



African Solidarity Visit to Zimbabwe

26 November – 1 December 2006

Executive Summary

The week of 26 November to 1 December 2006 saw seven civil society representatives¹ from different African countries visit Zimbabwe on a mission coordinated by CIVICUS: World Alliance for Citizen Participation² and Crisis in Zimbabwe Coalition³. The aim of the mission was to provide an opportunity for regional civil society and the international community to offer solidarity to Zimbabwean civil society during the country's current humanitarian and human rights crisis. The mission also sought to discuss with various stakeholders the ways and means in which civil society can effectively respond to the repressive legislative environment for civil society, and assistance that can practically be provided from abroad.

The visiting team met representatives of civil society including those from non-governmental organisations, women, students, business, trade unions and faith-based groups, as well as individuals in government and opposition parties. They informed the visitors about the high levels of serious violations of human rights, such crimes as rape and torture and the struggles of ordinary Zimbabweans to attain a decent standard of living. They were also informed of the efforts of the courageous human rights defenders who are challenging the system and demanding respect for and restoration of basic human rights, despite ongoing intimidation and arrests. They observed considerable mistrust of government by civil society and general intolerance of opposing views, even among civil society.

Public Meetings

Members of the visiting team attended public meetings in Harare and Bulawayo organised by Crisis in Zimbabwe Coalition, which were held on the 28, 29 and 30 November. At the public meeting held on 28 November, in one of the high density suburbs, the team observed that participants were vehemently opposed to the way the government is dealing with the situation the country is in. They expressed serious disagreement with the way government is operating, including the emphasis on "operations" or projects, without any programme to resolve the main sources of the crisis in the country which they identified as one of governance and legitimacy. "There is no respect for human rights. There are very high levels of corruption and very low levels of service delivery, while prices of these same services have increased considerably and there is no accountability from those in authority," explained one of the participants. The City of Harare had just recently indicated plans to drastically increase the rates and other municipal charges⁴. Residents complained that refuse removal was not being undertaken and that they sometimes go for days without water.

At the public meeting held in Bulawayo, participants expressed similar sentiments to those in Harare regarding engagement with the government, with some taking a hard line in favour of more defiance, active resistance and demonstrations. In both meetings, young people were the strongest in expressing the view that the government can only be removed through a violent resistance, considering that authorities have resorted to using brutal force against demonstrators, even women - some with children on their backs.

¹ Team members were: *John Kapito* (Malawi), *Don Deya* (Tanzania), *Jeremias Langa* (Mozambique), *Hannah Forster* (The Gambia), *Don Mattera* (South Africa), *Luckson Chipare* (Namibia), *Fatoumata Toure* (Uganda).

² CIVICUS is an international alliance, based in Johannesburg, South Africa, dedicated to strengthening civil society and citizen participation throughout the world. Civil Society Watch, which facilitated the mission, is a CIVICUS programme which responds to situations where citizen action and civil society are being threatened. More information: www.civicus.org and www.civilsocietywatch.org or email cswatch@civicus.org.

³ Crisis in Zimbabwe Coalition is a network of more than 350 civil society organisations, aiming to bring about democratic change in Zimbabwe. More information: www.crisis.org.zw

⁴ The meeting was informed that the Harare Commission Chairperson held a meeting at the same venue earlier that day during which increases in rates and other charges were announced.

At the 'think tank' meeting held on the morning of 29 November with a variety of participants from civil society, the opposition and churches, the majority of participants rejected 'The Zimbabwe We Want: Towards a National Vision for Zimbabwe'⁵ document which was the focus of the meeting. Most did so based on positions already taken by their respective constituencies, some of which had already met and discussed this issue. They believe that this so-called initiative of the churches was in fact part of the government's strategy to derail them from their own initiative under the Christian Alliance's Save Zimbabwe Campaign.⁶

At all public meetings, the team observed a high degree of intolerance towards opposing views, even among civil society leaders. Those who suggested engaging the government were booed into silence. This is a cause for concern.

Operation Murambatsvina

The team members visited an informal settlement south of Harare where around 200 families are living, having been affected by Operation Murambatsvina⁷ in 2005. The informal settlers indicated that their shacks, made out of motor vehicle scrap metal and black plastic sheets, had been destroyed more than five times, but that they cannot leave as they have nowhere else to go. They survive from handouts given by well-wishers and doing small jobs, such as digging the fields of residents from the nearby townships.

The team was denied entry into Hopley Farm in the south of the Harare where some of the Operation Murambatsvina survivors are, as the management of the camp insisted that this was a government project and could only be accessed after obtaining permission from the colonel in charge of Operation Garikai / Hlalani Kuhle⁸. Thus the team was not able to talk to survivors of the clean-up operation now confined inside Hopley Farm. The team then abandoned the planned visit to Caledonia farm to the east of Harare which they were informed was similarly guarded and therefore likely to be inaccessible without a permit from the authorities.

