, its Optional Protocol and its two opt-in articles.


Parliament to sit next week to debate Mid-Term Fiscal Policy review would be presented on 18.7.12. Amended Electoral Bill and Human Rights Commission Bill have been sent to the Parliamentary Legal Committee. It observed that there had been no debate about the restoration to the order paper of the Private Members Bill seeking to amend POSA (the Public Order and Security Act).


Security Sector

The issue of the appointment of the Service Chiefs was the subject of a meeting and a Statement between the Principles to the Global Political Agreement. Amongst other agreements, the three agreed that the Police Service Commission must be regularised so that it makes recommendations of potential candidates to the President.


The Solidarity Peace Trust released a paper by Professor Brian Raftopoulos entitled ‘The Spell of Indecision in Zimbabwean Politics’. The paper argues that “the dilemmas of leadership renewal, electoral strategy and a broad vision for the future have all induced a sense of hesitancy that, in the case of ZANU PF, manifests itself in renewed aggression and political hubris”.

http://www.solidaritypeacetrust.org/1135/the-spell-of-indecision-in-zimbabwean-

The Research and Advocacy Unit (RAU) issued a note on the re-appointment of the Service Chiefs. The paper aimed to shed legal light on the debate over the re-appointment of the Police Commissioner-General, Augustine Chihuri, amongst other Service Chiefs.


The issue of the appointment of Service Chiefs; particularly that of the Police Commissioner-General; was the focus of a Communiqué on 13.2.12 by the Zimbabwe Association of Human Rights (ZimRights).

http://www.kubatana.net/html/archive/hr/120213zimright.asp?sector=HR&year=2012&range_start=361

Concerns are raised over how serving military, intelligence and police officers have recently come out in the open about their political affiliations(Crisis).

Urban Councils

15.05.2012 The Minister of Local Government, Rural and Urban Development approach the Supreme Court seeking to stop parliament to debate the Urban Councils Amendment Bill.


29.05.2012 ZLHR Press Statement of 29.5.12 provided an update on the High Court case between MDC (T) Mayor of Mutare, Brian James and Local Government, Rural and Urban Development Minister Ignatius Chombo. It reported that the High Court has upheld an application by James to stop the disciplinary proceedings brought on him by the Minister.


International & Regional Obligations

17.02.2012 A Press Release was issued by the High Representative of the European Union, Baroness Catherine Ashton. It announced that the EU had decided to remove 51 individuals and 20 entities from the visa ban and asset freeze list with immediate effect. The Press Release pointed out that 112 individuals and 11 entities still considered being involved in or associated with policies or actions that undermine human rights, democracy and the rule of law would remain subject to the measures. On 20.02.2012 Crisis Coalition urges ZANU PF to reciprocate this goodwill.


20.02.2012 Report on the court case of two police officers accused of torturing a woman in a Bulawayo police station, need to end culture of impunity blamed for the continued torture of civilians by state agents and the need for the Government of Zimbabwe to honour its commitment to give consideration to the ratification of the UN Convention against Torture and other Cruel, Inhuman and Degrading Treatment during last year's Universal Periodic Review at the UN Human Rights Council.


22.02.2012 Crisis reflected on whether the recent announce-ment by Justice Minister Chinamasa that he is lobbying Par-lament to ratify the Convention against Torture will translate into action ahead of the UN HRC UPR where Zimbabwe's human rights record is due to be scrutinised.


05.03.2012 The Australian Ministry of Foreign Affairs issued a Media Release on 5.3.12 announcing that 82 individuals have been taken off the autonomous travel and financial sanctions list for Zimbabwe. It also noted that Australia retained travel and financial sanctions on 153 individuals and four entities. Australia announced that it would also continue to prevent the adult children of listed individuals from studying in Australia and prohibit Defence links and the sale of military equipment to Zimbabwe.

13.03.2012 Ahead of the debate on Zimbabwe, which took place on 15.3.12, the Forum and other partners held a joint side meeting in the Council on 13.3.12. They went on to make a joint Oral Statement to the Council during consideration of Zimbabwe’s UPR under Agenda Item 6. They also meet the government delegation

- http://www.ohchr.org/EN/HRBodies/UPR%5CPAGES%5CZW Session12.aspx

15.03.2012 Civil society organisations and international organisations at the 19th Session of the Human Rights Council in Geneva between 27.2 – 23.3.12. The conclusion of the debate and adoption of the final recommendations relating to the Universal Periodic Review of Zimbabwe’s human rights record took place during the 19th Session. Zimbabwe accepts most of the major recommendations made but rejects those relating to the investigation of past human rights violations and repeal of POSA and AIPPA.

