

The LEGAL MONITOR

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COST-FREE

Govt has failed on key reforms-Tsvangirai

HARARE-Prime Minister Morgan Tsvangirai has admitted that the transitional coalition government has failed to institute significant democratic reforms more than a year after its establishment.

Tsvangirai formed a transitional unity government with President Robert Mugabe after signing an Interparty Political Agreement (IPA) which was expected to usher in a new phase in his decade-long struggle against Mugabe's rule.

The decision to establish the inclusive government came after many influential leaders in southern Africa pushed for a power-sharing arrangement in response to an election their own monitors concluded was neither free nor fair.

The coalition government committed itself to resolving a decade-long political

crisis by ending politically motivated arrests, prosecutions, seizures of white-owned farms, media censorship as well as drafting a new constitution and holding new elections under international supervision and monitoring.

But a year after its establishment, Tsvangirai conceded that implementation of democratic reforms has been sluggish.

"Indeed, as a government, we have not yet made the types of progress or democratic reforms which were the very reason for entering into this new administration," Tsvangirai disclosed in a keynote address at the launch of a Crisis in Zimbabwe Coalition (CZC) report entitled "Cries from Goromonzi: Inside Zimbabwe's Torture Chambers".

Tsvangirai's disclosure is in tandem with a recent brutal assessment carried out by the Civil Society Monitoring Mechanism (CISOMM), To Page 4



Prime Minister Morgan Tsvangirai

Torture victims tell all

HARARE-Victims of torture at the hands of State agents and members of the ZANU PF regime have revealed the pervasive torture they allegedly underwent, including beatings on the soles of their feet, arbitrary assaults and mock drowning.

In a report titled: "Cries from Goromonzi; Inside Zimbabwe's Torture Chambers" released by the Crisis in Zimbabwe Coalition (CZC) last Thursday, 23 people who allegedly experienced these traumatic experiences describe how the culture of torture with impunity remains pervasive in Zimbabwe.

Their testimonies revealed that where the previous government was not a direct perpetrator, it was an alleged accomplice in the violation of human rights using open violence, chemicals to drug and poison victims, and other egregious forms of cruel, inhuman and degrading treatment.

Rosy Mupfawa, one of the victims, told how 19 people broke into the house she was sharing with her aged parents and four children and force-marched her for about one hour towards a Musamhi base (Mutoko) which was manned by war veterans.

"When we arrived at the base, the group demanded that I produce my Movement for Democratic Change (MDC) regalia and membership card. Upon failure to produce what they wanted, I was told to remove my shoes and had my feet placed upon four bricks before receiving beatings on the soles of my feet," said Mupfawa.

Her assailants claimed to have been sent by named ZANU PF members who had allegedly received instructions to instigate violence against MDC members in the area. She said her assailants tore off her clothes, including her underwear, before touching her private parts.

"At that moment, owing to continued beatings, four teeth fell out while both my arms were broken. One of the men started beating me again with planks and just when I thought the worst was over, he stuck a thick tree stump into my vagina tearing off part of my 'vaginal bean' (clitoris)," said Mupfawa.

While she suffered at the hands of her tormentors, some ZANU PF supporters helped themselves to her three goats, 50kgs of maize meal, sewing machine, 25 litres of cooking oil, five litres of paraffin, school uniforms and blankets.

The police refused to record her report, saying the case was "political", and was being dealt with by the Central Intelligence Organisation (CIO).

This is just one of the many harrowing testimonies by victims of torture, who Prime Minister Morgan Tsvangirai saluted for their "bravery and who shared their testimonies so that they can help to light our path towards truth, justice, and reconciliation".

He said the previous regime had failed in its attempts to crush voices of dissent but a lot more still needed to be done.

"The fact that we are here today is evidence that they failed to silence us and although we have not yet reached our true democratic destination, we will never stop marching towards the Zimbabwe that the people demand and deserve," he said at the launch of the report.

