Millions face hunger

2023 ANOTHER 2008 IN WAITING?

PEOPLE POWER: FINAL PUSH AGAINST THE PVO BILL

FEATURED YOU CANNOT KILL ACTIVISM
I hope I find you well.

Characterised by a rise in the price of basic commodities, shortages of goods as well as a spike in consumer price inflation, the month of May was very tough for most Zimbabweans.

Zimbabwe’s inflation surged to a 12-month high with the annual consumer price index jumping to 131.7% from 96.4% in April 2022. The rise in inflation, happening against stagnant salaries and dwindling incomes, meant the month was a very difficult and trying time for most people.

We commemorated Africa Day on 25 May under the African Union theme, 2022 – The Year of Nutrition. Food is a basic human right entitled to every human being. While the theme called on governments to craft policies toward the achievement of nutrition, the situation in Zimbabwe remains worrisome. The country is expecting a 43% decline in maize production and the few farmers who have the critical grain are unwilling to sell them to the Grain Marketing Board due to low producer prices. The government recently dusted off an old Statutory Instrument (SI) requiring all maize to be sold to the Grain Marketing Board (GMB). The regulations, published under Statutory Instrument 145 of 2019, also ban the transportation of more than five bags of maize, except when making deliveries to the government-run GMB. Police and soldiers have since been deployed to roadblocks to enforce this. This comes as farmers complain that the government wishes to buy the maize in local currency even though the farmers bought all the seeds and fertilizers in United States Dollars. Sadly, when government intervenes, unending reports of partisan food distribution are received. This is worrying, more so, when we are just a year away from elections.

The Forum continues to plead with the government to address the economy and ensure families can feed themselves. Hunger can be bread chaos in the country. A hungry man is an angry man.

We have continued to witness reports of violence, especially against opposition supporters. We also implore the government to ensure that the law takes its course. Impunity breeds more violence. Peace and economic prosperity are always tied to each other.

Let me conclude by imploring President Emmerson Mnangagwa to ensure that prudent measures to address the further collapse of the economy are taken. We have experienced the 2008 inflation and we don’t wish to take the same route.

Thank you

Dr Musa Kika
The persistent economic challenges, as well as the continued escalation of prices of basic commodities, are exposing millions of Zimbabweans, particularly vulnerable groups such as women and children to hunger.

Speaking during an Africa Day symposium organised by the Zimbabwe Human Rights NGO Forum (the Forum) in partnership with Magamba Network, the Zimbabwe Human Rights Commission chairperson Elasto Mugwadi said millions face starvation due to the current economic crisis. In a speech read on his behalf by a director at the Zimbabwe Human Rights Commission, the chairperson lamented the challenges the country faced which he said were compounded by the COVID-19 pandemic.

"Unfortunately, with the current crisis in Zimbabwe characterized by continued escalation of prices of basic commodities, millions of people lack access to adequate food and cannot afford a balanced diet, in particularly vulnerable groups that include women, and children,” Mugwadi said.

"The situation has been worsened by the COVID 19 pandemic, drought, and other predicaments that have adversely affected people's livelihoods, especially in the areas of nutrition and food security.”

Mugwadi added, “As stakeholders in the human rights sector let us, therefore, take this opportunity that has been brought by occasions such as this commemorative event to advocate and secure greater political commitment by the government, as the main duty bearer to resolve the challenges prevailing in the country and address the ongoing nutrition and food security challenges.”

The symposium was held under the African Union theme, 2022- The year of Nutrition, a theme designed to foster greater political commitment by leaders towards investment in nutrition as part of the continent’s long-term vision set out in Agenda 2063.

World Food Programme reports have suggested that 5.4 million Zimbabweans in urban and rural areas face food insecurity this year.

Zimbabwe requires 2.2 million tonnes of maize annually, 1.8 million of which are for human consumption and the balance for stock feeds. Lands, Agriculture, Fisheries and Water Development minister John Masuku has already indicated that the country will record a decline of 43% in maize production due to the poor rainfalls experienced during the 2021/2 farming season.

"The right to food and water is a legal right in Zimbabwe provided for in section 77 of the constitution which guarantees the right to safe, clean and potable water as well as sufficient food,” Mugwadi said.

The Forum chairperson Blessing Nyamaropa said while Zimbabwe has made several interventions to improve food security, climate-induced droughts, as well as misgovernance, have continued to threaten food security. Zimbabwe, he said, is experiencing man-made hunger and starvation.

He said food is a basic human right and implored Zimbabwe to stop the politicisation of food aid as well as the distribution of inputs under the Presidential Input Scheme.

"We also urge the govt to stop the politicisation of food aid. It is the responsibility of the government to feed its people,” Nyamaropa said.