The team then divided into two groups with one going to Porta farm approximately 30 kilometres west of Harare while the other toured Mbare township in the south to see the tell-tale signs of the forced destruction of housing in these two areas. Those who visited Porta farm were not able to speak to people around the former settlement, but saw signs of the forced evictions such as charred clothing and the remnants of many houses that had been destroyed. Team members also viewed the 'before' and 'after' Operation Murambatsvina aerial pictures of the former settlement obtained by Zimbabwe Lawyers for Human Rights and Amnesty International for their report "Shattered lives – the case of Porta farm"⁹ which allowed them to envision the extent of the removal exercise. Team members touring Mbare saw piles of building rubble on the edges of the township roads and in some cases, cement floors inside the yards of some houses indicating where housing structures had been pulled down.

Visits to the homes of some of the survivors of Operation Murambatsvina in Chitungwiza permitted team members to speak with some of the house owners who were forced to

⁵ This document was prepared by The Zimbabwe Catholic Bishops Conference, The Evangelical Fellowship of Zimbabwe and The Zimbabwe Council of Churches and first presented to the President of Zimbabwe who rejected the first recommendation on the need for a new constitution which was later removed from the document and has since been presented to opposition party leaders.

⁶ Christian Alliance convened The Save Zimbabwe Convention which converged on the 29 July 2006, bringing together political parties, civic organisations and the churches towards the resolution of the crisis facing the country.

⁷ Operation Murambatsvina (Restore Order), a programme of mass forced evictions and the demolition of homes and informal businesses which commenced on 18 May 2005 was reported by the UN Special Envoy on Human Settlement Issues, Mrs Anna Tibaijuka to have affected some 700,000 people who lost their homes, their livelihoods or both in a space of six weeks.

⁸ "Garakai" and "Hlalani Kuhle" mean "live well" in Shona and Ndebele respectively. The operation was launched on 29 June 2005 as a programme to provide new housing and premises for small businesses, ostensibly to address the needs of those affected by Operation Murambatsvina.

⁹ http://www.amnesty.ca/zimbabwe/porta_farm_report_31march06.pdf

destroy their backyard buildings during the clean-up campaign. Most complained of being forced to live in crowded small houses with their children who previously occupied the now demolished outbuildings.

Some members of the team were also taken to a walled industrial stand in Chitungwiza that was said to have housed small-scale industries and businesses where they saw the remnants of the demolished structures.

Engaging with government

Some leaders of civil society and non-governmental organisations are reportedly engaging the government and non-state actors in an effort to find solutions to the problems facing the country. Members of the team were, for instance, told of the efforts of free expression and media groups to engage the government, especially through parliamentary portfolio committees, on the need to enact an acceptable Access to Information law¹⁰ in place of the discredited Access to Information and Protection of Privacy Act (AIPPA). Another NGO described its project of creating peace committees in the various communities, which are reportedly proving quite successful in reducing violence.

The team was, however, disappointed that they could not have an official meeting with the government of Zimbabwe to get their views on some of the team's findings. Their request for a meeting with the Ministry of Public Services, Labour and Social Welfare which is responsible for NGOs, which they hoped could be facilitated through the National Association of Non-Governmental Organisations (NANGO) was unfortunately not successful. Members of the team believe that efforts at dialogue with the government should be seriously sought as a way of building bridges between the government and civil society representatives.

Human Rights Commission

On the issue of the proposed National Human Rights Commission, most civil society representatives with whom the team spoke agreed on the need for such a body, but saw the current push for it as inappropriate given the recent torture and beatings meted out by the police on the leaders of trade unions and activists who demanded a new constitution and respect for human rights. Some said that the only way the human rights commission could be effective is if it is established through the constitution and it operates independently and autonomously from the government.

Restrictions faced by civil society

In meetings with a diverse range of civil society groups, a number of challenges were highlighted which limit the work of civil society organisations and individuals. These include the legal framework, particularly Public Order and Security Act (POSA) and AIPPA, with the potential for this to be made worse by the proposed NGO Bill; attacks on human rights defenders and others activists, both physical violence and propaganda used to undermine the individuals and their work; and control of communications and the flow of resources. It was noted by the team that despite these and other considerable challenges, including ongoing intimidation and threats, there are countless organisations and individuals continuing to courageously work on improving the situation in Zimbabwe.

