

Ms Cynthia Manjoro & 23 Others: Victims of Police Persecution Through Prosecution

Ms Cynthia Fungai Manjoro is a 26 year old information and technology specialist graduate from Zimbabwe National University of Science and Technology who works for a private commercial company in Harare. On 29 May 2011 her world was quickly and unexpectedly turned upside when police arrested her and her brother Steven in Harare, not on suspicion of committing any crime, but as bait to arrest her alleged 'boyfriend' whom they suspected of being connected to the murder of a police officer in the Glen view suburb of Harare. Her mother and friends testify that Ms. Manjoro is a peace-loving person with a passion for human rights advocacy.

Notwithstanding that the mother of a two year old son was nowhere near the scene of the alleged crime, she has endured life in custody for a month now together with 23 other Glen view residents who were also randomly picked up and put in custody in the absence of a shred of evidence linking them to the alleged crime. Their only crime is that they are perceived to be MDC activists. Despite Ms Manjoro providing the police with contact details and address of her alleged boyfriend whom they are after, they still refuse to

release her and denied access to legal representation for the first four days in police custody since her arrest last month.

The case of Ms Cynthia Manjoro and 23 others is a classical example of how elements within the police are using prosecution on flimsy charges as a form of persecution. And yet, perhaps as an alarming signal that the Zimbabwean society is now normalized the abnormal, there has been little outcry over such a travesty of justice. If police suspect Ms Cynthia Manjoro's so-called boyfriend of committing a crime, then they should simply look for the said person without unfairly and needlessly depriving Ms Manjoro of priced liberty. On appearance in court on June 3 police confirmed that 'Cynthia Fungai Manjoro is being held as bait.'

As if deprivation of personal liberty is not enough injustice, Ms Manjoro and 23 others have complained in court that police assaulted them while in police custody. Ms Manjoro told the court through her lawyer – Charles Kwaramba of Zimbabwe Lawyers for Human Rights – that police assaulted her on the knees forcing her to disclose information on the whereabouts of her alleged boyfriend. Several others also showed the magistrate presiding over the case their wounds and bruises they suf-

VICTIM: Ms Cynthia Manjoro pictured with her son. -supplied



fered as a result of the assaults by police.

The magistrate has since ordered an investigation into the assaults of Ms. Manjoro and others but all 24 remain in custody. Close relatives worry about Ms Manjoro's health as she is asthmatic.

We bring the plight and case of Ms. Cynthia Manjoro and 23 others to the attention of the international community we a plea to action in support of these victims of police brutality who are mere victims of persecution through prosecution. Circumstances of their arrest and ill-treatment in police custody reinforce

our calls for urgent reform of Zimbabwe's criminal justice system. We strongly urge groups like Amnesty International to adopt Ms Manjoro and 23 others as prisoners of conscience and Human Rights Watch to closely monitor their treatment to ensure that justice is done immediately.

We call on Zimbabwe authorities to immediately release Ms Manjoro and 23 others. We bring the horrific travesty of justice to the attention of SADC leaders.

Dewa Mavhinga – Crisis in Zimbabwe Coalition Regional Coordinator

Political Developments in Zim Since the Sandton SADC Summit of 12 June

Political developments in Zimbabwe following the Sandton SADC Summit of 12 June have largely been negative beginning with a war of words, spin and semantics over the meaning of words used in the SADC Communiqué with ZANU-PF claiming that the SADC Summit had rejected and reversed the Livingstone Troika resolutions.

This view appears mistaken, and when MDC-T minister Jameson Timba who was at the Summit in Johannesburg attempted to point this out in a press article, ZANU-PF politburo member immediately called for Timba and prime minister Tsvangirai to be arrested for allegedly calling president Mugabe a liar regarding the outcomes of the SADC Summit outcomes. And indeed police obliged and arrested minister Timba on allegations of contravening section 33 of the Criminal Law (Codification and Reform) Act which prohibits undermining or insulting the office of the president.

Minister Timba was effectively abducted by police on Friday 24 June at the airport and detained at three different police stations for two days without food or water before his lawyer

Selby Hwacha successfully applied for an order at the High Court compelling police to produce minister Timba in court on Sunday, 26 June which the police eventually did leading to his release on the orders of the court.