"The politicisation of input schemes and distribution of food aid remains a worrying development that has further exposed vulnerable groups.”

Fortune Kuhudzehwe, the National Transitional Justice Working Group Coordinator also challenged the government to stop the politicisation of food aid that exposes many families perceived to be on the wrong side of politics to hunger and starvation.

To commemorate the day, the Forum produced a song that resonates with the African Union theme and a play exposing how partisan distribution of food aid has exposed families to hunger.
You cannot kill activism – Dr Kika

In March, the New Zimbabwe.com (NZ) caught up with the Forum executive director, Dr Musa Kika (MK) for a detailed discussion on the state of human rights in Zimbabwe under the programme, The Agenda. Below are excerpts of the interview.

**NZ:** A lot has been happening in Zimbabwe during his first quarter. In your general assessment, what can you say about the state of human rights in the country?

MK: The question of human rights regrettably is one where news is the same. Whether we are discussing it in 2022, 2021 or five years ago. Unfortunately, there is very little progress. We went into this past decade with a lot of hope because of the 2013 Constitution that many had fought so hard for, and we hoped that the Constitution would be fully implemented and the lived realities of individuals in the streets will be changed. Unfortunately, that’s not the situation today. You only need to fall sick or have a relative who falls sick and brought to the hospital to understand the state of human rights in hospitals.

You only need to go to our schools to see the real state of human rights in schools. You need to say something that the powers do not like for you to see the real state of human rights in Zimbabwe. In the last two months, we had by-elections which were mini general elections and we have recorded, as we have done in past elections episodes, a spike in terms of human rights violations, primarily civil and human. It is not a pleasant situation. We see impunity continuing to rise, we are also seeing a big trend around issues of constraining the space that human rights defenders and CSOs to do their work.

**NZ:** The by-elections came and went. We saw a lot of unjustified political violence. Do you think the situation we saw in March could be the same situation come 2023 when we go for the general elections?

MK: We can only anticipate a different situation in 2023 if something drastically changes. The conditions that we have now; if not changed; the situation will remain the same, just the same as we can say the conditions now are similar to 2018, 2013, 2008 and the previous elections. In terms of political violations, the graph rises during election periods - just before elections, and immediately after elections. We saw the same in the 2018 elections on August 1, we have seen it with the by-elections, and we are likely going to see it in 2023. The drivers are impunity, lack of accountability, and failure to exercise constitutional and legislative mandate by the police, the army, and the Zimbabwe Electoral Commission itself. So, we have issues around institutional changes, institutional reforms, and institutional restructuring that determine whether you are violent or not. It also goes around attitudes and practices of political party functionaries, supporters, those who campaign, the attitudes and the language. The hate speech that you see, the practices that exactly drive the violence and we haven’t changed, we are unlikely to change in the next months going into the election next year.

**NZ:** What do you think needs to be implemented to make sure we don’t keep on experiencing the same challenges?

MK: There is an attitudinal practice that needs an overhaul. A lot of violence if you look at the past by-election happened because certain political actors were not allowed to get to certain places or to say certain things or to do certain gatherings while other political parties were being allowed. I am talking about the main opposition precisely that was at the receiving end of the bans. Five or six of its rallies were banned. They had to resort to going to court. So, what causes violence is those kinds of things; there is a ban, people attempt to gather, and the police will always visit with violence as we have seen. That is our way of policing in this country.

We also see the lack of tolerance which is political immaturity. You see one candidate or supporters of a candidate campaigning in a particular area or sticking posters, and you see supporters of the other party going on to attack, like what happened in the Kwekwe murder. They were a gathering which was happening, and you have people who come to provoke and cause violence. So, unless those attitudes and practices are changed, we are unlikely going to see something different next year.

How do they change? They change through messaging that comes from our political parties. I can tell you that a lot of what we do as citizens, as political party supporters, follow the lead from the top. If the leadership of a particular establishment sets up the terms of engagement many are likely to tour the line but when we see turning a blind eye, impunity, or even subtle encouragement for that, you know there is a problem. Setting that tone also means the ruling party which has the Head of the State, setting that tone means the police are going to do their job. It means the army will do its job, and the Zimbabwe Electoral Commission will do its job.

**NZ:** Do you feel that heading into the 2023 general elections, the banning of political parties will continue to cause violence?

MK: I dare say this; most of the violence we have seen around political rallies in Zimbabwe has been caused by the police trying to stop the gathering. The gathering that happens without the police coming to interfere usually happens peacefully and people displace and go but once you bring in the police for people to displace, we see violence happening, this is the reality based on the evidence that we have seen in the past.
You cannot kill activism – Dr Kika

NZ: Then coming to the PVO (Amendment) Bill, we have seen efforts by the government to implement the piece of legislation, accusing NGOs of fronting a regime change agenda.

