Operation *Murambatsvina*: Implications With Regard to Zimbabwe’s Human Rights Obligations; An Analysis by SAHRIT

**Introduction**

The Human Rights Trust of Southern Africa (SAHRIT) is seriously concerned by the recent gross violations of human rights attendant on what the government has referred to as a clean up exercise; codenamed ‘Operation *Murambatsvina* (Restore Order)’. We associate ourselves with the views expressed by all those who have made the point that this operation is callous in its form, content and effect. What concerns us more is what appears to be a deliberate attempt by some sections of the media to misinform the public on the true nature of this operation as well as an apparent concerted effort by some government officials to disguise the full extent and effect of this operation.

This statement, for the benefit of the public, seeks to make it clear and unequivocal that what is in issue are the human rights obligations on the Government of Zimbabwe. The obligations that we refer to are of a legal nature and are binding on the State. More specifically, what is in issue is not just the status of legality of the structures that have been destroyed or continue to be destroyed, rather what is being impugned as repugnant is the inappropriateness of the national laws that are being relied upon to carry out this exercise relative to the context of the obligations voluntarily assumed by the Government under the United Nations Charter and various regional and international human rights instruments to which it is party. We find both the process and the outcome of this exercise objectionable.

Further we wish to make plain the fact that human rights are no longer the preserve of national governments; this now being a matter of legitimate international concern. To this end the arguments that Operation *Murambatsvina* is purely an internal matter notwithstanding the human rights dimension of the exercise is misplaced. The concept of human rights, universal as it is, is anchored on respect for human dignity. Human dignity is inherent and inalienable to life; it cannot be taken away even temporarily on the basis of by laws as is being suggested by the government. Our government cannot plead its national law to avoid peremptory obligations arising out of international law.

- **Issues of legality**

Before we analyse the human rights obligations assumed by the Government of Zimbabwe under international law, we feel obliged to correct a few factual inaccuracies concerning the operation. It is simply not true that all the homes that have been destroyed can by any definition be defined as ‘illegal’. A number of the properties that have been destroyed were destroyed in circumstances where the State had created a legitimate expectation that where there was substantial compliance with the law, and notwithstanding some degree of non-compliance
with the strict provisions of the relevant statutes, the Government would waive its right to strictly enforce the law. This was certainly the case in respect of all those housing cooperatives which were set up with the knowledge of the State and commissioned by Ministers and senior government officials. It is noted here that some of the housing cooperatives had been or were about to be properly registered with the relevant authorities. Some had actually been allocated land by the authorities to build their houses; what they might not have complied with is the requirement that the structures should have been approved. It is our view that in such cases, rather than evict the owners and destroy the structures, the owners should have been given an opportunity to regularise the structures and in so doing avoid a situation of homelessness. It is also pointed out that some of the structures that were destroyed were built with the approval of the local authorities after the appropriate plans having been drawn up. When the exercise to destroy started, this was not considered and there is evidence where affected persons produced approved plans but these were said to be of no force and effect and were accordingly disregarded.

One must also understand and appreciate the context in which the houses that have been destroyed were built. The local authorities were failing to cope with the rising demand for accommodation. The hyper-inflationary environment was making it increasingly difficult for low income earners to meet the high construction standards set by local authorities. Because of growing disparities between the urban centres and rural communities, a number of young people were moving into the cities in search for better opportunities but without the means to provide for expensive accommodation.

Furthermore, the facts on the ground suggest that in some cases those who had put up structures to accommodate themselves in the background of acute shortage of houses assumed that the local authorities had tacitly approved the establishment of their ‘sub standard homes’. In fact, in some areas the local authorities were collecting rates and rentals in respect of the very homes that the Government has now destroyed as ‘illegal’. Some of the illegal settlers had actually been given offer letters by the Ministry of Lands allowing them to erect houses where they had settled. These were registered through a registered NGO, The Housing Cooperatives of Zimbabwe. The question that arises, therefore, is why the local authorities were collecting the rentals and rates when they were aware of the fact that the structures or the settlements were illegal. Surely the structures/settlements cannot be legal for purposes of rates and rent, and be illegal for purposes of Operation Murambatsvina. By way of illustration there are a number of cases where the Harare city council had availed some property owners the opportunity within three months to regularise all structures put up outside the provisions of the laws. These houses were subsequently destroyed without any further notice and before the expiry of the notice given prior to this operation. Are the affected people going to be reimbursed their monies or be compensated in some way?
It is noteworthy that some of the homes that have been destroyed were in fact established with the full knowledge and/or acquiescence of the State. Porta farm has been in existence for more than thirteen years, and Hatcliffe extension settlement for more than ten years. It is therefore arguable that by mere effluction of time, coupled with tacit formal recognition of the existence of these homes, a legitimate expectation was created that the State would not destroy these homes without providing alternative accommodation.