The release of the report coincides with the third anniversary of the March 11, 2007 arrests, assaults and torture of civil society actors and opposition political party leaders and supporters on their way to Highfield for a Prayer Meeting under the Save Zimbabwe Campaign initiative.

"It is fitting that this launch is held on March 11, the day when many of us gathered here were together in Highfield and witnessed and experienced the brutality of the regime's attempts to suppress dissent," said Tsvangirai.

The CZC report examines the pervasive use of alleged torture and imprisonment of citizens in secret detention camps in Zimbabwe to extract information, stifle public dissent and determine political process and election outcomes. It seeks to expose alleged torture camps, the prevalence of the use of torture and acts as a catalyst for security sector reforms in Zimbabwe.

One example of these alleged detention camps is revealed as a prison complex housed at Goromonzi Police Camp situated 40km outside Harare in Mashonaland East - a province notorious for its gross human rights abuses. During the colonial era, the prison complex was used by the Ian Smith regime as a torture base for freedom fighters and other supporters of the liberation struggle.



Rutendo Munengami courageously narrates her ordeal

Significant overhaul required for free polls

HARARE-The Zimbabwe Electoral Support Network (ZESN) has said that an election can only go ahead next year after a 'significant' overhaul of the current electoral system and processes.

In its latest Ballot Update, ZESN said recent statements by President Robert Mugabe that the country should be ready for elections next year were ill-timed because the current environment would only result in disputed polls.

The Ballot Update is a monthly barometer on the transitional administration's ability to meet benchmarks it set for itself under the Inter-Party Political Agreement (IPA) that formed the basis of the coalition government.

Electoral reforms demanded by ZESN include functional constitutional commissions - Zimbabwe Electoral Commission, Zimbabwe



ZESN director - Rindai Chipfunde-Vava

Human Rights Commission, Zimbabwe Media Commission and the Zimbabwe Anti-Corruption Commission - as provided for in the IPA. ZESN expressed concern at the delays in setting up these commissions.

Reform of harsh media and security laws such as the Access to Information and Protection of Privacy Act and the Public Order and Security Act were key in leveling the playing field for contestants. Students, labour and other civil society actors continue to be arrested, harassed and intimidated under these laws, ZESN noted. The constitution-making process is also behind schedule by seven months.

ZESN noted that civil society was still operating in a restrictive environment, making its job of sensitising the public on political, social and economic issues difficult. This has been worsened by the re-emergence of security forces in civilian matters.

"The space for civil society to operate has been significantly curtailed within the past 2 months. Despite the optimism resulting from the Government of National Unity, a number

of human rights violations have been reported during the month under review.

"ZESN learnt of the arrests of the staff of its member organization, CIVNET, in Bindura. The ZimRights Director and some of its board members and staff have also been threatened via text and e-mail messages. Meanwhile the Secretary General of GAPWUZ is currently in hiding after having been summoned before the Joint Operations Command regarding her role in the making of a documentary surrounding the land reform programme," reads part of the Ballot Update.

This curtailment of civil society operating space was particularly worrying given the critical moment of the constitutional outreach process which would require broader participation by the citizens if the new constitution was to gain legitimacy, noted ZESN.

Jonathan Moyo appeals ruling

HARARE-In a further attempt to put an end to his streak of bad fortune, former Information Minister, Jonathan Moyo, has renewed his bid to oust Lovemore Moyo, the Speaker of Parliament, after the High Court threw out his 2008 challenge to have the Speaker's election set aside. The Tsholotsho North MP filed a Notice of Appeal in the Supreme Court last Wednesday, a day after Justice Bharat Patel had dismissed his application.

"The learned Judge (Justice Patel) erred in finding that a proper election of the Speaker of Parliament was conducted in terms of the constitution," Moyo argued in his Notice of Appeal, made through his lawyer Terrence Hussein. "The learned judge erred in conceding the First Respondent's failure to implicate and enforce his own procedures for the election. The judge erred in finding that the participants' exposure of their completed ballot papers was not a violation of the secret ballot.