Experiences of women

At meetings held with leaders of the women's movement and child rights activists, members of the visiting team were told of the high levels of violence, especially the sexual abuse and rape, perpetrated by officials and persons in influential positions. Many women and girls were reported to have been sexually abused at the borders, especially around Beitbridge as they tried to illegally enter South Africa. Reports of police and militia brutality and torture during demonstrations were also heard with some activists actually providing proof to the team in the form of injuries.

¹⁰ The Financial Gazette of Thursday 30 November 2006 carried a story with the headline "African Commission defers ruling on Zim media laws" which indicated that the government had received the draft bill 'in good faith' and has consented to a self-regulatory mechanism for media practitioners in Zimbabwe.
<http://www.fingaz.co.zw/story.aspx?stid=2034>

Life, especially for women and the girls, was reported to be generally unbearable and getting worse by the day with such essentials as sanitary pads completely out of reach of ordinary women. This has resulted in some women resorting to using leaves and rags.

Medical care

Visits to medical clinics in Bulawayo by one member of the team revealed serious impediments to providing medical services, including reported shortages of medicines, medical supplies and instruments. The staff made a plea for rubber gloves for handling HIV positive patients with skin rashes and bleeding sores. They said their supplies of antiseptic were also dwindling. Some clinics had no painkillers and ARVs, along with a shortage of vehicles and ambulances. There is also massive brain-drain of Zimbabwean doctors and specialists into other countries.

There was concern expressed that everything is politicised, even medical services. For example, while the ruling regime only speaks about successes, the MDC only sees the failures – as a result, no one is able to effectively respond to the HIV pandemic. On visiting the maternity clinics, the team member observed that many women were suffering from TB or HIV/AIDS related illnesses.

Please see accompanying communiqué, with recommendations (next page)

Communiqué

African Solidarity Visit to Zimbabwe 27 November - 1 December 2006

We, the members of the African Solidarity team visiting Zimbabwe from seven African countries, express our strong support to all the citizens and civil society of Zimbabwe who are struggling to realise their fundamental human rights such as freedom of expression, association and assembly and the enjoyment of economic, social and cultural rights.

During our visit, we met with representatives of civil society including those from non-governmental organisations, women, students, business, trade unions and faith-based groups, as well as individuals in government and opposition parties. They informed us about the high levels of serious violations of human rights, such crimes as rape and torture and the struggles of ordinary Zimbabweans to attain a decent standard of living. We were also informed of the efforts of courageous human rights defenders who are challenging the system and demanding respect for and restoration of basic human rights, despite ongoing intimidation and arrests. We observed considerable mistrust of government by civil society and general intolerance of opposing views, even among civil society.

We are concerned, shocked and alarmed at the impact of repressive laws and at the severe human rights abuses by the state machinery that have resulted in deepening poverty, torture and rape, especially amongst women and children. A lady whose business was demolished through Operation Murambatsvina captured the situation as thus: 'The Zimbabwe of today – typified by ongoing wide-spread demolitions, crushing of peaceful dissent and a spiraling standard of living – is not the country we once prayed for and envisioned'.

Despite the frequent human rights abuses by the Government of Zimbabwe on its people, there has been insignificant intervention from governments and civil society in the region and beyond.

Recommendations:

Based on our observations, we recommend that the Government of Zimbabwe:

- Begin building, along with the people of Zimbabwe, the spirit of dialogue, tolerance and peace in order for them to enjoy and realise basic freedoms and socio-economic development.
- Be accountable to its citizens by ensuring that it promotes and protects the human rights of its people through the establishment of an enabling democratic environment.
- Heed the recommendations of the 2005 UN Fact-Finding Mission to Zimbabwe by Mrs. Anna Tibaijuka regarding Operation Murambatsvina, and ensure the housing promised to those whose homes were destroyed is made available.
- Repeal all the repressive laws that impinge on the enjoyment of fundamental human rights - such as the Access to Information and Protection of Privacy Act, the Public Order and Security Act, Constitutional Amendment No. 17, and the Criminal Law (Codification and Reform) Act, as well as the pending NGO Bill.
- Work with the people of Zimbabwe to review the current constitution to make it conform with internationally accepted standards and best practice.
- Establish independent democratic governance institutions such as the Human Rights Commission and Anti-Corruption Commission that will, in a transparent manner, promote and protect the enjoyment of human rights.

In addition, we urge international partners to support the democratic reform of governance institutions in Zimbabwe.

In conclusion, we commit ourselves, and further urge regional governments and civil society institutions, to continue to offer practical solidarity and tangible assistance to the government and people of Zimbabwe.

Signed in Harare on November 30, 2006:

John Kapito (Malawi)

Don Deya (Kenya)

Jeremias Langa (Mozambique)

Hannah Forster (The Gambia)

Don Mattera (South Africa)

Luckson Chipare (Zimbabwe)

Fatoumata Toure (Uganda)