We make the above point conscious of the fact that many of the homes that were destroyed were put up after Zimbabwe had ratified the International Covenant on Economic, Social and Cultural Rights. One of the presumptions in international law is that a State becomes a party to an international instrument with the intention to implement the provisions of that instrument in good faith. The Committee on the International Covenant on Economic Social and Cultural Rights, a body of experts mandated to interpret and supervise the implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR), has already declared the indiscriminate destruction of homes by a State in the absence of simultaneous provision of alternative accommodation to be inconsistent with the obligation to respect the right to shelter/housing.

More worrying is the fact that Operation Murambatsvina appears to violate some provisions of Zimbabwe’s own legislation, notably section 32 of the Regional, Urban and Rural Town Planning Act, which provides for, among other things, notice before any evictions can be effected. In any event it is doubtful that the State could not have achieved the intended objective by bringing in inspectors to identify those structures that were put up in substantial compliance with the law and could be brought into strict compliance with the said law after regularising whatever anomalies may have existed. This the State did not do, rather it indiscriminately demolished all structures without any consideration of the specificity of each case.

In raising the above issues, we are cognisant of a High Court judgment, Dare Remusha Co-operative and Minister of Local Government and Urban Development and Others. This judgment was reported in some sections of the media as having ruled that Operation Murambatsvina was lawful. Despite the judgment, we stick to our views given above and below, for the following reasons:

- The High Court did not rule that the operation was lawful. Rather, the judgment was made specifically in relation to an application by Dare

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1 Refer to General Comment No. 4: the right to adequate housing, by the Committee on Economic, Social and Cultural Rights (HRI/GEN/1/Rev.7, 12 May 2004). See also concluding observations of the Committee on Economic, Social and Cultural Rights: Zimbabwe. 20/05/97. E/C.12/1/Add 12.
2 HC 2467/05.
Remusha Co-operative, based on the facts that related to their particular situation;

- Although the court ruled that the action taken by the Government and the Harare City Council in respect of the co-operative was lawful,\(^3\) we still contend that the law that was applied, and the manner in which it was applied, constitutes a violation of international human rights law. We have already noted above that the indiscriminate destruction of homes by a State in the absence of simultaneous provision of alternative accommodation is inconsistent with the obligation to respect the right to housing, which is provided for, *inter alia*, by the ICESCR, to which Zimbabwe is a party. The fact that the co-operative members may have acted unlawfully in building and occupying the housing structures does not provide justification to the Government to violate international law;

- The court itself, though ruling that the Government and local authority had acted lawfully, noted that:

  ‘*It would be naïve for me to conclude my judgment without mentioning the fact that the action taken by the [Government and the local authority], however, caused untold suffering to a number of people... a lot of people had obviously been displaced and appear to have nowhere to go. Many have been sleeping in the open and in the cold weather. Many school going children are not going to school. It is my considered view that [in spite of] the fact that the action taken and the manner in which it was taken was lawful, hardships which have befallen the affected people would have been avoided by giving adequate notice\(^4\) to the affected people to relocate and re-establish themselves. A few days’ notice was, in my view not adequate.*’\(^5\)

**International Obligations**

One of the purposes of the United Nations is the promotion and protection of human rights\(^6\). The Charter is binding on all member states. Zimbabwe is a member of the United Nations and has on numerous occasions reaffirmed its unconditional subscription to the Charter. Zimbabwe has also acceded to the International Covenant on Economic, Social and Cultural Rights and the

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\(^3\) The court observed the co-operative members had been allocated stands in Hatcliffe and signed lease agreements with the Government and were paying rent and rates to the Harare City Council. The lease agreements had clauses to the effect that the members were supposed to seek approval from the city council of plans for their houses and could not occupy the stands prior to being granted certificates of occupancy. The members however built and occupied housing structures contrary to the lease agreements.