MK: This is entirely unjustified, but we are not surprised that we have been given this law that is likely going to be passed, but we hope it won’t. It is not the first time this is happening. It has happened in 2004 and we are seeing it recurring. For a very long time, there has been rhetoric coming from the government around CSOs being regime change agents. There is this divisive language around Patriots and sell-outs, villains, betrayed heroes with those in human rights and CSOs being the villains who lack patriotism, being the sell-outs, the western stooges. Unfortunately, that’s not true. Civil Society has three primary roles in any society, which include self-governance. People are allowed to mobilize after the Constitution is created by the people, the government, and the social contract is entered by the people. So, you cannot stop people from coalescing and engaging in self-governance.

Being government partners are partners of the government. Unfortunately, we are seen as enemies, but the reality is, that we are partners. It is impossible for any government in the world no matter how rich, competent, or talented to deal with all the issues affecting our societies. You need partners and a vehicle with which people partner is civil society. Associations, Trusts and PVOs. Civic Societies exist to solve local problems and it’s extremely important, bottom-up democracy, that’s citizens being patriotic and taking responsibility, that’s how you inculcate responsible citizenship.

NZ: What do you think are the motives behind this Bill?

MK: The motive is very clear; you must see this in context. Zimbabwe is in the process of authoritarian consolidation where power is being consolidated and held tightly in the hands of those who are ruling, and they will not want anything that looks like a stumbling block. We have seen decimating of the opposition, we have seen a political playing field which is not level, and we are seeing the worrisome trends in the courts, think of Amendments No number 1 and 2 in the Constitution. We can see what’s happening in Parliament - the recalls. What it means is Civil Society is the only form of an organised group that can provide a meaningful check to those in power and that is a problem with nefarious agendas, particularly when we are heading towards the 2023 general elections.

In my view, this is about power and the next elections and CSOs are there to document and hold the account for what needs to be called out and these are seen as stumbling blocks. There is a narrative being pushed by those in power to say everything is fine, the economy is functioning, and people are enjoying their lives. Those of us who are involved in dealing with victims or monitoring, know the truth and then give a counter-narrative. We become a stumbling block to the nefarious activities of those who want power at all costs. That is the real reason why Civil Society space is attempted to be closed. We are seen as part of opposition establishments which is unfortunate.

NZ: Is there a problem for CSOs to operate within the stipulated law? Do you see this Bill as a hindrance to your operations?

MK: Do you believe that NGOs in this country are operating outside the law? Do you believe that as the Forum we can receive money that the government cannot know about? It can’t be. We have institutions in this country that are responsible for overseeing the movement of funds, we have institutions that are responsible for compliance. The PVO Act already demands certain levels of compliance and submission of audited statements. What exactly is not there? NGOs are not doing anything criminal, the criminal code is there, and a lot of offences are in various statutes to deal with anything that might be problematic, So, why fix something that is not broken, unless you are trying to pursue an agenda that you may not put on paper. In our view, this PVO Bill is not about regulation, money laundering or terrorism, it’s political - simply stopping what is seen as a threat to the project of our consolidation. That is the reality. NGOs never said they don’t want to comply. NGOs in Zimbabwe are already registered as PVOs, some as Trusts some as common-law-Universitas. Can we say they are NGOs in Zimbabwe that our government is not aware of? That can’t be true.

NZ: Zimbabwe has been removed from the Financial Action Task Force (FATF) grey list, but the government has continued to press ahead with the PVO Bill. How do you foresee the operations of NGOs and CSOs going forward?

MK: Sometime in March, a Financial Action Taskforce removed Zimbabwe from the grey list, and they specifically commented on their communications when they were removing us from the grey list. They implored the government of Zimbabwe to follow the guidelines of the Financial Action Task Force in regulating CSOs. That was a very diplomatic and nice way of communicating to the government to say, your PVO Bill is not in line with our standards and stop hiding behind us to close civic space. That goes to show that the real agenda of this Bill was never about compliance but something else.

Civic society is going to be difficult. In the past, NGO leaders have been arrested and banned, and registration has been revoked. We have seen these things in the past and disruption of reprogramming. We are already seeing local government officials who have nothing to do with the law regulating us, asking for MOUs, and certain payments to be made. Last year in Harare, we fought a legal battle in the High Court in which Harare Provincial Development Coordinator was trying to subject NGOs under his control.

All that is illegal, but with the passage of this law, or the continuation of the current rhetoric anti-NGO stance, we are going to see an increase in that. What it means is that; access by NGOs to communities is going to be limited but here is the funny thing; development partners and NGOs in Zimbabwe have provided the biggest social protection more than the government has given. So, what does it mean to the person who relies on NGOs for their education and medication? They are more hospital beds that are provided by development partners and NGOs in Zimbabwe than provided by the government.

