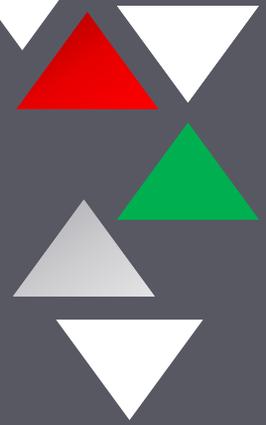


A ZIMBABWE HUMAN RIGHTS  
NGO FORUM NEWSLETTER VOL 5

# UNITED

FOR HUMAN RIGHTS

JUNE 2022



## Brace for a bruising 2023



**REMEMBERING DR ALEX MAGAISA**

**FEATURED**

**INSIDE THE NYATSIME WAR ZONE**

# FOREWORD



By the Executive Director,  
Dr Musa Kika

## I hope I find you well.

First, we entered the month battling to find answers on the whereabouts of Moreblessing Ali (46), who went missing at Chibhanguza Shopping Centre in Nyatsime on 24 May. Political temperatures had been rising, with Citizens Coalition for Change (CCC) supporters implicating ZANU-PF in the abduction of Ali.

Before questions about Ali's whereabouts could be answered, the country was plunged into mourning with the death of political adviser, writer and United Kingdom's Kent University law lecturer Dr Alex Tawanda Magaisa at the age of 46. He succumbed to a heart attack. Constitutional Law Center declared five days of mourning with several programmes lined up to honour the late Magaisa. Among the events was the candle lighting commemorations in the Africa Unity Square in honour of Magaisa's famous Big Saturday Read (BSR), a blog on constitutional and policy matters affecting Zimbabwe. The police sadly refused to sanction the march, citing the Maintenance of Peace and Order Act (MOPA). Magaisa's death remains devastating to the million Zimbabweans who relied on his priceless teachings on the BSR

The month also saw the arrest of Obert Masaraure, the spokesperson of the Crisis in Zimbabwe Coalition on murder charges in a case concluded in 2016. His arrest has been seen by lawyers as political victimisation.

Events deteriorated after Ali's body was discovered in a well in Nyatsime on 11 June. CCC members assembled to mourn their slain member but this did not go down well with ZANU-PF officials in the area who saw the funeral as a show of power by the opposition. ZANU-PF Nyatsime ward 9 councillor Masimbi Masimbi declared Nyatsime a ZANU PF territory on 12 June and ruling party supporters led by the late branch chairperson George Masimbi disrupted funeral proceedings on 12 and 13 June. CCC supporters on a revenge mission on June 14, torched houses and smashed shop windows at Chinhanguza Shopping Centre. This triggered retaliatory actions from ZANU PF whose members went on a rampage that same night, destroying houses and stealing the property of known CCC supporters. CCC MPs Job Sikhala, who is also the legal representative of the Ali family and Godfrey Sithole were arrested that same night for inciting public violence. Curiously, no ZANU PF members were arrested, even those who publicly incited the violence.

Three days later, three CCC members Precious Jeche, Adious Makoma and Misheck Guzha, whose houses were torched on the night of 14 June were arrested and charged with public violence. Four vehicle owners and their drivers were arrested on 23 June and all the 13 have all been denied bail. In light of these developments, the Forum called government and opposition

political parties to order over the Nyatsime violence through a hard-hitting statement. The Forum also held a Twitter Space on the topic where most speakers castigated the use of violence. Speakers urged stakeholders to act now and avert a bloody 2023. The Forum dispatched letters to various stakeholders including President Emmerson Mnangagwa's office. The Forum also released a statement on 27 June urging the Government of Zimbabwe to demonstrate a genuine and sustained effort at implementing political reforms for the country to be readmitted into the Commonwealth.

The Forum, while keen for Zimbabwe's eventual return to the Commonwealth family, maintains the view that any re-admission should follow a comprehensive and exhaustive evaluation of current conditions in the country by a high-level Commonwealth mission that consults widely with all stakeholders in the country and should ultimately be predicated upon a demonstrable commitment on the part of the Zimbabwean Government to uphold, defend and respect the sanctity of the Constitution and the principles buttressing constitutional democracy in the Republic that include constitutionalism, good governance and the rule of law.

Thank you

**Dr Musa Kika**

MAIN  
STORY

## Brace!

Zimbabweans are bracing themselves for what appears to be a bruising 2023 election campaign

Most Zimbabweans fear the 2023 general elections could be bloody 2023 as political tensions between the ruling ZANU-PF and opposition Citizens Coalition for Change (CCC) continue to escalate, research by the Zimbabwe Human Rights Association (ZimRights) has shown.

In its 2021 State of Peace Report launched in Harare and Bulawayo on 23 June, ZimRights said there were adequate indicators on the ground to suggest that the country will plunge into a political crisis next year.