\(^4\) They had been given only about 24 hours notice to remedy the illegality.

\(^5\) See page 8 of the judgment.

\(^6\) See article 1(3) of the UN Charter as read with articles 55 and 56.
International Covenant on Civil and Political Rights (ICCPR)\textsuperscript{7}. The international bill of rights\textsuperscript{8} therefore binds Zimbabwe. Some of the rights provided for under the international bill of rights include the right to shelter\textsuperscript{9}, the right to health\textsuperscript{10} and the right to education\textsuperscript{11}. Each of the rights referred to above has a certain minimum core content which is capable of immediate realisation in practical and meaningful ways irrespective of our level of development. In any event at the very minimum it is expected of the Government that it should not allow, let alone create a situation where we retrogress in the enjoyment of human rights. Where there is retrogression, a \textit{prima facie} presumption is created to the effect that a government is in breach of its human rights obligations and therefore bears the burden to prove that there are exceptional pressing issues that have resulted in such a state of affairs. We find no such pressing need for the sort of unmeasured response to alleged ‘criminality’ that can justify the measures taken by the Government.

It is now a settled point of international law that human rights create a multilayered obligation on every state to respect, protect and fulfil the enjoyment of human rights by all those under their jurisdiction.

- The obligation to respect means that the State must desist or refrain from violating human rights.
- The obligation to protect entails an obligation on the part of the State to ensure, through deliberate positive action, that human rights are not infringed or abused, even by private individuals who are not agents of the State.
- The obligation to fulfil obligates the State to undertake positive steps or measures with a view to achieving or ensuring the full realisation or fulfilment of the rights recognised in the treaty.

We will consider below if the Government of Zimbabwe violated its international obligations through Operation \textit{Murambatsvina}. We intend to do this only in relation to the three rights referred to above i.e. the right to housing; the right to health; and the right to education.

### The Right to Housing

The Right to housing is provided for, \textit{inter alia}, in article 11 of the ICESCR; article 25 of the Universal Declaration of Human Rights (UDHR)\textsuperscript{12}; article 20 of the African Charter on the Rights and Welfare of the Child (ACRWC) (specifically in

\begin{itemize}
\item \textsuperscript{7} Zimbabwe \textit{accessed} to these two instruments on 13 May 1991.
\item \textsuperscript{8} The international bill of rights consists of the Universal Declaration of Human Rights, the ICCPR and the ICESCR.
\item \textsuperscript{9} See article 11 of the ICESCR.
\item \textsuperscript{10} See article 12 of the ICESCR.
\item \textsuperscript{11} See article 13 of the ICESCR.
\item \textsuperscript{12} The \textit{UDHR} is not a binding legal document but it has received universal acceptance to such an extent that it is now believed to have very strong moral and authoritative force. Some provisions of the \textit{UDHR} reflect customary \textit{international} law.
\end{itemize}
relation to children); article 27 of the Convention on the Rights of the Child (CRC) (specifically in relation to children); and article 16 of the Protocol to the African Charter on Human and Peoples' Rights (ACHPR) on the Rights of Women in Africa (specifically in relation to women). General Comments 4 and 7 of the Committee on Economic, Social and Cultural Rights (CESCR), elaborate on the scope and content of this right. The United Nations Commission on Human Rights has addressed the question of forced evictions in Resolution 1993/77. In 2002 the UN special rapporteur on the right to housing in her report\textsuperscript{13} addressed pertinent issues related to the right to housing.

The essential point to be noted is that the right to housing is considered to be ‘of central importance for the enjoyment of all economic, social and cultural rights’. Further, individuals as well as families are entitled to housing regardless of age, economic status, group or other affiliation or status and other such factors. The right to housing is perceived as being intrinsically linked to human dignity. The right must be enjoyed without discrimination including on the basis of economic muscle. CESCR has stated that:

‘The Committee considers that instances of forced eviction are prima facie incompatible with the requirements of the Covenant and can only be justified in the most exceptional circumstances, and in accordance with the relevant principles of international law.’\textsuperscript{14}

and that:

‘The State itself must refrain from forced evictions and ensure that the law is enforced against its agents or third parties who carry out forced evictions.’\textsuperscript{15}