On Monday, 27 June, hundreds of ZANU-PF supporters and so-called war veterans besieged finance minister and MDC-T Secretary General Tendai Biti's offices calling for his immediate resignation for unclear reasons. Minister Biti was able to leave his office via the back door without the knowledge of the rowdy protestors. Alarming, police took no action to protect the minister or to disperse the protestors, who for the second time in three weeks had besieged minister Biti's offices. The first time their demand, which was also not met, was for minister Biti to sign onto their 'anti-sanctions' petition.

These attacks on MDC ministers, coupled with continued public utterances by sections within the military that they view prime minister Tsvangirai as a national security threat who must never be allowed to ascent to the highest office in the country have been correctly interpreted by the MDC leadership

CLOCKWISE FROM RIGHT: Jameson Timba, Tendai Biti & Morgan Tsvangirai



as an attempt by hardliners within ZANU-PF to force the MDC out of the inclusive government and pave way for elections in 2011 under conditions similar to those that prevailed in 2008 where violence and intimidation was widespread, systematic and state-sanctioned. Prime Minister Tsvangirai told party supporters that he would not pull out of the inclusive government even if police did Jonathan Moyo's bidding and arrested him.

State media, both print and electronic, continue to indicate that elections will be held sometime in 2011 and to openly campaign for ZANU-PF while deni-



grating the MDC. The political environment in Zimbabwe is deteriorating sharply and the looming strike action by civil servants oversalary increases the president Mugabe had promised is likely



to heighten tensions and weaken the struggling economy further.

Finally ZANU-PF's call for elections has been boosted and bolstered by the ill-advised

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Every Citizen Must Do Their Duty To Democratize Zimbabwe

Coordinator's Note



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In recent weeks there has been a flurry of justifiable comments in the media extolling the Southern African Development Community (SADC) for its efforts to help political leaders in Zimbabwe to find a lasting solution to the political crisis and for, at long last, publicly expressing frustration at the pace of reforms and calling for an end to violence, hate speech, harassment and intimidation. SADC appears to have given the people of Zimbabwe a new hope and faith that another Zimbabwe, where life is normal, is possible. But of course there is a limit to what SADC and other members of the international community can do for Zimbabwe. There is a lot that each and every individual Zimbabwean can do, as a matter of duty to the nation, to democratize the country.

Ultimately, the burden of liberation and democratization rests firmly and collectively on our shoulders as Zimbabweans. It is us who labour under the yoke of oppression. Unless we individu-

ally and collectively take clear steps, no matter how small, to ensure change comes in our lifetime, then the efforts of our neighbours may be in vain. It is only when the urgency of democratization seizes the nation, and we all act in unison to advance a common agenda, that change will happen. Presently it does not appear to me that we have that common drive and unity of purpose.

I have observed from my experiences as a Zimbabwean human rights activist that the democratization agenda is generally not approached with the seriousness and sacrifice that it deserves. The common reaction, when one publicly calls for the respect of basic rights, is that either you are flipping mad or are simply inviting the immediate violation of your own rights. Friendly warning often given in hushed voices is 'they are surely coming for you.' You are reminded that you have an excellent profession (in this case a lawyer) and therefore should work quietly, enjoy the rewards of the legal profession in

private practice without ruffling feathers needlessly. And indeed many have taken this approach of supposedly letting sleeping dogs lie.

Many have resigned to fate, have chosen to keep the sacrifice and risk of emancipation at arm's length and have assigned the democratization and liberation responsibility to others while they confine themselves strictly to their comfort zones. Within those comfort zones they seek to adapt and make do with whatever oppression or economic difficulty that an irresponsible regime throws at them. If the regime fails to provide electricity they do not ask why, they simply ask where they can find firewood or other alternatives. If the regime runs down the economy so that shops are empty, if they can afford they will drive or fly to South Africa for shopping. They will let those deemed 'reckless' do the dirty work while they occasionally enquire about progress of the democratization project or about what SADC is doing to stop the madness that has become normalized in

Zimbabwe!

My considered view is that we should not expect anyone other than ourselves to stand up for us. It is good that SADC is gradually coming out in strong support for democratization, good governance and human rights respect, but that should not make us lose sight of the fact that they are only helping, the primary duty to act lies with Zimbabweans both at the level of political leaders and of citizens.