"He also erred in finding that a secret ballot took place. Wherefore appellant will pray that the appeal be allowed on any one or more or all of the grounds of the appeal and that the decision of learned Judge Patel can be set aside," argued Moyo in his appeal.

Patel had on Tuesday upheld the Speaker's election, dismissing Jonathan Moyo's application with costs.

Jonathan Moyo, with support from MPs from Deputy Prime Minister Arthur Mutambara's party, had sought to convince the High Court that the displaying of ballot papers by about six members of Prime Minister Morgan Tsvangirai's Movement for Democratic Change (MDC) party violated principles of the conduct of a secret ballot.

Justice Patel, however, said he "was unable to find any basis for setting aside the election of the Speaker".

"It follows from the foregoing that the applicants have failed to establish any justification, either as regards the general conduct of the impugned election or with respect to the secrecy of the votes cast or otherwise, for setting aside or nullifying the election of the 2nd Respondent (Lovemore Moyo) as Speaker of the House of Assembly," said Patel.

Justice Patel said the MPs who displayed their ballot papers did so willingly and voluntarily and were not coerced to do so. "On the evidence before this Court, there is nothing to show that

any of the Members in the House did not cast their votes in secret or that the Members who did display their votes did so under any threat or duress," said Patel.

The once high-flying Moyo sat in court and was a pale shadow of the former exuberant, Information Minister of the early 20th century as Justice Patel's delivered his ruling.

Legislators who supported Jonathan Moyo's application were Moses Mzila Ndlovu, Patrick Dube and Siyabonga Ncube. Jonathan Moyo won Tsholotsho as an independent candidate but is now officially back in ZANU PF as a central committee member.

The Speaker, who is the MDC national chairman, was sued jointly with Clerk of Parliament,



Jonathan Moyo: plastic smiles

Austin Zvoma. Zvoma was accused in Jonathan Moyo's application of failing to safeguard the Parliamentary Standing Orders.

Zvoma argued the alleged chaos was merely a result of the increased membership of the House from 150 to 210 MPs.

The Speaker became the first person from outside Zanu PF to have landed the post in 2008 after the ailing Zanu PF had surrendered its majority in Parliament for the first time in Zimbabwe's history.

The Tsholotsho North MP is notorious for crafting the draconian Access to Information and Protection of Privacy Act (AIPPA) which he went on to use to persecute and close media organisations deemed hostile to Zimbabwe. At least four newspapers were closed down during Moyo's reign as Information Minister which turned out to be the darkest period in the history of the media fraternity in Zimbabwe.

Parly seeks public views on Indigenisation Regulations

HARARE - Parliament's Portfolio Committee on Budget, Finance, Economic Planning and Investment Promotion will today hold a public hearing on the controversial Indigenisation and Economic Empowerment (General) Regulations.

Indigenisation Minister, Saviour Kasukuwere, published the regulations last month and since then there has been confusion on their legality, effect and proposed implementation.

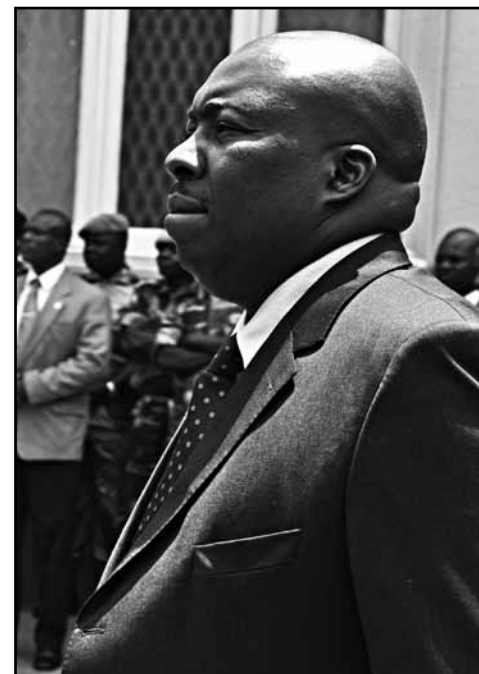
The Committee wants to hear views from ordinary Zimbabweans on the controversial regulations, which are meant to enforce the Indigenisation and Economic Empowerment Act, which President Mugabe signed into law in March 2008.