The conclusion arrived at by the Committee on ECSCR is that:

‘In cases where eviction is considered to be justified, it should be carried out in strict compliance with the relevant provisions of international human rights law and in accordance with general principles of reasonableness and proportionality.’\textsuperscript{16}

In respect of Zimbabwe specifically, and in response to Zimbabwe’s initial report on the implementation of the ICESCR, CESCR noted as one of the principal subjects of concern, the fact that:

\begin{itemize}
\item \textsuperscript{13} E/CN.4/2002/59.
\item \textsuperscript{14} General Comment 4 paragraph 18.
\item \textsuperscript{15} General Comment 7 paragraph 8.
\item \textsuperscript{16} General Comment 7 paragraph 14.
\end{itemize}
'Despite the fact that the "extended family" provides a safety net for some of the homeless, the Committee notes that the situation in relation to the right to housing remains clearly inadequate. The Committee is particularly concerned about the precarious situation of persons living in illegal structures or unauthorized housing (para. 107 of the report). Persons should not be subjected to forced eviction unless this is done under conditions compatible with the Covenant.'

The concern arose in respect of information provided by Zimbabwe on the right to housing, which read in part: “In Harare alone, 28,088 (17.5 per cent) persons live in illegal structures or unauthorized shacks.” The Committee was concerned that Zimbabwe had failed to provide information on forced expulsions. In particular, the Committee wanted to know what steps the Government had taken with respect to the resettlement projects that had resulted in forced expulsions and what remedies were available in that area. The Committee was also keen to know what measures the Government had taken to resettle the inhabitants of the “illegal” sector on other planned residential sites or to upgrade the illegal settlements. In its suggestions and recommendations, in respect of the right to housing, CESCR said that:

‘The Committee recommends that appropriate measures be taken in order more effectively to guarantee the right to housing and, in particular, to ensure that no forced evictions are carried out without alternative housing being offered, in accordance with the Committee’s General Comment No. 4 (1991). It would also like to receive further information on the number of forced evictions carried out and on the application of article 11 of the Covenant in Zimbabwe, in particular with respect to the right to housing.’

One of the effects of Operation Murambatsvina is that many people have been rendered homeless. Their ‘illegal’ houses were demolished by the local authorities and the Government without any alternative accommodation being simultaneously provided for them. The Government has, therefore, clearly been acting in contravention of its obligations in terms of article 11 of the ICESCR.

The Right to Health

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17 See paragraph of the concluding observations of the Committee on Economic, Social and Cultural Rights: Zimbabwe, op cit.
19 See paragraphs 43 and 47 of the Summary Record of 10th Meeting Zimbabwe. 06/06/97. E/C.12/1997/SR.10. (Summary Record)
20 See paragraph 21 of the Concluding Observations, op cit.
The right to health is a human right which is considered ‘indispensable for the enjoyment of other rights.’ This right is provided for in, among other instruments, article 12 of the ICESCR, article 24 of the CRC, article 14 of the ACRWC, article 12 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), article 16 of the ACHPR, article 14 of the Protocol to the ACHPR on the Rights of Women in Africa, as well as the constitution of the World Health Organisation. General Comment 14 of the CESCR has elaborated on the scope and content of the right to health, this comment should be read together with General Comment 3 (1990) which defines the nature of state obligations under the ICESCR. The UN Commission on Human Rights has specifically addressed the issue of access to medication in the context of pandemics such as HIV/AIDS.\textsuperscript{21} The State should at all times ensure accessibility to medication by all those in need of it.

A number of the people affected by the operation were infected and affected by AIDS, some of whom were on programmes for ARVs. By moving people arbitrarily, this has affected the number of social programmes that had been in place to deal with the issues of HIV/AIDS and the potential danger that has been created by simply stopping access to drugs without following proper drug termination procedures for HIV/AIDS drugs treatments.

**The Right to Education**

The right to education is provided for, \textit{inter alia}, in article 26 of the UDHR; articles 6, 13 and 14 of the ICESCR; articles 28 and 29 of the CRC; and article 11 of the ACRWC. General Comments 11 and 13 of the CESCR has elaborated on the scope and content of this right. In the context of Operation \textit{Murambatsvina} it is important to understand the centrality of education to a child’s development. In this regard the contents of the UNESCO Convention against Discrimination in Education (1960) as well as General Comment 1 of the Committee on the Rights of the Child provide useful insight on what is an appropriate policy to respect observance of the right of children to access education.