The survey was conducted in six provinces and respondents said they expect bloodshed ahead of next year's polls.

"Zimbabwe is on the brink of what is likely to be a bloody 2023 election. All signals point to that tragic reality," part of the report read.

"It is therefore important that we take time to reflect on what we all can do to build and preserve peace in such a volatile environment.

"The leading cause of concern for the participants in the selected areas for the near future is elections in Zimbabwe."

The report added: "In all six areas, participants said elections give them a lot of worries mainly because they are characterised by violence and intimidation. In addition to the violence that accompanies elections, four of the areas believed that the elections will not reflect the will of the people hence it will be a waste of resources."

ZimRights said participants said elections presented a nightmare rather than an opportunity for them.

"Many community members are expecting bloodshed ahead of the 2023 elections. They attribute the violence to the violent nature of the ruling party. In addition to the violence, communities have no confidence in electoral systems' capacity to deliver democracy. Many are convinced that the election outcome is predetermined because the institutions are captured."

Zimbabwe 2000, the first poll after the formation of the Movement for Democratic Change, has experienced bloody and disputed polls characterised by loss of lives and displacements.

The report predicted increased human rights violations ahead of the 2023 elections.

"The year 2022 will see a strengthening of impunity. With elections coming, a lot of money will be set aside for violence and the perpetrators will be protected. This will lead to impunity for human rights violations. With the Private Voluntary Organisation (PVO) Bill in place, many organisations that document violence will have been shut down or intimidated into silence," the report further added.

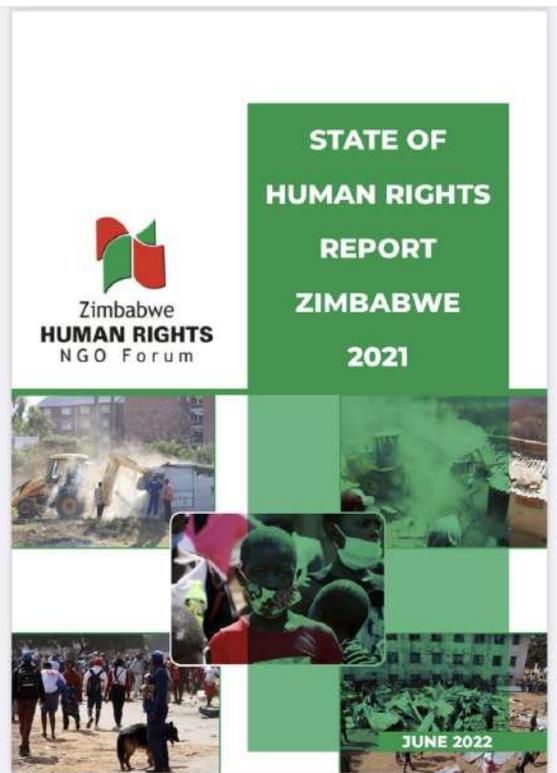
ZimRights said over 50% of the community activists acknowledged that they were living in a state of fragile peace known as negative peace. They are uncertain of what the future holds. There are no peace fundamentals in the communities to sustain 'the silence' they are currently experiencing."

The human rights group said there is political polarisation in the country.

"This is cutting across all sectors of society. Political alliances determine access to resources and the enjoyment of basic rights. Access to food aid is dependent on political allegiance."

The State of Peace Report was produced as part of the ZimRights' Right to Peace Campaign.

# The outlook is gloomy



ZIMBABWE recorded over 2 000 human rights violations including two abductions in 2021, human rights organisations have said citing State security organs as the main perpetrators.

Zimbabwe recorded at least 12 unlawful killings, 306 assaults and torture and 997 cases of harassment and intimidation, a 2021 State of Human Rights report by the Zimbabwe Human Rights NGO Forum says.

The report, jointly launched in Harare and Bulawayo with the 2021 State of Peace by the Zimbabwe Human Rights Association (ZimRights) on 23 June, implicates the State security agents as the main perpetrator of the 2000 cases of human rights abuses recorded between January and December 2021.

About 27 displacements and arbitrary evictions were also recorded in 2021; a year viewed as one of the worst in terms of the country's democracy and human rights record.

The report collated data and statistics documented by the Forum and its members from various parts of the country.

Information from verified media sources and statements and reports made to national and international human rights organisations such as the Zimbabwe Human Rights Commission (ZHRC) was also used.

Testimonies from victims were incorporated.

"The report depicts a very sad picture of the state of human rights in Zimbabwe. There has not been any meaningful action by the government to ameliorate the plight of citizens as the socio-economic situation continued to implode," read part of the report.