If you disrupt that, you can imagine what happens to the people. But here is the thing, you can never stop activism and never kill activism it mutates in one way or the other. You can close all NGOs in Zimbabwe but cannot stop people from coalescing. Activism by our nature as humans, we have to speak out, self-organise and hold each other to account. Independence is a product of activism, also democracy. You cannot tell anyone to stop it and kill it now. The rational thing is to allow space for legitimate, legal self-organization to happen that aids our democracy.

So, it’s a self-defeating exercise that unfortunately, our country has engaged in.

NZ: As the Forum, what are you doing in terms of fighting these bills? such that it does not become a law?

MK: We have done a lot of things since the Bill has been gazetted in November last year. We organised civil society and brought together members to say, let’s sit down and study this Bill, what exactly is it trying to do, and because of that, we have mobilised everyone to understand it so that we can respond and engage effectively. That’s part of our job as a coalition of 22 NGOs. We produced analysis through our various Forum members, knowledge products that we have submitted to various government departments and Parliament itself. We produced a specialised report sometime in March, Punching Holes To A Fragile Economy, and it looks at the possible economic impact of the PVO Bill.
The Passenger Association of Zimbabwe (PAZ) and two juveniles injured when a Toyota Hiace overturned in Mutare have approached the High Court seeking to have the use of handheld spikes on moving vehicles declared illegal and interdict the police from using such crude policing method.

In an application filed on 19 May, the three are also seeking an order to have the smashing of windscreens declared illegal.

PAZ, a 70-year-old woman Laiza Chikonye and another woman who is representing two juveniles involved in the Mutare accident on 3 May that was caused by the throwing of spikes by the police, are represented by Darlington Marange, of the Zimbabwe Human Rights NGO Forum.

After the Mutare accident, Police Commissioner-General Godwin Matanga issued a statement banning the use of handheld spikes by the police However the three want the practice to be declared illegal.

Last year, PAZ approached the High Court seeking the same relief, but the court dismissed that application on technical grounds. The Supreme Court however overturned the High Court decision.

Before the statement by the Police Commissioner-General, the Forum had written to the Police Commissioner-General demanding an end to the throwing of spikes on moving vehicles to save lives.

In the letter to Matanga dated 5 May, the Forum said the use of spikes is not only illegal but socially undesirable and constitutionally impermissible.

“We cannot overemphasize that the use of these spikes amounts to excessive use of force and violates the right to personal security as provided for in section 52 of the Constitution. This conduct is socially undesirable and constitutionally impermissible. It is also unlawful and a criminal offence in terms of section 38 of the Criminal Law (Codification and Reform) Act (Chapter 9:23) and section 60 of the Road Traffic Act (Chapter 13:11),” part of the letter to Matanga read.

In the past, the police had issued similar statements condemning the use of handheld spikes but continued using them in enforcing traffic regulations.

PAZ and the two women are now seeking an order that binds the police and the Home Affairs Minister so that the police will not use handheld spikes again when enforcing traffic laws. Both are yet to file their response to this Application;
The Zimbabwe Human Rights NGO Forum (the Forum) and its member, the Justice for Children (JCT) have approached the High Court challenging the placement of minor immigrants in the same prison as convicted adults.

This application was filed on behalf of certain minor children from the Democratic Republic of Congo, Zambia, South Africa, and Mozambique who have been detained in cells holding convicted adults.

The Constitution provides that convicted minor children should never be detained in the same facilities as adults.

In papers filed on 9 May, the Forum and JCT seek that the court declares the practice illegal and that the Immigration Department consider other more suitable detention places for minors.

Ange Mashauri, Jeanette Nyangorore and Petronella Nyamapfene were cited as first, second and third applicants while the Chief Immigration officer Respect Gono, Home Affairs minister Kazembe Kazembe, Commissioner General Prisons and Correctional Services, Moses Chihobvu and the Minister of Public Service, Labour and Social Welfare Professor Paul Mavima as respondents.

The Immigration Department and Zimbabwe Prison Services are yet to respond to the application.

Nyangorore, a DRC national customarily married to a Zimbabwean, said: “My children have experienced nasty things in the company of these convicted prisoners which range from strong and vulgar language to their conduct, which I would not want to expose my children to. Nonetheless, I had no way of stopping my children from being exposed to this kind of behaviour.”