For purposes of an analysis of the effects of Operation \textit{Murambatsvina} it suffices for us to highlight the fact that education as a human right, is considered so important to an extent that there is an obligation on every member state to the ICESCR to provide for it free of charge and on a compulsory basis, particularly with regard to primary education. It is implicit in this obligation that the State should not interfere with access to education. The focus by the current UN special rapporteur on the right to education has already moved from elaboration of normative content to effective implementation. It would seem to us that Operation \textit{Murambatsvina} in its effect is a blatant violation of ‘accessibility and availability’ of the right to education in respect of all young children who have been internally displaced as a result of this operation.

\textsuperscript{21} See Resolution 2003/29.
Did Zimbabwe satisfy its human rights obligation in the conceptual framework ‘respect, protect and fulfil’ in respect of the right to housing, the right to health and the right to education?

With regard to the obligation to respect, it comes in negative form as it refers to non-interference in the enjoyment of human rights in a manner that would be injurious to the exercise of a right. The issue of availability or non-availability of resources does not arise at this stage. Any right minded person looking at the facts on the ground arrives at the inescapable conclusion that the Government has violated this obligation by rendering thousands of families homeless, and in depriving the sick and children of access to healthcare and education respectively.

Assuming that this operation originated from somewhere within the local authorities, and not necessarily within central government, the Government of Zimbabwe has an obligation to protect all those likely to be affected by a third party, which in this case would be the local authorities. Of course, this is clearly now a moot point given the fact that the Government has claimed ownership of the operation. It however demonstrates the government’s obligation to protect human rights.

We are fully alive to the fact that the exercise of economic, social and cultural rights is partly dependent on the availability of resources. The Government cannot be expected to build a house for free, for every person living in Zimbabwe, more so in view of the economic and other problems that are facing us today. What is expected of the Government, however, is that it provides for all those who are unable through their own resources to avail themselves full enjoyment of these rights. This is an obligation to fulfil. This obligation necessarily requires the State to identify all those who are particularly vulnerable and then to help these first, in a non-discriminatory manner.

The undisputed facts on the ground are that the Government has, in an indiscriminate manner and fashion demolished all structures that they adjudged illegal. The issue of legality was determined on the basis of the relevant by laws and statutes. There has been no attempt to make any reference to international human rights law, which is applicable to Zimbabwe. We wish to state that under the Vienna Convention on the Law of Treaties, States are presumed to have entered into international agreements on the basis of good faith and that a State will not plead its domestic law for violation of a treaty obligation.22

It is beyond doubt that because of the indiscriminate nature of the demolitions, in addition to rendering many people homeless; the sick have had their right to access to medication compromised; and some children of school going age had their right to education compromised. These rights, among others not dealt with

22 See article 18 as read with article 19 of the Vienna Convention on the Law of Treaties.
in this statement, have been violated. It cannot be denied that such occurrence was as inevitable as it was foreseeable and avoidable.

The State has argued that those affected will be provided for. Yes, the State has an obligation to remedy a violation of the rights, but this cannot be used as justification for the operation, particularly the manner in which it has been carried out. What is happening to all those children whose parents have been displaced between the time they are homeless and the time they may find alternate accommodation and then find alternate schools for the children? What happens to those who were on ARV programme who have been displaced, and it is known for a fact that the ARV regime must not be disrupted if the patient is to benefit from the treatment?

- **Human rights protection as an internal matter?**

It is obvious to us as we would expect it to be the case with the government that in the context of such widespread human suffering, the mere magnitude and proportions of the violations deserves international intervention. It is in fact the realisation of the magnitude of this problem that has prompted the UN Secretary General to send in a special envoy on a fact finding mission, and the AU to send a special rapporteur, although his mission was not accomplished. We therefore wish to bring to the attention of the Government that they necessarily limited their sovereignty in respect of human rights observance when they subscribed to the international bill of human rights, other international human rights treaties as well as those adopted within the context of Africa.

What we are calling upon the State to do is no more than remind it of the obligations that it voluntarily assumed by being a member of the United Nations and the AU. Such obligations will still have been binding even if the State had not been party to any of the instruments that relate to the right to shelter and the other rights that have incidentally been affected as a result of this operation.