"Instead of coalescing efforts around the common enemy of the COVID-19 pandemic, the government decided to channel its energy and resources towards fighting civil society and human rights defenders, who ideally should be its partners for sustainable development."

The report added: "As a result, the COVID-19 response measures were weaponised to target those who are disfavoured by the government, leaving the populations to suffer the debilitating effects of the pandemic alone.

"Democracy continued to decline, with the rule of law situation deteriorating. A climax was reached when the government enacted amendments to the Constitution whose net effect was to concentrate power in the executive in particular the president while subordinating the other arms of government to the overweening power of the executive. The independence of the judiciary was severely undermined."

of the government's conduct in meeting the human rights obligations set out in the Constitution and various international treaties throughout the year 2021.

"The government intensified its attacks on the rule of law and fundamental freedoms, clearly demonstrating a complete disregard for the Constitution. Arbitrary exercise of power by the executive manifested in the unprocedural and unconstitutional passing of amendments to the 2013 Constitution for the second time, whose net effect was concentrating power in the President," the report read.

According to the report, structural violence remains rife in the country.

Speaking at the launch of the report, NGO Forum executive director Musa Kika said Zimbabwe was sliding fast into authoritarian consolidation and this meant little respect for human rights.

"The human rights issue in the country spells gloom and doom. However, the situation could be worse without the work of human rights defenders. There is a need to adapt to mechanisms that keep us going," he said.

"Through the work that we do we give constitutionalism a chance."

# Inside the war zone in Nyatsime



BY EVERSON MUSHAVA

On 17 June, six men sat in a tuckshop at Chibhanguza shopping centre in the Nyatsime where residents were roaming around waiting for the police to bring Pius Jamba to indicate how he allegedly killed Citizen Coalition for Change (CCC) activist, Moreblessing Ali.

The men laughed at their stories as one of them attended to us.

With three police armoured trucks parked in the courtyard, and security details outnumbering civilians, a fresh sense of peace and security had returned, and it was a moment for them to share their experiences in the face of death.

"No one will forget the horror of Tuesday night (14 June)," one of them said. "You remember those guys (names not given), they spent a whole hour arguing about where to go and sleep.

"This one said, let us go and sleep at your place, the other one said, no, it would be safer to sleep at yours.

"The other headache was about which room was secure enough for them to sleep. "He said it was better to avoid the bedroom and sleep on the floor in one of the rooms with burglar bars."

Another interjected: "Yeah, it was a horrific night. I remember that old man calling his friend to come and take his car away saying he would not be responsible if it was damaged." They went on and on with their stories while the tuckshop attendant looked for change for us.

What was evident in their talk was that Tuesday night was unusual. It was a night each of them would like to forget immediately.

The tension was extreme.

The situation started deteriorating when ZANU-PF youths regrouped in the evening after CCC activists torched a house belonging to a branch chairperson, George Murambatsvina in the afternoon.

The angry opposition supporters allegedly also damaged cars and shop windows at Chibhanguza Shopping Centre in retaliation after a video of Zanu PF ward nine councillor Masimbi Masimbi threatening that the ruling party would take over Ali's funeral proceedings went viral.

Masimbi declared in the video that Nyatsime was a ZANU-PF territory.

Ali (46) went missing at Chibhanguza Shopping Centre, Nyatsime, after she was allegedly abducted by Jamba on May 24.

Her body was retrieved from a well at Plot 321 Dunnottar Farm in Nyatsime on June 11 after it was spotted by Linnah Mukandi (57), who is the accused killer's mother.

CCC accused ZANU-PF of engineering Ali's abduction and murder, an accusation denied by the ruling party and the police.

CCC claimed an alleged ZANU-PF terror leader, Simbarashe Chisango, who is believed to be a half-brother of Jamba, was involved in the murder for political reasons.

The developments turned Nyatsime upside down. The place now resembles a war zone.

When entering the Nyatsime area, the atmosphere just changes starting from the popular Nyatsime turn-off that connects with Chitungwiza Road.

Just adjacent to the turn-off, a stationary police truck could be seen packed with riot police and as one approaches Nyatsime River which separates Manyame Rural District Council, near Tilcor Industries, a police roadblock remains in place.

Across Nyatsime River riot police manned the road that leads to Jamba's homestead where Ali's mutilated body was found.

There are police officers who are camped in the bush as well.

"From the day CCC leader Nelson Chamisa came for the memorial service, the situation has been so tense.

"As you might be aware, houses belonging to CCC members were set on fire," said one resident.

"From that day the police have been moving around the community."

Although some people were going about their businesses on Friday, some known CCC activists were said to be in hiding.

"There are safe houses where some people are hiding fearing for their lives," a source said.

When we got to Ali's home, the area was deserted.

# Inside the war zone in Nyatsime



Ali's brother Washington said: "The mourners are in hiding. They were beaten badly by ZANU-PF thugs."