The affidavit further read: “I would occasionally tell the prison female officials that I did not like the conduct of my other inmates, especially when it exposed my children to wild behaviour. Unfortunately, they advised that nothing could be done about it. I had to get used to prison life.”
PVO Bill - Prove that NGOs are conduits for terrorism financing

JUSTICE minister Ziyambi Ziyambi (pictured) has been challenged to provide evidence on political interference by non-governmental organisations and that some charities are conduits for sponsoring terrorism and other criminal activities as claimed by the regime in justifying its push to shut down private voluntary organisations (PVOs).

President Emmerson Mnangagwa’s government has been threatening PVOs, claiming that they are pushing for illegal regime change in the country and sponsoring the opposition while also dabbling in other activities outside their mandate.

While the move to enact a law banning NGOs has triggered an international outcry and is widely seen as an affront to democracy, Zanu PF has insisted on the need for it to keep the organisations in check despite warnings that the ill-conceived PVOs Amendment Bill could cost Zimbabwe close to US$800 million in development funding this year.

In a report on the PVOs Amendment Bill by Veritas, a member of the Forum and a legal think-tank, Ziyambi told members of Parliament that the Bill does not speak to those law-abiding PVOs but to the few who may be tempted to use the guise of charity to carry out “undesirable, harmful and even criminal activities.”

Veritas said in his justification of the Bill, Ziyambi claimed communication had been received from the Financial Action Task Force (FATF) that some charities are being used to channel terrorist funding and other criminal activities.

The Justice minister, Veritas said, also claimed that some charitable organisations were being misused to launder the proceeds of criminal activities by “for instance buying up properties in Zimbabwe and other countries.”

Ziyambi also claimed that the government was aware that “some so-called charities act in a politically partisan manner by directing money to favoured political parties or candidates at the expense of other political parties or candidates”.

But Veritas challenged Ziyambi to prove the government’s controversial allegations, noting that there was no record of any FATF report raising the issue.

“None of the FATF’s published reports have mentioned this activity by Zimbabwean PVOs. If any such report has indeed been received by the government, the minister should in the interests of transparency make this available to Parliament,” Veritas challenged Ziyambi.

Only last month, Zimbabwe was removed from the grey list of the Financial Action Task Force (FATF), having satisfied the task force during a visit that it is fully compliant in implementing required global anti-money laundering banking standards and that its banks cannot be used by that financing terrorism.

According to a report titled Punching Holes to a Fragile Economy, a report published by Southern Defenders, the Zimbabwe Human Rights NGO Forum and Accountability Lab, the proposed law will have a far-reaching negative impact and implications not just for civil society organisations, but also for government development programmes and the poor who rely on aid for survival and access to critical social services.

The report stated that according to the 2022 national budget statement, during the period from January to September 2021, the country received development assistance amounting to US$647.8 million, of which US$401.9 million was from bilateral partners and US$245.9 million from multilateral partners.

In 2022, support from the development partners is projected at US$761.5 million, broken down as US$274.3 million and US$487.2 million from multilateral and bilateral partners, respectively.

The PVO Amendment Bill was gazetted in November 2021 and seeks to amend the PVO Act to impose new restrictions, but civil society organisations have warned the proposed amendments will constrain their work and violate human rights, while negatively affecting communities who depend on their activities.

They also said the measures will hit the already struggling economy which relies on development partners to bridge yawning funding gaps due to the country’s inadequate budget and resources.

The Bill also prohibits trusts that are registered with the High Court but are not registered PVOs, from collecting contributions from the public or from outside Zimbabwe for any of the purposes specified in the definition of “private voluntary organisation”, that is charitable purposes, social welfare assistance, legal aid, and animal welfare.

According to the 2022 monetary policy statement, NGOs are the third-biggest earners of foreign currency in the country after export proceeds and diaspora remittances. Total foreign currency receipts from NGOs rose by 50.5% from US$647.78 million in 2020 to US$975.16 million in 2021.

Foreign currency is critical in sustaining the forex auction system. Any disruptions in the activities of NGOs through legal and/or non-legal means could result in the country losing out massively, the report warns.

Ziyambi said the government “looks with extreme disfavour upon PVOs that abuse their resources by acting in a partisan manner, for instance by favouring communities based on their supposed or expected political affiliation.” - NewsHawks
Arrested over CCC flag

The Zimbabwe Human Rights NGO Forum attended to Trymore Nyambo, a vendor who was arrested by the Zimbabwe Republic Police in Epworth on 3 May for brandishing a Citizen Coalition for Change (CCC) flag.

An avid CCC supporter, Nyambo was at his vending stall where he was parading a yellow CCC flag when some Epworth council officials pounced, asking him why he was brandishing it in public.

Nyambo was then taken to Epworth Police Station where he was charged with illegal vending. The flag and vending wares were also confiscated.

Represented by the Forum, Nyambo was released on the same day after he opted to pay a fine. The police handed him back his flag.