I recommend introspection for each citizen who is concerned about the state of affairs in Zimbabwe, to find out what actions, if any, they have personally taken to contribute to the betterment of life and conditions in Zimbabwe. We cannot all be human rights activists, or political leaders, but we definitely can all contribute to transform Zimbabwe into a truly democratic and human rights respecting country where all citizens can enjoy normal life. For each there should be a role and a part to play according to their ability and capacity. And it

is possible to support democratization without put life and limb at risk.

You may choose not to personally speak out for democratization but certainly can make your money do it for you. We need to have Zimbabweans committed and committing their time and resources to the project of democratization. We need to inculcate a culture of supporting the democracy campaign in various ways and to sacrifice for the change that we all desire to see. As the saying goes, no pain no gain. Recently ZANU-PF official Ambassador Chris Mutsvanga told me profound words – he said 'had it not been that I went to the liberation struggle, I would have been a lawyer like you, but I left law school to join the struggle.'

That level of sacrifice that many reached before our first independence in 1980 and before ZANU-PF lost the way, is the same level of sacrifice that Zimbabwe urgently needs today.

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A new road map for Zimbabwe?

NOT since Morgan Tsvangirai entered a power-sharing government with President Robert Mugabe two-and-a-half years ago has the mood within his Movement for Democratic Change (MDC), formerly the main opposition party, been so upbeat. The Southern African Development Community (SADC), which guarantees the power-sharing pact, may at last be willing to tighten the screws on Zimbabwe's ageing despot. At a summit in Johannesburg earlier this month, the often feckless and invariably deferential 15-member regional club issued a report that condemned the dogged refusal of Zanu-PF, Mr. Mugabe's party, to honour the pact. It also agreed to set out a "road map" for violence-free and fair elections to be held, probably sometime next year. Mr. Mugabe has been left isolated, humiliated and fuming. He lobbied hard to get the report, drawn up by Jacob Zuma, South Africa's president and SADC's "facilitator" on Zimbabwe, rejected by his regional colleagues.

Though the report did not mention him or his party by name, it was obvious who was being singled out. Lamenting the "continuous backtracking and lack of implementation" of the power-sharing pact, Mr. Zuma said the situation in the country could no longer be tolerated. The anti-government uprisings in North Africa had shown the need to unblock the Zimbabwean impasse speedily and "in a way that will not just satisfy the SADC region but also that would be acceptable to the entire world." Rejecting Mr. Mugabe's call for fresh elections this year, Mr. Zuma said a poll in the prevailing atmosphere of "violence, intimidation and fear" would lead the country back to the dreadful violence during the last

elections three years ago or even to "a far worse situation". That is why clear conditions for a new poll, including outside observers and the unfettered access of all parties to print and broadcast media, were needed.

Negotiators from SADC and Zimbabwe's three main parties adopted a first draft on June 2nd. Despite furious opposition from Zanu-PF's leaders, who claimed that it was all a Western-backed plot to rig the elections and impose "regime change", the negotiators have been told to draw up a final road map, along with timetables, ready for adoption at SADC's next summit, in August.

It is far from certain that Mr. Mugabe will ever accept such a document, let alone stick to its conditions. "We will not brook any dictation from any source," he stormed when Mr. Zuma's report (which has only just become public) was initially endorsed in March by a SADC "troika" that deals with politics and security. "We are a sovereign country. Even our neighbors cannot dictate to us." The facilitator's job, he said, was simply to facilitate dialogue. "He cannot prescribe anything. We prescribe what we do in accordance with our own laws." He now claims that the report was rejected at this month's full summit, pointing out that the final communiqué merely said it had been "noted" rather than "endorsed". SADC officials say this means the same thing and that it has been annexed to the summit's official report.

The MDC has lost quite a lot of support because of its patchy performance in the unity government. All the same, if free and fair elections were held, the odds would favour an MDC victory. But would Mr. Mugabe ever accept losing power? The heads of the security forces, which

fall under his direct control, have sworn never to accept Mr. Tsvangirai as president. Some watchers fear that Zimbabwe could become like Côte d'Ivoire, where an incumbent president clung to power for many months after his election defeat, plunging his country into civil conflict.