Residents explained what had been happening since the discovery of Ali's body in a well in Nyatsime on 11 June.

"The situation was tense. ZANU-PF supporters have been camped here," said a resident, who requested anonymity.

"They have arrested the MP (Job) Sikhala, but the people who should be in jail are Masimbi and Murambatsvina.

"If they had allowed the CCC to mourn their member, no violence was going to happen."

Another resident explained how CCC members were attacked when they arrived at the shops in a minibus on Monday (13 June).

"We were seated there, and ZANU-PF supporters were everywhere at the shops," he said.

"They bought sadza from that gazebo and after that, that's when the CCC bus arrived.

"The CCC supporters were attacked and some managed to flee.

"Others were apprehended, that is why the CCC claimed its members had been abducted."

Another resident said the police were supposed to intervene soon after Masimbi's video went viral.

"They are here today, if they had come earlier, no violence could have taken place," the resident said.

A police officer who cannot be named for security reasons said he was there from the day violence broke up and he believed that the CCC members were wrong by taking the law into their hands, although he admitted they were provoked.

Asked why those who incited the violence had not been arrested, he simply said: "But you know why."

Masimbi blamed CCC for the violence. He claimed he was quoted out of context in the video that circulated.

"We had agreed with the family, the CCC MP and others that the funeral is led by church leaders, but after that, the CCC supporters accused their MP of selling out," Masimbi said. "They continued coming in their regalia, maybe they wanted to show us that they have numbers in the area.

"They wanted to show that they are powerful. I wanted to promote peace."

He admitted to stopping the funeral process but denied accusations that ZANU-PF members attacked CCC members.

"The video that circulated was doctored," he said. Asked where he was when the violence by the CCC erupted, he said: "I was there in the vicinity, hiding. I knew they were coming for me.

"You know I am a soldier; I was hiding while monitoring everything.

"I even told our supporters not to fight back because we were outnumbered," he said, denying accusations that the party supporters went out on the night of June 14.

Speaking during a Twitter spaces event by the Zimbabwe Human Rights NGO Forum on the evening of 17 June, ZANU-PF director of information Tafadzwa Mugwadi denied his party's involvement in the murder of Ali.

Mugwadi accused CCC of abusing Ali's grieving family for political capital.

"We are led by a president who understands the sanctity of life," he claimed.

"His respect for human rights is the reason why he went to war twice.

"No one has ever gone back to war twice, even Napoleon, in his heroics, has never gone to war twice.

"Our president did that, how can that president undermine the principles of freedom, the same cause he fought for?"

Speaking at the same event Musa Kika, executive director of The Forum, called for a collective effort to address the scourge of political violence.

"You can be a perpetrator today, he said, but tomorrow you will be a victim, hence the need to fight it now because it is indiscriminate," Kika said.

# Inside the war zone in Nyatsime

## TIMELINE OF EVENTS

### June 11,

Ali's body was discovered and on the same day, CCC members gathered to mourn their colleague. On June 12, Zanu PF councillor, Masimbi threatened to take over Ali's funeral. He declared that Nyatsime was Zanu PF territory and ordered that CCC should stop wearing their regalia at the funeral.

### June 13.

Zanu PF youths wearing party regalia camped at Chibhanguza Shopping Centre and attacked CCC supporters who were in a Mazda Swaraj branded CCC minibus. Most of the CCC supporters fled, but the driver was severely assaulted. He is still nursing injuries. ZANU-PF youths turned the shopping centre into a war zone. They also proceeded to disrupt Ali's funeral.

On the same day, a ZANU-PF branch manager George Murambatsvina led a group of youth to disrupt the funeral again, assaulting CCC supporters.

### June 14:

CCC conducts a memorial service for Ali. Party members gathered at a house in Zengeza before hiring lorries to carry party supports to Nyatsime. Soon after arriving at the Ali homestead, the youths, armed with sticks, stones, machetes, and shovels, among other weapons, proceeded to Murambatsvina's home proceeded to Chibhanguza Shopping Centre where they allegedly damaged cars believed to be owned by Zanu PF supporters and shop windows. They also allegedly torched the gazebo where the Zanu PF youths got their food. Party leader Nelson Chamisa addressed the mourners and blamed Zanu PF for the violence.

Soon after Chamisa left at around 1600 hours, armed riot police arrived. That evening, ZANU- PF youths regrouped and started tracking CCC supporters, burning their houses, and looting property.

Over seven homes were destroyed and burnt down, and goods were stolen. Several CCC supporters were assaulted in what turned out to be a very long night for suspected CCC supporters. MPs Job Sikhala and Godfrey Sithole were arrested that night and charged with inciting violence. They are still in remand prison after the state opposed bail.