In trouble for tearing ED Pfee cap

Benjamin Magomeke and Stewart Kakamba of Rushinga were arrested and taken to Mt Darwin after being falsely accused of tearing a ZANU-PF cap inscribed, ED Pfee.

They were charged with disorderly conduct and were remanded to 13 June 2022 to stand trial. They were released to go home on the condition they do not interfere with witnesses, and that they remain at their given addresses.

The arrest which happened on 19 May, happened after a ZANU-PF member reported them to the police accusing them of blaming President Emmerson Mnangagwa’s government for high inflation in the country.

The Rushinga police refused to handle the case, referring it to the province claiming it was beyond their capacity. The duo was later made to appear in court in Mt Darwin, represented by Nyasha Machirori of the Zimbabwe Human Rights NGO Forum who successfully secured their release on bail.

Zacro donates to Chikurubi Maximum Prison

The Zimbabwe Association for Crime Prevention and Rehabilitation of the Offender (ZACRO) has donated ingredients for making multi-purpose cleaners and dishwashing liquid to Chikurubi Maximum prison after prison officials alerted them that female inmates were running without the critical items.

ZACRO presented the ingredients on 20 May and inmates had a chance to learn the skills of making the dishwashing liquid as well as the multi-purpose cleaner.

Programmes manager for ZACRO, Cecilia Munkondya taught inmates how to make the cleaning detergents and gave them the recipe.

Inmates said they were happy to learn a skill that they would be able to use upon release for successful reintegration and be able to sell or make detergents for their use at home. They managed to produce 40 litres of multi-purpose cleaner and 40 litres of dishwashing liquid on the day.

Chikurubi Female Prison had 183 female inmates on the day of the visit and the rehabilitation officer said the numbers were increasing due to the harsh economic climate in the country that was forcing people to embark on crime. She added that the female inmates were involved more in fraud, robbery and theft and were accomplices to males.

LRF launch model Legal Aid Law

The Legal Resources Foundation (LRF) has conducted a workshop with the Portfolio Committee on Justice Legal and Parliamentary Affairs on the formal inclusion of paralegals in the country’s justice system.

The meeting, held in Kadoma in May, provided a platform for LRF to present its Model Legal Aid Law on how paralegals can be useful tools in the delivery of justice. The stakeholders appreciated LRF’s efforts in advocating for legislative reforms that formally recognize the work of paralegals in Zimbabwe. Paralegals are professionals trained to assist lawyers in various legal capacities.

Through its in-house model, the LRF has been training paralegals since 1984 after having realised the need to provide legal aid to vulnerable communities in Zimbabwe. Currently, the LRF has 15 paralegals who are based within communities in the rural areas of Zimbabwe. In Southern Africa, more work still needs to be done in ensuring the enactment of legislative provisions that formally recognize the role of paralegals in increasing access to justice for disadvantaged groups.

The LRF also convened a regional virtual exchange on the experiences of paralegals in Southern Africa to share best practices in the region and enhance advocacy efforts towards their formal recognition. The paralegals from Zimbabwe, Uganda and Tanzania acknowledged that paralegals were providing essential legal services to marginalized communities free of charge in addition to the timely referral of cases to relevant stakeholders.

The convening also brought to the fore challenges faced by paralegals owing to the absence of a legal framework that recognizes them. Paralegals play an invaluable role in championing the rights of marginalized communities. They provide legal education and support services to vulnerable groups during legal processes thus bridging the access to justice gaps.

The LRF said the significant work that paralegals contribute toward increasing access to justice for marginalized groups cannot be ignored.
The Zimbabwe Human Rights NGO Forum (the Forum) is implementing a reclaiming civic space project across the country.

The overriding objective of the project is to capacitate citizens with knowledge of the PVO (Amendment) Bill and its implications on civic space, human rights, democracy, and the livelihoods of ordinary citizens. The PVO Amendment Bill in its current form strikes the very heart of Zimbabwe’s democratic and ubuntu fabric.

A coalition of Civil Society Organisations (CSOs) has been at the forefront in pushing against the Bill through targeted advocacy actions, engagements with the government, petitions, regional pressure on the government, and submissions through the PVO Amendment Bill public hearings conducted by the Parliamentary Committee on Public Service which was held in March. Unfortunately, all the efforts have yielded meagre progress in averting the Bill. There has been an unwarranted rush to pass the PVO Amendment Bill.

On 11 May, the National Assembly approved a motion by ZANU-PF Chief whip, Pupurai Togarepi, to skip items 1-27 on the Order Paper and focus on item 28. Item 28 was the resumption of the Second Reading stage of the PVO Bill. The portfolio committee then presented the committee’s report which accepts the government’s reasoning for wanting to pass the Bill into law.