Others hope that Mr. Mugabe, now 87 and in failing health, might, along with his generals, be persuaded to retire peacefully if all were guaranteed immunity from prosecution, the removal of targeted sanctions by the West, and the retention of their riches. Many Zimbabweans, grown sceptical over the years, shake their heads in disbelief. In power since independence 31 years ago, Mr. Mugabe seems to regard himself as a kind of monarch who must reign until his death.

Not so long ago, he could have counted on the support of SADC leaders, many of them fellow veterans of anti-colonial struggles. But they are being replaced by a less respectful younger generation with more awareness of the link between good governance and their countries' prosperity. SADC's leaders, especially its younger ones, are increasingly loth to see their region dragged down by an ageing autocrat. South Africa, already home to more than 1m Zimbabwean refugees, does not want to suffer yet another influx. Mr. Zuma may at last really mean to get tough with his recalcitrant neighbour to the north.

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Political Developments in Zimbabwe Since the Sandton SADC Summit of 12 June

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decision by the Kimberley Process Certification Scheme last week to let Zimbabwe renew Marange diamonds exports. The decision was not reached by consensus as required and the United States and Canada publicly condemned that decision while civil society groups walked out of the intersessional meeting in the Democratic Republic of Congo in protest over the decision.

Zimbabwe civil society groups constituting the Local Focal Point in the Kimberley Process will meet this

week in Harare to formulate a formal response. Fears remain that if ZANU-PF is allowed to resume sales of Marange diamonds in the absence of accountability on the revenue then such revenue may be used to fund an elections war chest that could fund violent polls. The KP should urgently reconsider its decision to allow Marange diamonds to be sold under prevailing conditions.

Dewa Mavhinga – Crisis in Zimbabwe Coalition Regional Coordinator

UPCOMING ACTIVITIES:

▶ PLAY - Rituals (Rooftop Promotions):

- Wits University (13- 14 July 2011)
- Central Methodist Church (15 July 2011)
- Hillbrow Theatre (16 July 2011)

Perpetrators Beware: ICC Beckons

I was thrilled to hear that the International Criminal Court (ICC) issued an arrest warrant for Libyan leader Muammar Gaddafi, his son Saif al Islam and intelligence chief Abdullah al Sanoussi. The three are wanted for crimes against humanity committed against their own people. These include the alleged murder, injury and arrest and imprisonment of hundreds of civilians during the first 12 days of the Libyan uprising. I am happy because the ICC decision is yet another milestone in combating impunity on the African continent.

I am also happy that the pronouncement to issue an arrest warrant was given by none other than Judge Sanji Monageng, a former Commissioner at the African Commission on Human and Peoples’ Rights where my case is still dragging 7 years on. Judge Monageng’s ruling shows that we have judges from this continent who inspire some hope, although institutions they may be asked to serve sometimes stultify their full potential. Back to Gadaffi.

About Gadaffi

Col Muammar Muhammad al-Gaddafi was born this month in 1947. He ascended to power in 1969 after overthrowing King Idris in a bloodless coup. He quickly moved to consolidate his power by elevating family and friends to positions of influence and up until recently, Gaddafi has been an international pariah following allegations of repression, the assassination of opposition leaders in the Diaspora and state-sponsored terrorism. The United Nations sanctions that were imposed in his country in 1993

were only lifted in 2003 following his acknowledgment of, and compensation to victims of terror attacks. Gaddafi had also agreed to stop his nuclear weapons programme, thus endearing himself to most western countries.

In Africa, the Brother Leader has also won support for espousing the pan-African doctrine, having discarded the pan-Arabism and Islamic socialism of the 1970’s. He has also been generous in his contribution to pan-African events and to institutions, including the African Union and has successfully used this platform to grandstand on African Unity, while his country has ill-treated and deported mainly black immigrants from some parts of Africa. This year witnessed popular uprisings in Tunisia and Egypt, among other Arab countries. The popular revolutions in North Africa were met with a brutal armed crackdown in Libya, leaving many displaced, dead or incarcerated. The country easily descended into a civil war and the military suppression of dissent forced the United Nations Security Council to refer the case of Libya to the International Criminal Court.