The law, which forces foreign-owned companies to cede 51 percent of their businesses to locals, has created tensions within the transitional government. Business and labour say the law will result in lack of investment and further job losses.

Prime Minister Morgan Tsvangirai's party, the Movement for Democratic Change (MDC), says the regulations were published without consultation, and fears they will be used to expropriate businesses in the same arbitrary and lawless manner in which farms were violently grabbed by ZANU PF leaders and allies.

Under the law, foreign-owned firms have 45 days from March 1 to show how they will achieve majority black shareholding within five years. Those who refuse to provide this information or to cede majority shareholding to indigenous Zimbabweans could face jail.

Members of the public will have a chance to present their views to the Budget, Finance, Economic Planning and Investment Promotion Committee through oral and written submissions. The Committee, headed by ZANU PF MP and renowned businessman, Paddy Zhandu, will table a report in Parliament on the public views for further debate.



Saviour Kasukuwere

Another long wait for Bennett

HARARE-Roy Bennett, the Deputy Agriculture Minister-designate, will endure another stressful three-week wait while High Court Judge, Chinembiri Bhunu, decides on the MDC politician's application for discharge.

Bennett made the application through his lawyer, Mrs. Beatrice Mtetwa, last week at the close of the State's case. The State, led by Attorney General (AG) Johannes Tomana, opposed the application.

In making the application, Mtetwa argued that the State had failed to link the MDC treasurer-general to the alleged offence of committing acts of insurgency, banditry, sabotage or terrorism. She said the State's key witness - the Mutare-based arms dealer Michael Peter Hitschmann - whom Justice Bhunu had declared hostile during the course of the trial, had not linked Bennett to the alleged crime.

Tomana told the court that Bennett had a case to answer and had "a lot to explain". In long-winded submissions, Tomana alleged that evidence from three "expert witnesses", one hostile witness (Hitschmann) and law enforcement agents had



An artist impression of Roy Bennett in court
Pic courtesy of Tatenda "TC" Chinyika

established a *prima facie* case against the popular MDC politician.

But Mtetwa refuted the claims, saying none of the witnesses had linked Bennett to either Hitschmann, or the crime. "I made the application for discharge knowing that they have not established a genuine case against Bennett," she said.

The Zimbabwe Lawyers for Human Rights member added: "The so-called key witness was never key at all. He never opened any door. So it's impossible to say there was evidence when the person who was said to be key did not come with any keys at all."

Tomana had argued that Bennett's application for discharge lacked merit on the basis that the totality of the State's evidence established a *prima facie* case against him. "I would want to say the application ill founded," he added.

He argued that the State had placed enough evidence before the court to put Bennett - who faces the death sentence if convicted - on his defence. "We have a done a good job towards establishing a *prima facie* case. We have established a link between Michael Peter Hitschmann and Bennett," said Tomana.

Justice Bhunu said he would make a ruling on 31 March as he needed at least two weeks to consider the submissions made by Mtetwa and Tomana.

So far the State case has stuttered along, particularly from the time Hitschmann refused to testify against Bennett. The situation was made worse after Justice Bhunu threw out videos and handwritten statements in which Hitschmann was alleged to have incriminated Bennett. The judge said the evidence had been obtained under torture and could not be used in court.

The former commercial farmer, who lost his farm in Chimanimani in the Eastern Highlands during the height of the chaotic land invasions, has maintained from the onset that he has no link with Hitschmann.