It also criticises CSO’s efforts to oppose the Bill. The report further urges government departments to expeditiously implement the Bill once it becomes law. The President Emmerson Mnangagwa administration seems gripped by its endemic weaponisation of the law as a strategy to shut down civic and democratic spaces in the country. In any political system – people are the arbiters of law and destiny.

The adage that people are the means to power confirms this. In this light, the Zimbabwe Human Rights NGO Forum has been conducting PVO Amendment Bill public awareness meetings and live radio shows to galvanise people’s power as the final push against the PVO Amendment Bill. On the 19th of May 2022, the Forum convened a PVO Amendment Bill public awareness meeting at Fairmile Hotel in Gweru. Forty-six community opinion leaders, representatives from churches, students, informal traders, Community Based Organisations, civil servants, the ruling party and opposition party members, citizen journalists, lecturers, persons with disabilities, youths, and women participated in the meeting and bemoaned the PVO Amendment Bill as retrogressive legislation that is ignorant of the extensive value, empowerment, and development brought about by NGOs.

A 58-year-old lady from Mkoba in Gweru taking care of three vulnerable children abandoned by their mother for greener pastures in South Africa lamented: “How will my grandchildren’s fees be paid for if the government shuts down NGOs who are helping me pay school fees for my grandchildren.”

According to Advocate Wilbert Mandinde, the Forum’s Programmes, NGOs are law-abiding entities that do not dread or fear regulation. However, the government should be sincere in its attempts at regulation by advancing progressive laws that adhere to international best practices.

“NGOs are also fully capable of self-regulation – this should be explored,” Mandinde said.

This notion was also echoed by participants at another PVO Amendment Bill public awareness meeting convened by the Forum in Mutare on the 26th of May 2022. A visibly distressed 34-year-old male from Mutare reiterated that the PVO Bill threatens the existence of a truly independent civic society. He claimed the law is politically motivated to silence perceived opposing voices.

Preceding the public awareness meetings in Gweru and Mutare, the Forum conducted live radio shows on the Bill on 98.4FM and Diamond FM. A caller on 98.4FM asked: “How will Zimbabweans survive without NGOs?” Another caller enquired: “Do these people (ZANU-PF government) know the important work being done by PVOs?”. These questions signpost the enormous amount of work being done by CSOs.

Lynnet Phiri, a legal associate with the NGO Forum aptly pointed out that NGOs are currently the backbone of the health sector in the country and have contributed immensely to socio-economic development in the country. For example, the total foreign currency receipts (US$ million) from NGOs rose by 50.5% from US$647.78 million in 2020 to US$975.16 million in 2021. It would be ignorant of the government to ignore the zones of convergence between CSOs and the stability of the country.

Amongst many contributions, the PVOs have contributed to sustained economic growth through foreign currency liquidity, coupled with the financing of budget gaps in health, social protection, education, and production sectors.

A report titled, “Punching holes into a fragile economy: The economic impact of the PVO Amendment Bill” published by the Forum together with Southern Defenders and Accountability Lab concluded that the role of NGOs is critical in low-income countries like Zimbabwe where the fiscal space is limited. It, therefore, makes intuitive sense to discern that development programmes in Zimbabwe like the Transitional Stabilization Programme (TSP), Vision 2030, “Towards an Upper Middle-Income Country” and the National Development Strategy 1 (NDS1) will not be achieved without the meaningful involvement of CSOs in their broader sense.

The PVO Amendment Bill is a self-created stumbling block to the enjoyment of fundamental human rights and achievement of a broader socio-economic prosperity as spelt out in NDS1 - achieving an Empowered and Prosperous Upper Middle-Income Society by 2030. It, therefore, falls upon the wider citizens to self-organize, self-mobilize and push against the PVO Amendment Bill. Laws are designed to protect the rights of people. The PVO Amendment Bill falls short of this and only people’s power can avert this disaster.