- **Human dignity**

The effect of Operation *Murambatsvina* has been to strip the dignity of all those rendered homeless and/or without any means of livelihood. Human dignity is inherent to humanity. The claim of human rights is not an appeal to grace. It is an entitlement which is enforceable.

Suggestions by some Ministers and government officials that all those affected by the operation and can no longer continue to reside in the urban centres should return to their rural homes is misdirected on a point of fact, among other things. The effect of this operation has been the creation of a number of internally displaced persons. It is a known fact that many of the residents of some of the affected areas such as Mbare and Mabvuku are first generation Zimbabweans
originally from Malawi and Zambia. These people have no rural home to return to. Further, is it right that the State should decide on the basis of social status and wealth, whether a citizen should be an urbanite or a rural dweller? The State is enjoined to acknowledge the disparities in the state of development between urban centres and rural communities. It is in fact such disparities, among other factors, that cause the congestion of urban centres.

In addition to the direct violations of the rights referred to above the exercise will invariably force a number of people out of employment with the resultant effect of making those affected and their families destitute. It is common cause that the majority of those affected are low income earners who could not afford the higher rentals demanded for better accommodation. Those affected by the destruction of homes incidentally constitute the bulk of those who were self employed. Not only did they lose homes but also their means of livelihood. What remains of their dignity?

In conclusion

It is apparent to us that the Government is in breach of its obligations under international law in respect of the promotion and protection of human rights. The Government cannot restrict the appropriateness of this exercise to the provisions of national law. Suggestions by the Government in Parliament that it is not violating international law are incorrect. The fact that Zimbabwe is comparatively better off than many African countries in terms of infrastructural development cannot detract from the fact that Operation *Murambatsvina* has rendered many families destitute, compromised the right to health and the right to education, and that the operation is inconsistent with the human rights obligations attendant on the Government.

The intervention by the international community over the occurrences of human right violations in Zimbabwe is legitimate. Any member state to the United Nations or those parties to the relevant international human rights instruments to which Zimbabwe is party to are entitled as a matter of law to raise concern on possible breach of the provisions protecting the right to shelter, health, education and any other rights that may have been violated as a result of this operation.

The Government has been using the police and the army to carry out various functions to implement this operation. We are perturbed by the fact that the State has resorted to use force against a civilian population in matters that should ordinarily fall within the jurisdiction of municipal authorities. It seems to us that the alleged breaches of the law against those whose properties have been destroyed falls more in the purview of civil law than criminal law. We are unable to find any legal basis to support the direct involvement of the police and the army in this operation.
The building of alternative accommodation by the State to alleviate the suffering of those affected is welcome. Such alternative accommodation should be provided for without any delay. The allocation should be done transparently and without discrimination on whatever grounds. In so doing, we urge the Government to take heed of the requirements of article 11 of the ICESCR, as interpreted by CESCR, and other relevant instruments which bind Zimbabwe. More so, the Government should take heed of the issues that CESCR raised in their Concluding Observations after considering Zimbabwe’s initial report on the implementation of the ICESCR with regard to the right to adequate housing.

Lastly we recommend that the Government, *inter alia*:

- Immediately ceases those aspects of the operation that have resulted in violations of human rights as discussed above;
- Where people have settled illegally or build ‘illegal’ structures, the people concerned should not be forcibly evicted without any alternative accommodation being provided for them. Priority in the allocation of land or houses should be given to those desperately in need. This must be done transparently and without discrimination, and in compliance with international obligations;
- Pays adequate compensation to owners of property that was destroyed but had the requisite approval from the local authorities.
- Where people have been lawfully allocated land but have built ‘illegal’ structures and there is substantial compliance with the law, they should be afforded an opportunity to regularise their structures;
- Locates those who were on ARV programmes but were displaced and disrupted by the operation, so that there is an immediate resumption of the programmes to minimise the negative effects on their health;
- Ensures that all children of school going age who were affected by the operation resume their education;
- Puts in place measures or programmes for physical and psychological recovery of child victims of the operation.
- Allows, without unreasonable interference, humanitarian assistance to the affected people. Denial or unreasonable restriction of humanitarian assistance is a violation of international law in that victims are entitled to relief and assistance from organisations that are willing and able to assist;