Gaddafi not isolated

Muammar’s style of leadership is not isolated on the African continent. President Mugabe of Zimbabwe, King Mswati of Swaziland and many others are leaders that surround themselves with relatives and mostly bootlicking sycophants to consolidate power. Even the most hardened anti-Mugabe activists and academics have surprised many by

prostituting principles to idolization in order to curry favour with these despots. This weekend, Jonathan Moyo was on ETV’s Africa 360, waxing lyrical about how the moral and political basis of Zimbabwe’s politics should remain the liberation war instead of the popular will that we went to war for. Likewise, we have heard Brigadier General Nyikayaramba saying that President Mugabe should rule forever, while others not to be outdone have called him “messiah” and “a Moses”. Often, those who want to suck up to these dictators become willing instruments of oppression and crimes against humanity in countries such as Libya, thus necessitating some

plenty of ineffective institutions to deal with the plethora of problems that Africa faces largely because of bad governance. They rarely acknowledge that the hypocritically signed domestic principles they have are in many instances a mirror of international treaties and laws, thus necessitating international action when they are breached.

Why the ICC is important in Africa

Government Spokesperson Moousa Ibrahim rejected the ICC verdict on the grounds that “The ICC has no legitimacy whatsoever. All of its activities are directed at African leaders.” First of all, the ICC with 116 ratifica-

tion has international legitimacy and jurisdiction, and thus can be used for crimes committed anywhere in the world bar in terms of those counties that are not bound by it in law. However, with respect to countries that have not ratified the Rome Statute, such jurisdiction may be bestowed by the UN Security Council, which is the case this instance and was the case when a warrant was issued against the Sudanese President, Omar al-Bashir. It is therefore nonsensical to claim that the court lacks jurisdiction.

If that was the case, South Africa would not have agreed to arrest al-Bashir if he sets foot in this country. Secondly, it is important to note that to argue that all activities of the court are bi-

ased against African leaders is just a plea for solidarity, which should be rejected in favour of the reality in African countries. African countries are almost always at war with each other or against their people. Some, such as Uganda and recently the Ivory Coast, have been the ones to invite the ICC into their jurisdictions. This is because the state is either unwilling or unable to prosecute the offenses. Thus, it is self-serving to claim that the ICC has no jurisdiction or legitimacy in select African countries when crimes against humanity and war crimes are committed with impunity.

The Call on Conscience

In Zimbabwe, crimes against humanity have been committed with impunity. Perpetrators are well-known. Some do indeed boast of their crimes, but Zimbabwe is one of the well-documented of cases of crimes against humanity in the world.

It would be prudent for violators to take note of developments at the International Criminal Court. The days of impunity are fast fading, and those who still think that they can indefinitely rape the country and its people should pause, and exit while people are in an accommodative and sometimes forgiving mood.

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kind of outside intervention.

Dictators in the mould of Muammar Gaddafi also hide behind pan-Africanism and development. They forget that people can only develop if the structural nature of society permits them creativity, free expression and assembly. Like other African leaders, President Mugabe is very good at invoking pan-African solidarity, anti-imperialism and patriotism to garner regional support and to breed a culture of compliance within the populace. African despots also often yell for African solutions to African problems, failing to admit that there is no political will but

Inspirations from meeting with Michelle Obama

Michelle Obama...one of the world’s most influential and powerful women! I had the pleasure to meet with her in South Africa between June 22 and 23 2011 and it truly inspired me (after all, very few of us get to have this opportunity in one lifetime). However, it was not just some random empty meeting. As a follow up to President Obama’s Young African Leaders meeting in August 2010, this particular meeting was done under the guise, Young African Women Leaders Forum. As I sit here writing this article, I am overwhelmed by the lessons I can draw from that two day interaction and these include but are not limited to normalcy in leadership, patience as a virtue, young women as leaders of both today and tomorrow. Looking at Africa today and Zimbabwe in particular, there are many issues that stagnant development however, we can all join hands and transform this nation by giving the necessary support to young women as they too are a critical stakeholder in this democratization process.