The MDC says the charges are politically-motivated and meant to keep him out of the transitional government its leader Prime Minister Morgan Tsvangirai and President Mugabe formed last year. President Mugabe has said he will not swear in Bennett as Deputy Agriculture Minister until he has been cleared of the offence.

Analysis of unilateral assignment of ministerial functions

The President, without any consultation with the Prime Minister, has gazetted the long-awaited legal instruments stating which Minister is responsible for the administration of which Acts of Parliament. There are 33 statutory instruments in a Gazette Extraordinary late on 4th March. In terms of the Constitution [section 31D] it is the President who assigns functions to Ministers, including the administration of Acts of Parliament [this involves responsibility for the implementation and enforcement of an Act, the making of regulations under the Act, and the initiation and preparation of any Bill to amend or replace the Act.]

Now that there is an inclusive government and a Prime Minister, it would have been expected that there would have been consultation and agreement on the allocation of Ministerial functions.

It was one of the issues which delayed the formation of the inclusive government after the three parties signed the Global Political Agreement (GPA).

Below are brief notes [not a full analysis] on the gazetted Ministerial functions. There are a few typos and anomalies in the gazette [e.g. the Cooperative Societies Act has been given to three different Ministries] so there may be some revisions to these Statutory Instruments.

Acts Governing Media

Minister of Transport, Communications and Infrastructure Development, Nicholas Goche [ZANU-PF], has the Posts and Telecommunications Act.

Minister of Media, Information and Publicity, Webster Shamu [ZANU-PF], has the Broadcasting Act; Access to Information and Protection of Privacy Act [AIPPA]; Zimbabwe Broadcasting

Corporation (Commercialisation) Act; and Zimbabwe Broadcasting Corporation (Debt Assumption) Act.

The "Office of the President and Cabinet", in a surprising move, has been given the Interception of Communications Act [see note below]

[Minister of Information Communication Technology, Nelson Chamisa [MDC-T], has not been assigned any Acts.]

Acts Governing Law and Order

Co-Ministers of Home Affairs, Kembo Mohadi [ZANU-PF] and Giles Mutsekwa [MDC-T], have the Public Order and Security Act [POSA]; Police Act; Unlawful Organisations Act; Protected Places and Areas Act; Official Secrets Act; and Preservation of Constitutional Government Act. These were all under the Ministry of Home Affairs previously. The Ministry of Home Affairs also has the Prevention of Corruption Act and Anti-Corruption Commission Act.

The Zimbabwe Human Rights Commission

This is listed under the Minister of Justice and Legal Affairs. There is in fact no Act on the statute books governing this about-to-be-formed

Constitutional Commission. Listing it under the Justice and Legal Affairs Ministry indicates that it is the intention that when a Human Rights Commission Act is eventually enacted it will be the responsibility of the Minister of Justice and Legal Affairs, although there is a stronger argument for putting it under the Ministry of Constitutional and Parliamentary Affairs.

Acts Governing Elections

Minister of Constitutional and Parliamentary Affairs, Eric Matinenga [MDC-T], has not been given the Electoral Act nor the Zimbabwe Electoral Commission Act as would be expected. [He has been given the Referendums Act.]

Minister of Justice and Legal Affairs, Patrick Chinamasa [ZANU-PF], has been given the Electoral Act and the Zimbabwe Electoral Commission Act, which doesn't make sense - it is harking back to the time when his Ministry was the Ministry of Justice, Legal and Parliamentary Affairs.

Acts governing Parliamentary Affairs

ZANU-PF Minister of Justice and Legal Affairs, Patrick Chinamasa [ZANU-PF], has been given the Political Parties (Finance) Act, the Private Bill Procedure Act and the Public Bodies Private Bill Procedure Act. [It would have been more logical for these to come under the Minister of Constitutional and Parliamentary Affairs.] The only Act to do with Parliament allocated to the Minister of Constitutional and Parliamentary Affairs is the Privileges, Immunities and Powers of Parliament Act.