### June 15.

Police maintained a heavy presence in Nyatsime with army trucks parked at strategic points. Sikhala and Sithole appear in court.

### June 16:

The situation remains tense in Nyatsime. Police announced that Pius Jamba had been arrested but ruled out a political motive in a statement.

### June 17:

Police trucks were parked at Chibhanguza the whole day. Jamba was supposed to be taken there for indications but that did not happen. Masimbi and Zanu PF MP Munyaradzi Kashambe were there at Chibhanguza Mashonaland East Dispol, gathered the people to announce that Jamba was coming for indications, and everyone should leave the area.

### June 18:

Jamba was taken to Nyatsime for indications. A police presence remained very high. Other state agents including the central intelligence organisation were present too.

Additional reporting by Tafadzwa Kachiko, The Standard

# Remembering Dr Magaisa

**By Dr Musa Kika**

I use those four — Alex Magaisa, Zimbabwe, democracy and constitutionalism — because how can one mention the latter three without Alex Magaisa?

Unimaginable.

That is and was the Legend of Alex Magaisa.

It is not an exaggeration to say Magaisa was the greatest Zimbabwean public intellectual — the foremost public thought-leader of our time.

From politics to law, to economics, to our social way of doing life, we all fed from Magaisa’s hands. We should all pay tuition to Dr Magaisa, his Twitter followers would say — a firm recognition that he was a public teacher. Others named him The Bishop, for his teachings.

At the Mandela Rhodes Foundation when I was a scholar, we would speak of education as both a gift and a tool for the advancement of human development, to the benefit of all.

We would speak of how intellectual excellence is not to be seen in isolation from other qualities of character, and that leaders require roundness of personality.

We would say that in receiving an exceptional education, an individual embraces a responsibility to foster such opportunities for others.

Of these, Magaisa is a personified

expression: a good and genuine man of exceptional intellect, with a grounding that made him connect with all, while ever so liberally sharing his knowledge and the gift of his intellect, for the benefit of all.

There are people with gifted and blessed minds. When they think and speak, we see the light.

That was Alex Magaisa.

The man knew our Constitution. He crafted it with others, during those long and edgy Constitutional Parliamentary Committee (Copac) days — those times of the Government of National Unity.

When we teach the Constitution to generations to come, and when we seek to understand what our Constitution means, we will turn to Magaisa’s writings for answers and guidance.

I had the great fortune of working with Dr Magaisa in recent times. I was his student.

In 2021, I co-authored with him the first Constitutional Law Centre publication, a report titled Learning to Walk — The Story So Far, which sought to provide the big picture of the milestones of the Constitution’s journey since it was adopted in 2013 providing a balanced picture of what has been done and how the Constitution has fared so far, the lessons learned and recommendation for the future.

This report which we launched on May 22, 2021, exactly the 8th Anniversary of the 2013 Constitution of Zimbabwe, we

named as we did because we believe constitutionalism is a journey; we must learn to walk before we can run, and in these early days of our nascent Constitution, we are learning to walk.

Magaisa was committed all the way for the long haul, to see constitutionalism in our lifetime in Zimbabwe.

The Constitutional Law Centre (CLC) launched in 2021, an institution which we hope to be part of Magaisa’s extensive legacy, was launched as a consortium of six organisations that engage in research and advocacy regarding constitutionalism, the rule of law and human rights.

These organisations are ZimRights, Centre for Applied Legal Research, WeLead Trust, Women’s Institute for Leadership Development, Justice for Children Trust, and Zimbabwe Human Rights NGO Forum. The CLC is designed to ensure that its output feeds into the work of the consortium partners, providing intellectual leadership in research and development.

CLC has a firm belief that as the supreme law of the country, citizens’ awareness of the Constitution is essential for developing and enhancing a culture of constitutionalism and the rule of law.

Also, in 2021 I co-authored with him and others a report, again for the Constitutional Law Centre, titled Commentary Regarding the Zimbabwe Independent Complaints Commission Bill.



In his words to me over a voice note on June 2, 2021, he said: "I was very idealistic about it. I thought we would have a body that would have a more flexible, cheaper and expeditious way of resolving problems between the citizens and the security services. Partly, it was because I thought we would have a proper government, which would be decent. My fear now is that we would end up having a body that is captured."

This year, I used this publication as material to teach a topic to my Advanced Human Rights LLM Class at the University of Zimbabwe.

We later launched that analysis report together at a webinar in which we were co-panellists.

Magaisa has gone without the law being passed, and without him seeing his idea to fruition the way he would have wanted it.

At the Law Society of Zimbabwe (LSZ) Summer School in Nyanga in November 2021, we were on the same panel — the last LSZ summer school Magaisa would speak. Earlier in the year, we had also been on the same panel at a Sadc Lawyers Association report launch, on the state of the independence of the judiciary and legal profession in the Sadc Region focusing on Zimbabwe, Zambia and the Kingdom of Eswatini.