As a young woman, the process of socialization is so dominated by patriarchy that is difficult to obtain clarity when then one is thrust with responsibility. The confusion emanates from that one does not know whether to follow a certain paradigm or just continue in their “normal” way of doing things. It becomes even more difficult when the very people who are suppose to mentor you seem to be also lost in their own world and have difficulties showing you the light at the end of the tunnel. Michelle Obama resonated with something that I had so many times held dear to me and that is normalcy in

leadership. When one becomes a leader and a young woman in particular, they can still be “normal” enough for people to interact with without feeling as if they are a completely new person that needs a new introduction. It was her calmness, casualty, warmth and approachability that made me think that indeed it is possible to have a tight schedule, everyone looking at you and many other pressures and still remain a good leader. Imagine what it would be like if leaders in Zimbabwe would interact with their respective “constituencies” with respect, dignity, warmth and genuineness? Zimbabwe would be a much different place to be and am sure that we will not have to be ruled but led in many aspects than one. However, we still have a long way to go, it is possible but difficult considering the caliber of some of these cadres.

Americans treasure their security and I will not get into the intricate details of assuming why and how but one thing for sure is they do work on tight security and when it involves the life of the First Lady, need I say more. We had to practice patience as we got cleared to enter the venue for the meetings and this sometimes took minutes which turned to hours. During this wait, patience was a virtue I reflected on. Sometimes as young women and leaders in general, patience is an ingredient we lack. Transformation has to occur instantly and when there are challenges faced, we always want the easy way out – to quit. However, all good things take time to come by and First Lady Michelle said, only destruction is quick for example the way natural disasters destroy a landscape in minutes and so do explosives. How-

INSPIRATIONAL:
US First Lady, Michelle Obama
- timeinc.net



ever, if we are to realize transformation, there has to be patience as transformation is realized over a long period of time. There is a sense of lethargy in the democratization process of Zimbabwe considering the length this “struggle” has taken. However, fellow comrades, aluta continua, we shall overcome one day indeed. Nothing lasts forever so let us be patient in this work.

Often I have heard that young women are leaders of tomorrow but this interaction emphasized the notion that we are leaders of both today and tomorrow. When young people are seen as leaders of tomorrow,

then they will continue to act and behave as if they are waiting for tomorrow. However, now is the time to show leadership wherever we are and begin to make a difference, after all, we can be the change we want to see and take Zimbabwe to the next level. It is my hope that this reading has helped you share in my experience and that you will be inspired to transform Zimbabwe in whatever corner you are... yes we can!

Grace Chirenje is an activist with a keen interest in Women and Youth Affairs.



Statement on the International Day in Support of Victims of Torture

“No person shall be subjected to torture or inhuman or degrading punishment or other such treatment. ‘Section 15 (1) of the Constitution of Zimbabwe. The Crisis in Zimbabwe Coalition (CiZC) joins Zimbabweans and the rest of the world in commemorating the International Day in Support of Victims of Torture. The Coalition calls upon the inclusive government to discourage the use of torture within its borders and to uphold the Constitution of Zimbabwe by ensuring that all perpetrators of torture regardless of their political affiliation are brought to book and victims of torture receive adequate redress.

Despite being a State party to regional and international instruments such as the African Charter on Human and People’s Rights (ACHPR) and the International Covenant on Civil and Political Rights (ICCPR), the government of Zimbabwe continues to promote torture through its acts of omission and commission which perpetuate impunity. Many victims of the Gukurahundi massacres and the politically-motivated violence instigated against members of the Movement for Democratic Change and civil society activists amount to gross human rights abuses that should be investigated and the perpetrators brought to justice.

The ushering in of the inclusive government in 2009 brought hope to victims of torture who felt that assailants would be apprehended and their grievances met through an independent judicial process. However, despite the existence of Article 18 of the Global Political Agreement (GPA) which exhorts the state ‘to apply the laws of the country fully and impartially in bringing all perpetrators of politically motivated violence to book’, the perpetrators, although known, remain protected by a highly compromised prosecuting authority. The perpetrators continue to taunt the victims and boast that they have not been prosecuted for their heinous crimes because “tisu tirikutonga” or “tisu tiripanyanga” (we are the ones in charge). The Coalition wishes to restate its long held view that without adequately addressing the crimes of the past, it is difficult to move forward.

The vision of a torture free country can be achieved through;

1. Acknowledging past cases of torture and bringing all perpetrators regardless of their positions in society, to account for their actions without fear or favour.
2. The government ratifying the Convention Against Torture (CAT) which allows for the adoption of a national legal framework that can be operationalized to erase the culture of impunity within our society.

Issued by: Crisis in Zimbabwe Coalition

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