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Between March and June 2008, over 200 opposition supporters were killed while thousands of others were injured and tens of thousands were displaced in one of the vilest electoral periods in Zimbabwe’s history. The systematic targeting of the supporters of the then main opposition party, the MDC-T, was in response to the party’s parliamentary and presidential election victory over Zanu PF. For the first time in 28 years, Zanu PF was facing defeat right in its face and the party used all at its disposal – the police, intelligence agents, the military, war veterans and youth militia – to overturn the defeat. After the orgy of violence, the country was to get into a multi-party dialogue that led to a unity government between Zanu PF and the opposition. For five years, Zimbabwe enjoyed general political harmony and unfortunately missed a chance to conduct, for the first time, a genuine, inclusive and effective healing and reconciliation process to deal with the conflicts that date back to colonial times. For those that suffered in 2008, and perhaps in the previous political and social conflicts, the memories remain vivid. It is, therefore, of great concern that over the past two months, the Zanu PF government, which was the major perpetrator of the 2008 electoral violence and other forms of atrocities before that, is on a systematic drive to intimidate citizens, especially those in rural areas ahead of the 2023 elections. What is more worrying is that Zanu PF ward leaders who are holding meetings, mostly in the Mashonaland, Masvingo and Manicaland provinces are promising that the party, together with the state security agents will unleash violence the same way they did in 2008 if Zanu PF loses in the 2023 elections. So far, Zanu PF has been responsible for 165 human rights violations in April and 193 in May, all related to how the party is closing down the space for opposition activity. In one of the cases recorded in Mt Darwin East at Chaparira village, Zanu PF activists led by Christopher Mbereko allegedly besieged the home of a Citizens Coalition for Change (CCC) supporter Tendai Kuraone* on the night of 14 May and attacked him, leaving him seriously injured. The Zanu PF youths accused the man of working with CCC cheerleader, Godfrey Karemera known as Madzibaba veShanduko. Still in Mt Darwin East, in one of the most bizarre cases, Zanu PF activists in Mt Darwin East have been calling on an Apostolic Sect to shut down its church over allegations that the church has CCC supporters among its membership. ZPP is informed that the local Zanu PF leadership sent a message advising the church leadership to halt gatherings over the issue and on 27 May, the sect failed to convene its service as Zanu PF supporters had besieged the church shrine and went on to hold a rally there. These are not just coincidences because at Zaranyika Village Ward 5 in Murehwa North, Zanu PF activists torched a CCC supporter Temba's (name altered) house after accusing him of wearing CCC regalia in the ward. A Zanu PF youth Innocent Nyamadzawo had approached Temba and told him to remove and burn the CCC T-shirt he was wearing, and when he resisted, Nyamadzawo dragged Temba to Zanu PF Ward Councillor Shadreck Chinake who forcibly removed and threw the T-shirt into a toilet pit. On 4 May, after a series of threats Temba’s house was allegedly set on fire by Zanu PF activists. No arrests have happened yet and this is despite the victim having given the police officers a list of suspects. In Murehwa North, Zanu PF activists led by Taurai Chindowa, armed with a ‘voters’ roll,’ conducted door to door visits intimidating and harassing villagers claiming that, “Zanu PF will know villagers who will vote for opposition parties as they will refer to the voters roll”. The voters roll used to intimidate villagers was illegally acquired by Zanu PF activists during the by-elections. In addition to using the intimidation tactics, the ruling party has also used its influence in government to manipulate national processes to its advantage. At Chatsworth, in Gutu West, a Zanu PF ward chairperson identified as Changveda allegedly disturbed a national identity document issuing process after she arrived at the centre and forced the Registrar General’s officials to attend to the Zanu PF supporters she had brought ahead of everyone else. In some parts of Buhera West, some Zanu PF officials are banning the issuance of National IDs to young people who do not have a letter of declaration from Zanu PF. In an audio recording of one of the meetings held in the constituency, one Brighton, who is a Zanu PF youth chairperson said it was the young people who were bringing in CCC into the area. He went on to order the ban of meetings by churches and NGOs in all the wards of Buhera West. The attempts to close down democratic space, as stated earlier in this report, are happening at a wider scale, with active involvement of some of the most senior members of the party. For example, Zanu PF’s Second Secretary, Kembo Mohadi held a meeting with traditional leaders at Plumtree town offices where he told the traditional leaders to mobilize and campaign for Zanu PF and to fully participate in activities of the party ahead of the 2023 elections. *name altered to protect the victim.

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About the Zimbabwe Human Rights NGO Forum

The Zimbabwe Human Rights NGO Forum is a coalition of 22 human rights organisations that was formed in 1998 as a mechanism to react to the many human rights violations that arose from the food riots. The coalition over the years has become a strong network with organisations working in different human rights fields all to promote the human rights agenda in Zimbabwe. It liaises closely with its colleagues and peers such as the National Association of Non-Governmental Organisation (NANGO), the Crisis in Zimbabwe Coalition, the National Constitutional Assembly (NCA) and the Zimbabwe Congress of Trade Unions (ZCTU). Membership of the Forum is open to any organisation which is based in Zimbabwe, and which is bona fide concerned with human rights, with the elimination of organised violence and torture. After realising that Zimbabwe’s legacy of violence goes beyond the daily violations and goes to the roots that hold the pillars of social trust, the Forum, in 2008, launched the transitional justice advocacy programme to motivate more comprehensive redress of the root causes of violence.