Dr Magaisa spoke and wrote gracefully, with simplicity, yet with incisive clarity and insight into deep intellectual thought. I learned that that is how true intellectualism should work — more so public intellectualism. Clarity of thought, simplicity and incisiveness.

It is about the substance. We all know that even the ruling party and government officials eagerly waited for the BSR — to be inspired by the beauty of intellect and thought, but also for sinister agendas.

Many are competent in the law, but not so many at breaking it down for the consumption and understanding of the

ordinary people to whom the law is supposed to apply.

Oh, how he brought interest and excitement to the law — the same interest and excitement I remember gleefully engulfing us as we started law school! By so doing, Malaise spread knowledge of the Constitution.

Would I be wrong if I say Magaisa's tweets and the famous Big Saturday Read (BSR), his seminars and presentations, and his knowledge products, combined taught the 2013 Constitution to Zimbabweans more than the Government of Zimbabwe ever did?

Challenge me with the evidence and the statistics of reach!

In our Constitution, he said, we deliberately repeated in addition to "We the people of Zimbabwe . . ." as the opening words of the Preamble, that all executive power derives from the people, all legislative power derives from the people, and all judicial power derives from the people, respectively in the separate chapters dealing with each of these.

The people are the ultimate power. They give their consent, and they withdraw it. The people, he said, must know the Constitution.

The Constitutional Law Centre was formed in 2021 as an idea that has been in incubation long before that, to institutionalise and operationalise these simple yet powerful ideas that Magaisa was a proponent of.

Magaisa had a manuscript of how the Constitution was made, which he planned to publish.

"Ndichakutumira. Muni'nina (I'll send it to you, Bro), I see a lot of me in you! Keep it up!", he said to me one day. We would love to see that publication out!

Magaisa is the greatest there was and will ever be; there will be none like him.

He was a true epitome of citizenship;

he served people and country, without pecuniary returns to him personally.

Though life took him to Kent in the United Kingdom, his first love remained in Zimbabwe.

To us, Magaisa is a hero.

As all true heroes, he lives in our hearts and minds.

There are people whom I believe have given so much, too much, of their lives for the love of the country and its people.

For such people to die before they have realised the fruits of that for which they gave their lives, is painful.

This is the story of Alex Magaisa's untimely demise on June 5, 2022, when we least expected it.

The charge left to us, young academics, is massive.

We cannot keep up the pace. But all we can do, must do, and will do, is try. We are blessed to have lived in the times of Alex Magaisa.

We longed for more time with him. So long Mukoma. (The Zimbabwe Independent) We set out to examine how the Bill satisfied the requirements of section 210 of the Constitution which is the section enabling the legislation.

This writing to us was particularly special because section 210 of the Constitution was Alex Magaisa's idea during the constitution-making process.

This report was a commentary analysis of the Independent Complaints Mechanism Bill, 2020, which seeks to operationalise section 210 of the Constitution by providing an independent and effective mechanism for members of the public to report human rights infractions by members of the security services and get redress.

## The law as a weapon



**BY TAPIWA ZIVIRA.**

**ZPP MEDIA & COMMUNICATIONS OFFICER**

The State continued to weaponise the law to target opposition and civil society individuals. On 6 June, anti-riot police besieged the offices of the Zimbabwe Divine Destiny (ZDD) and arrested Bishops and church members who were gathered in prayer for The Zimbabwe We Want Campaign.” Bishop Ancelimo Magaya of the ZDD and at least 36 worshippers were arrested by the police who claimed that their gathering was political.

They were arrested at the Dutch Reformed Church building in central Harare where they intended to launch The Zimbabwe We Want Campaign. The irony of all this is the fact that in Manicaland, the President was addressing an even larger gathering of the Apostolic church where he declared that ...” Zimbabwe is open for business, and it is also open for religion.”

Following that, police, arrested Amalgamated Rural Teachers Union of Zimbabwe (ARTUZ) and Crisis in Zimbabwe Coalition Spokesperson, Obert Masaraure on a ‘charge of murder’ related to a death by suicide

which happened in 2016 incident. An inquest into the matter had already ruled out foul play.

The labour rights activist endured a week in detention and as has become the norm, had his bail denied several times.

Police also arrested four Institute for Young Women’s Development (IYWD) staff members for holding constitutional awareness meetings in Bindura on 29 June.

At the time of writing, opposition legislators Job Sikhala and Godfrey Sithole and 11 other activists are still in detention, having been denied bail after being charged with inciting violence in Nyatsime, where CCC activist Moreblessing Ali was murdered in a suspected politically motivated case.