The Constitution

Minister of Constitutional and Parliamentary Affairs, Eric Matinenga [MDC-T], is now formally assigned the Constitution, except Chapter XI on Finance [which, as previously, goes to the Minister of Finance].

Private Voluntary Organisations Act

This remains with the Minister of Labour and Social Services [MDC-T] as do the Labour Act and all the other Acts previously administered by this Ministry, except Acts dealing with the Public Service and some State pensions which are

now under the Minister of Public Service [MDC-T].

Acts Assigned to the Office of the President and Cabinet

Note: It is surprising that several Acts have been assigned to the "Office of the President and Cabinet" instead of to a Minister, as there is no constitutional provision for Acts to be administered by the Office of the President and Cabinet. These assignments are legally questionable. The Acts are: Emergency Powers Act [previously with Home Affairs]; Zimbabwe National Security Council Act [a new Act not previously assigned]; Interception of Communications Act [previously with Transport and Communications]; Presidential Powers Act [previously with a Vice-President]; Procurement Act; Commissions of Inquiry Act; Honours and Awards Act; Research Act [previously with a Vice-President].

Ministers without Acts to Administer

Four Ministers have no Acts to administer: Information Communication Technology [MDC-T]; Regional Integration and International Cooperation [MDC-M]; State Enterprises and Parastatals [MDC-T]; Science and Technology Development [MDC-T].

Other Ministerial Functions

A Minister's responsibilities, of course, go beyond the administration of Acts of Parliament. Ministers have other functions within the fields covered by their portfolios - the Constitution states that a Minister exercises general direction and control over the Ministry he or she heads. A Minister is also answerable to Parliament for what his or her Ministry does or fails to do. So having responsibility for only one or two Acts of Parliament, or even none, does not mean that a Minister has nothing to do. For example, the Minister of Foreign Affairs administers only one Act - but is responsible for the conduct of the country's foreign relations. **Source Veritas**



Nelson Chamisa: stripped by Mugabe

Vigilant residents freed

MUTARE-Ten vigilant Mutare residents who had been facing charges of public violence have been freed after the State withdrew charges against them.

The ten residents were arrested and charged with public violence last February after they mounted a vigil outside Mutare Central police station where Deputy Agriculture Minister-designate, Roy Bennett, had been detained.

The residents who sympathised with Bennett, the Movement for Democratic Change (MDC) treasurer, camped outside

the Mutare police station after his detention in police cells to ensure that he was not moved to unknown holding stations.

Bennett was arrested last February upon his return from self-imposed exile in South Africa where he had been granted political asylum by South African authorities. He was subsequently charged with attempt to commit terrorism, banditry and sabotage.

The residents, who were accused of damaging property along the city's Herbert Chitepo Street after demonstrating against the former Chimanimani legislator's arrest and detention, were freed last Tuesday after the State prosecutor withdrew charges against them citing insufficient evidence to prosecute.

"The prosecutor withdrew the charges against the residents after assessing the witness statements and the totality of the evidence," said Blessing Nyamaropa of Zimbabwe Lawyers for Human Rights who represented the ten residents.

Bennett, Tsvangirai's choice for the deputy agriculture ministerial portfolio, is popular among Zimbabweans especially those from Manicaland.

In January, Chief Chadworth Ringisai Chikukwa attended Bennett's terrorism trial in Harare in a rare show of support by a traditional leader for the tormented former legislator.

Chief Chikukwa told *The Legal Monitor* that he traveled all the way from Chimanimani,

about 150 kilometers out of the eastern border city, to observe the trial of one of his "subjects".

The Chief lamented the loss of social benefits that Bennett - popularly known as Pachedu - used to contribute to the Chimanimani community.