- http://www.ohchr.org/EN/HRBodies/UPR%5CPAGES%5CZW Session12.aspx

14.05.2012 The first ever mission by a human rights chief to Zimbabwe was announced in a Press Statement issued on 14.5.12 by the United Nations Office of the High Commissioner for Human Rights. It announced that Madam Navi Pillay, the UN High Commissioner for Human Rights, would conduct a five-day mission to Zimbabwe from 20–25.5.12.


14.05.2012 The EU’s first interim Economic Partnership Agreement with Zimbabwe and several other Southern African states was announced by the EU Trade Commissioner on 14.5.12. A Press Release provided further details.


21.05.2012 A joint statement of 21.5.12 was issued by over 50 civil society organisations inside Zimbabwe. It welcomed the historic visit of the UN Human Rights Commissioner, Navi Pillay. However, it noted with shock that the Government of Zimbabwe ambushed civil society plans to meet with the High Commissioner.

- http://www.kubatana.net/html/archive/hr/120521zimright.asp?sector=HR&year=2012&range_start=121

24.05.2012 A Press Statement welcoming the visit of the UN Human Rights Commissioner to Zimbabwe was issued on 24.5.12 by the Zimbabwe Civic Education Trust (ZIMCET). The Statement also noted with disappointment that some political actors were trying to paint an overly rosy picture of the human rights situation in the country by denying the existence of violence in the country.

- http://www.therzimbabwean.co.uk/human-rights/58456/united-nations-high-commissioner-for.html

26.06.2012 June 26th commemorated the UN International Day in Support of Victims of Torture. 2012 commemorations were themed around the efficacy of rehabilitation and the right of torture survivors to access such assistance.

To mark the occasion, the Zimbabwe Human Rights Forum NGO (the Forum) issued a Press Statement remembering those who have died and those who are destined to spend the rest of their lives in a state of trauma as a consequence of torture.


The Forum pointed to the particular significance of the 2012 commemorations given the commitment by the Government of Zimbabwe to ratify the UN Convention against Torture, Cruel, Inhuman and/or Degrading Treatment and its Optional Protocol and subsequently to criminalise torture.

The Forum urged the Government of Zimbabwe to urgently translate their commitment into action and implores it to establish structures and institutions for the rehabilitation of victims of torture.

26.06.2012 To mark 26 June, the International Liaison Office of the Zimbabwe Human Rights Forum NGO Forum in conjunction with The Redress Trust (REDRESS) held a round table discussion in London centred on what Zimbabwe needs to do in order to domesticate the UN Convention Against Torture (“CAT”) and its Optional Protocol (“OP CAT”).


26.06.2012 In a statement to commemorating the day, the UN Secretary-General expressed his support for victims of torture around the world. He noted that it has been 25 years since the UN Convention against Torture came into force and yet this cruel and dehumanizing practice remains pervasive. He called on states to reverse this trend and demonstrate commitment to fight torture and impunity. Source:

Commemorating the UN International Day in Support of Victims of Violence on 26.6.12, the Research and Advocacy Unit launched a powerful video entitled ‘A State of Shame: Politically Motivated Rape in Zimbabwe’. The video profiles the experiences of 5 women who survived politically motivated rape during the 2008 election period.

[http://www.youtube.com/watch?v=9UkOXe6Xc8&feature=youtu.be](http://www.youtube.com/watch?v=9UkOXe6Xc8&feature=youtu.be)

A statement marking the UN Day in Support of Victims of Torture was made by the EU High Representative, Catherine Ashton on behalf of the European Union. The EU urged all states to become party to the UN Convention against Torture, Cruel, Inhuman and Degrading Treatment and its Optional Protocol. It went on to urge a gender sensitive approach in the fight against torture, cruel, inhuman and degrading punishment and notes how the EU has launched a new fund in support of these aims.


Also at the UN Human Rights Council, the Special Rapporteur on the situation of human rights defenders, Margaret Sekagya, mentioned Zimbabwe as being amongst the countries which her office has long made requests for an official visit. She noted with regret that requests to visit Zimbabwe are long outstanding and were made in 2002, 2004, 2008, 2010 and 2011. These remarks came during her fourth report to the UN Human Rights Council.


European Union Reviews Zimbabwe’s targeted measures

SADC passes a resolution on Zimbabwe, in Maputo, re-affirming its stance for a free and fair election, insists on the roadmap and timeframes on the processes including the constitutional referendum, strengthening of Jomic etc.


Zimbabwe was ranked 173 in the 2011 Human Development Report released by the United Nations Development Programme (UNDP). The report included specific Human Development Indicators for Zimbabwe


The Centre for Research and Development issued a report of a workshop on the governance of natural resources which was held in Mutare.

Ahead of a conference on ‘Healthcare in Africa’ held in Cape Town on 6-7.3.12, a major new report on the Future of Healthcare in Africa was released on 1.3.12 by the Economist Intelligence Unit. The report presented a high level picture of the state of the health challenges on the continent.