The 11, who include three-party supporters, four owners of vehicles allegedly used to carry CCC supporters to Ali’s memorial service on 14 June where violence broke up and four drivers. The 11 are represented by Noble Chinhanu, of the Zimbabwe NGO Forum. The first three to be arrested after the two MPs, Misheck Guzha, Jeche Precious, Makona Odious Precious Jeche, reported at Beatrice

Police Station the torching of their houses by ZANU-PF supporters but were summoned by Marondera Police three days later where they were turned from being the complainants to accused. The police did not arrest known ZANU-PF activists who publicly incited party supporters to bar CCC supporters from mourning Ali. The person suspected of murdering Ali Pious Jamba has been arrested and has since appeared in court.

Of great concern is that among the 11 CCC activists, three are victims of arson after their houses were burned down by suspected ZANU-PF supporters in was of violence that occurred in the area as tempers flared over Ali’s murder. The surprising bit is that those responsible for malicious damage to property of CCC members have not been arrested, revealing selective application of the law.

In June alone, Zimbabwe Peace Project recorded 16 cases of unlawful detention as the law enforcement and justice systems are increasingly being used as weapons to silence government critics and civil society actors. In most cases, opposition supporters and human rights defenders are denied bail at the Magistrate courts, only to be released by superior courts.

## Ziyambi's 45-day ultimatum

Harare High Court Judge Justice David Mangota has ordered Justice Legal and Parliamentary Affairs Ziyambi Ziyambi and Attorney-General Prince Machaya to craft a law that will stipulate the code of conduct for vice-president, ministers and deputy ministers.

Justice David Mangota made the ruling in an application which was brought by a former Zimbabwe Ezekiel Guti law student Nyasha Chiramba who approached the High Court seeking to compel the minister and AG to initiate the drafting of the Bill envisaged under section 106 (3) of the Constitution.

Chiramba argued that the vice-presidents, ministers, and deputy ministers have been involved in different types of misconduct including sexual misconduct and abuse of state resources yet there is no compliance with this piece of legislation.

Former Vice-President Kembo Mohadi was forced to resign after the audios of his sexual escapades went viral on social media. Only last week, the President fired a deputy minister for conduct said to be inappropriate for the office. The deputy minister, Douglas Karoro, was recently arrested for criminal abuse of office.

In a judgement which was delivered Wednesday 8 June, Justice Mangota ruled that that law is overdue since the Constitution was promulgated nine years ago. He ordered the Minister of Justice and the AG to draft the Bill and submit it to the Cabinet within 45 days. There has been no report on the progress made by the minister by the end of June.

Chiramba was represented by Darlington Marange of the Zimbabwe Human Rights NGO Forum.

## Political reforms imperative for Commonwealth admission

The Zimbabwe Human Rights NGO Forum (the Forum) has challenged Zimbabwe to demonstrate a genuine and sustained effort at implementing political reforms before seeking readmission into the Commonwealth.

The Commonwealth Heads of Government Meeting (CHOGM) convened in Kigali, Rwanda from 20 to 25 June where Zimbabwe's application for possible re-admission to the Commonwealth went under scrutiny.

The Forum, in a statement dated 27 June, listed several reports commissioned by the 22-member organisation which prove that the country was experiencing cycles of violence, especially during elections, and thus in desperate need of political reforms.

"The Forum, while keen for Zimbabwe's eventual return to the Commonwealth family, maintains the view that any re-admission should follow a comprehensive and exhaustive evaluation of current conditions in the country," part of the statement read.

"The evaluation must be done by a high-level Commonwealth mission that consults widely with all stakeholders in the country and should ultimately be predicated upon a demonstrable commitment on the part of the Zimbabwean Government to uphold, defend and respect the sanctity of the Constitution and the principles buttressing constitutional democracy in the Republic that include constitutionalism, good governance, and the rule of law."

Zimbabwe was unilaterally removed from the Commonwealth in 2004 by the late former President Robert Mugabe. Before, it had been suspended from the Councils of Commonwealth in March 2002, after an adverse report on the 2002 elections by the Commonwealth Observer Group (COG).

The country renewed its bid to be readmitted into the Commonwealth after President Emmerson Mnangagwa wrested power in November 2017 coup.

The Forum, which has been documenting the human rights situation in the country, however, said:

"We would note that since the suspension and withdrawal of Zimbabwe from the Commonwealth, the country has held four elections, one of which was so violent that it was repudiated even by the African Union. None of the elections has received a passing grade from reputable observer groups," the Forum added.