07.03.2012 The Committee of the Peoples Charter (CPC) issued a Press Statement of 7.3.12 in response to statements made by Joseph Made, the Minister of Agriculture, Mechanization and Irrigation on the 2011-2012 rainy season and the drought situation. CPC calls on the government not to politicise the serious food situation.

http://peoplescharter.blogspot.co.uk/2012/03/government-should-not-politicize-hunger.html

24.05.2012 During a further address at the University of Zimbabwe on 24.5.12, the High Commissioner spoke about land reform and a range of important issues in the realm of economic, social and cultural rights, such as the rights to food, education, health and adequate housing, and issues such as forced evictions, sanctions, good governance and the need to fight corruption.


24.05.2012 Amnesty International applauded for the work it does in raising the profile of social, economic, civil and political rights in Zimbabwe and encouraged it to keep watch on Zimbabwe as the nation prepares for a referendum and an election which is normally coupled with an increase in violence (WOZA).

http://wozazimbabwe.org/?p=1261

20.06.2012 A new report was launched on 20.6.12 by Global Witness entitled ‘Financing a Parallel Government?’ The report revealed the involvement of the Central Intelligence Organisation (CIO) and military in Zimbabwe’s diamond, cotton and property sectors. Amongst a number of recommendations, it called for investigations into the activities of certain Chinese and Zimbabwean business interests to ascertain if they undermine democratic institutions and contribute to human rights abuses in Zimbabwe. It also called on consumers not to buy diamonds originating from Marange until they can be certain that they do not fund the CIO, police and military.


27.06.2012 There is on-going concern about the lack of transparency and accountability regarding the revenue from Marange diamond fields and also indigenisation. There is need to ensure that diamond revenue is not used to fund violence ahead of the next elections (Crisis).


02.04.2012 Proposals are made for a community-based approach to sustainable development and the role of civil society in Zimbabwe (Solidarity Trust).

http://www.solidaritytypeacitrust.org/1159/community-based-approach-to-sustainable-development/

17.07.2012 The UK House of Parliament debated the issue of Zimbabwe’s diamonds on 17.7.12. A transcript of the debate can be accessed via the Parliamentary Hansard via:

http://www.publications.parliament.uk/pacm201213/cmhansrd/cm120717/halltext/120717h0001.htm#12071765000001

17.07.2012 Sokwanele issued another in its on-going series about land issues in Zimbabwe. A posting was issued on 17.7.12 by Mandivamba Rukuni who chaired the Commission of Inquiry into Land Tenure Systems in Zimbabwe in 1994. Entitled ‘Why Zimbabwe needs to maintain a multi-form land tenure system’, this item can be accessed on line via the following link:

http://www.sokwanele.com/

18.07.2012 Indigenisation programme is a euphemism for national asset stripping (Crisis).


10.04.2012 The Centre for Research and Development (CRD) issued a statement expressing shock at pronouncements by the Minister of Youth Development, Indigenisation and Economic Empowerment about the compulsory acquisition of 51% stake in all foreign owned mines in Zimbabwe.

http://www.kubatana.net/html/archive/demgg/120410crd.asp?orgcode=CIV003&year=0&range_start=1
Women & Children

11.01.2012 Zimbabwe Lawyers for Human Rights (ZLHR) HRDs Alert reported on the case of a four-year-old school boy who was refused enrolment to school because of his dreadlocks. ZLHR notes that this violated the child’s constitutionally protected freedoms.

08.03.2012 Marking the International Women’s Day themed around the empowerment of women and the ending of hunger and poverty

08.03.2012 There are calls for improvements in child and maternal health care. It also considered how elections without reforms in Zimbabwe would be a disaster for the region.

09.03.2012 Report on progress in the constitution making process in regard to the inclusion of children’s rights in the constitution (Justice for Children Trust (JCT)).
- http://www.kubatana.net/html/archive/chiyou/120309jct.asp?orgcode=JUS003&year=0&range_start=1

15.03.2012 The Research and Advocacy Unit (RAU) issued a paper entitled ‘Sold to the highest bidder – the role of lobola in modern Zimbabwe’. RAU noted that as the debate on unfolds it might be important to evaluate the role of lobola (or bride-price) in women’s lives, and to interrogate whether it has become more of a harmful cultural practice than a constructive one.
- http://www.kubatanablogs.net/kubatana/?cat=227

15.03.2012 The gender based violence and politically motivated rape faced by women in Zimbabwe; particularly during election periods; was the subject of a strident address AIDS-Free World. He spoke at the 19th Session of the UN Human Rights Council on the occasion of International Women’s Day. Mr Lewis was deeply critical of the UN Secretary General for leaving Zimbabwe off the ‘naming and shaming’ list of countries which have conflict related sexual violence. Comparing Zimbabwe to many of the other countries named in the UN report, he said that “Robert Mugabe’s Zimbabwe beats them all for the scale of oppression and rape”.

18.06.2012 A new blog was produced by the Research and Advocacy Unit (RAU). The blog of 18.6.12 looked at the attitudes behind newspaper to gender following a newspaper report about the claim by a single mother for child maintenance. The blog was entitled ‘I would claim $3000 too’.
- http://researchandadvocacyunit.wordpress.com/2012/06/18/i-would-claim-3000-too/

22.06.2012 A new report on women and political violence in the context of imminent elections was released by the Research and Advocacy Unit (RAU). The report was entitled ‘Do we really matter? Women’s voices on politics, participation and violence’, concludes that politics takes precedence over everything in Zimbabwe. It observes that violence is seen to be part and parcel of politics.

26.06.2012 Reflecting on his three years in Zimbabwe, the US Ambassador to Zimbabwe, Charles Ray made a presentation on 26.6.12 about how young people can build a better country.
- http://harare.usembassy.gov/amb_speeches/three-years-in-zimbabwe-how-i-see-young-people-building-a-better-country.html

23.07.2012 ZLHR reports on how the police are abusing their position with women
**Gays & Lesbians**

**24.02.2012** Taurai Zhanje is the first Zimbabwean and, amongst one of only four African contestants, to enter the Mr. Gay World Pageant. GALZ saluted Taurai’s courage in entering the contest given the intense climate of homophobia and restrictive legislation which prevents openness about sexuality. GALZ observes that whilst it does not expect every individual Zimbabwean to embrace gay rights, it hopes all Zimbabweans will understand and promote the fundamental, inalienable and indivisible nature of human rights, including non-discrimination on the basis of race, gender, tribe, culture and sexual orientation (GALZ).

http://www.kubatana.net/html/archive/sexual/120224galz.asp?sector=SEXUAL&year=0&range_start=1

**15.05.2012** Serious concern at utterances attributed to the Minister of Local Government, Rural and Urban Development, Ignatius Chombo. The Minister allegedly urged chiefs to banish those who support homosexuality from their areas and to take away their land. Entitled 'Kick out gays' the article in question appeared on 11.5.12 in the State-run Bulawayo-based newspaper, the Chronicle. ZLHR expressed fears that the Minister’s alleged utterances might cause a round of fresh evictions (ZLHR).


**17.05.2012** Gays and Lesbians of Zimbabwe (GALZ) issued a Statement marking the International Day against Homophobia and Transphobia on 17.5.12. GALZ noted that it marked the day “to reflect on the daily struggles of LGBTI people and their families in an environment where homophobia is almost institutionalised”.

http://www.kubatana.net/html/archive/sexual/120517galz.asp?orgcode=GAY001&year=0&range_start=1

**The Disabled**

**22.02.2012** The Integrated Regional Network (IRIN) of the UN’s Office for the Co-ordination of Humanitarian Affairs (OCHA) released a short film entitled ‘Out of Sight’. The film explores the lives of blind undocumented migrants from Zimbabwe as they eke out a living begging on the streets of Johannesburg.

http://www.irinnews.org/Film/?id=4886
The Zimbabwe Human Rights NGO Forum (also known as the Human Rights Forum) is a coalition of nineteen human rights organizations.

The Forum has been in existence since January 1998 when non-governmental organizations working in the field of human rights came together to provide legal and psycho-social assistance to the victims of the food riots of January 1998.

The Human Rights Forum has four operational units:

- The Public Interest Unit
- The Research Unit
- The Transitional Justice Unit
- International Liaison Office

The Human Rights Forum works in close collaboration with its member organizations to provide legal and psycho-social services to victims of organized violence and torture and to document all human rights violations, particularly politically motivated violence.

The Human Rights Forum can be contacted through any member organization or through:

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Member Organizations of the Zimbabwe Human Rights NGO Forum include:

Amnesty International (Zimbabwe)
Catholic Commission for Justice and Peace in Zimbabwe
Gays and Lesbians of Zimbabwe
Justice for Children Trust
Legal Resources Foundation
Media Institute of Southern Africa
Media Monitoring Project of Zimbabwe Non-violent Action and Strategic for Social Change
Research and Advocacy Unit
Student Solidarity Trust Transparency International (Zimbabwe)
Women of Zimbabwe Arise
Zimbabwe Association of Crime Prevention and the Rehabilitation of the Offender
Zimbabwe Association of Doctors for Human Rights
Zimbabwe Association of Human Rights Zimbabwe Civic Education Trust
Zimbabwe Lawyers for Human Rights
Zimbabwe Peace Project (ZPP)
Zimbabwe Women Lawyers’ Association

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