The Forum said it was concerned by the intention of the Zimbabwe government to restrict legitimate civil society activities through the proposed Private Voluntary Organisations Amendment Bill which threatens proper commitment to the Harare Commonwealth Declaration in the protection and promotion of the fundamental political values of the Commonwealth; democracy, democratic processes and institutions which reflect national circumstances, the rule of law and the independence of the judiciary, among others,

The Forum urged the Zimbabwe government to take steps in ratifying the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) and its Optional Protocol as well as ratification of the International Convention for the Protection of All Persons from Enforced Disappearance.

The government was also urged to desist from advancing a regressive legislative agenda aimed at narrowing democratic and civic space in the country through the withdrawal of the PVO Amendment Bill.

## LRF equips police with investigating skills

A Memorandum of Understanding (MOU) signed between the Legal Resource Foundation and the Zimbabwe Republic Police has resulted in the training of police officers on how to conduct a thorough investigation of cases to ensure successful prosecution.

Prison officers were also trained during the month of June on how to enforce that law without infringing on the prisoners' rights.

On the first of June, LRF conducted a workshop with prison officers in Gwereu. Through the training, LRF capacitated correctional officers who then made a commitment to abide by the United Nations minimum standards for prisoners in the discharge of their duties. In the same regard, the Zimbabwe Republic Police Victim Friendly Unit officers also underwent a training in Mutare. Through this training, LRF aims to strengthen the justice delivery system through capacity building

of access to justice service providers in Zimbabwe. The officers were equipped with knowledge on how to conduct a thorough investigation of cases to ensure successful prosecution. Further, LRF conducted a Peer Legal Advisors workshop in Mberengwa where participants obtained legal education on the declaration of rights and domestic violence. The participants were empowered to make use of the law when advocating for their rights.

## ZLHR in swift response



**Obert Masaraure**

The Zimbabwe Human Rights Lawyers (ZLHR) continued to provide an emergency legal response to victims and survivors of human rights violations, organized violence, and torture.

In Mutawatawa, Mashonaland East, ZLHR secured the release of Lovemore Muchenje from police custody after he had been arrested for undermining the authority of and insulting President Emmerson Mnangagwa.

He was alleged to have posted in a WhatsApp group, a picture depicting President Mnangagwa wearing a dress. Muchenje, who had spent a night in detention was set free after the intervention of ZLHR.

Obert Masaraure, Crisis in Zimbabwe Coalition spokesperson who was arrested on 14 June over a murder case concluded by the courts in 2016, was granted bail on 29 June after the intervention of the ZLHR.

The ZLHR also responded to the distress call of the arrest of Devine Destiny of Zimbabwe founder, Bishop Ancellimo Magaya and 36 other congregants during a prayer meeting for Zimbabwe We Want campaign.

MPs Job Sikhala and Godfrey Sithole, who were arrested on 14 June for inciting violence and are still languishing in remand prison, are also represented by the ZLHR.

12

## TIZ empowers communities

Anti-graft lobby group, Transparency International Zimbabwe (TIZ) convened an anti-corruption indaba in Bulawayo to empower communities in the fight against the scourge.

The Accountability Monitoring Committee Conference was held on 29 June under the theme, "Harnessing the power of communities in the fight against corruption in Zimbabwe".

The conference was centred on the role of accountability and monitoring committees in the fight against corruption at the community level.

The TIZ also produced factsheets on the phenomenon of whistleblowing in commemoration of International Whistle-Blower Day which is celebrated every year on 23 June.

According to the factsheets, a whistleblower is someone who metaphorically blows the whistle by reporting wrongdoing or misconduct committed by an organization that abuses and

neglects its mandate.

TIZ also celebrated people who have come forward to speak out against fraud, abuse, and corruption as part of the commemorations for the day.

Earlier, on 9 June, the corruption watchdog convened a radio program on "The importance of the whistleblowers' protection legislation on the fight against corruption" on Skyz Metro FM.

TIZ recommended that a robust whistle-blower protection framework will encourage citizens to participate more in reporting corruption.

Further, TIZ also conducted a community interface meeting with ward 14 councillors in Kambuzuma, Harare. This was a follow-up feedback meeting on the issues of service delivery raised in previous engagements. Some of the issues raised in the interface meeting with the Kambuzuma councillor were the

non-availability of water, corruption at the local clinic and inconsistency of rates when paying their bills. The councillor resolved to have the misplaced dumpsites removed in Kambuzuma by 21 June 2022 and the inaccurate billing system be replaced in two months.

TIZ also convened a live radio show on @HStvZim on 2 June. Mayor of Harare, Jacob Mafume, social justice activists Farai Gwenhure and a representative from the Community Water Alliance were panellists on the radio program, Transparent Public Procurement, and Open Beneficial Ownership in the Public Procurement Process: The Case of the Pomona Dumpsite.

The show steered citizen interest in corruption and how it is triggering poor social service delivery.

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## ABOUT US



Zimbabwe  
**HUMAN RIGHTS**  
NGO Forum

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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.

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