Bennett, a fluent speaker of the local Manyika dialect, ploughed a share of his profits into building bridges, roads, schools and clinics for the community when he used to run Charleswood Estate in Chimanimani.

Court orders chains off

CHINHYOI-A Chinhoyi Magistrate last week ordered prison guards to stop chaining the legs of three murder suspects following protests from their lawyer.

Emmanuel Chinanzvavana and Fani Tembo, councillors for Banket Town Council, and Givemore Hodzi last week appeared in court for further remand shackled in leg irons.

Chinanzvavana, Tembo and Hodzi are accused of murdering Lancelot Zvirongwe, who was a ZANU PF special interest councillor for Banket. They deny the charge, which they maintain is politically motivated.

The State alleges that the three men kidnapped Zvirongwe between Banket and Chinhoyi and dragged him to an area in Banket where they killed him with an unknown weapon before dumping his body into Kingston Dam.

The State claims that the deceased sent some mobile text messages to Zimbabwe Broadcasting Corporation (ZBC) radio presenter, Richmond Siyakurima, a police Assistant Inspector Chidakwa and an unnamed District Administrator implicating Chinanzvavana and his co-accused.

Chinanzvavana and Tembo are not new to State brutality, having been part of a group of political and rights activists who were abducted and tortured two years ago for allegedly plotting to destabilise the country.

In their latest encounter with state harassment, Chinanzvavana, Tembo, as well as Hodzi had to endure the pain and embarrassment of being chained into court.

Prison guards attempted to justify their actions by informing the Magistrate that the murder suspects were classified as Class "D" prisoners at Chinhoyi Remand Prison, and were therefore dangerous.

Infuriated by the prison guards' unlawful actions, lawyer Tawanda Zhuwarara of Zimbabwe Lawyers for Human Rights protested that the chaining of his clients was illegal.

Concurring with Zhuwarara, the Magistrate ordered the prison guards not to chain murder suspects when they were appearing in court as this was degrading and inhumane.

The chaining of suspects is only part of the dehumanising treatment Zimbabwe's prisoners have to bear. Several prisoners, among them



Emmanuel and Concelia Chinanzvavana: this couple has suffered repeated harassment at the hands of the State. Concelia, once abducted and tortured together with her husband, says she is struggling to feed the family in the absence of Emmanuel, who remains in detention

Pattison Mupfure (an alleged coup plotter), have equated Zimbabwean prisons to a holocaust.

Many often suffer from malnutrition and other diseases as a result of food shortages and lack of proper health care.

The poor conditions in jails, coupled with prisoners' lack of access to life prolonging

drugs such as antiretroviral drugs, which the Zimbabwean government can barely afford, have resulted in numerous preventable prison deaths.

Last year, High Court Judge President Rita Makarau likened any prison sentence to a death sentence because of the gravely inhumane conditions.

In 2009, an outbreak of pellagra killed 23 inmates at the notorious Chikurubi Maximum Prison, where hardcore prisoners are kept.

Zimbabwe has 55 prisons with a holding capacity of 17 000.

We have failed on keys issues

From Page 1

a non-partisan network of civil society organisations dedicated to monitoring and evaluating the implementation of the IPA. The monitoring process is meant to hold the three political principals - namely President Robert Mugabe, Prime Minister Morgan Tsvangirai and Deputy Prime Minister Arthur Mutambara - to account.

In its annual review of the fragile coalition administration, CISOMM said the government had failed to deliver as rights violations continued while most benchmarks set out in the IPA were yet to be met.

Apart from bringing relative economic stability, the coalition government has remained fragile and cannot agree on how to implement commitments they agreed and signed up to in the IPA, particularly those relating to the return to Rule of Law and democratisation of critical state institutions of justice delivery.

Although not as pervasive as before, CISOMM said police continued to harass human rights defenders. Political activists who engage in peaceful protests or meetings remain at risk of arbitrary arrest, detention, beatings and attempted abductions.

Frequent wrangling over policy and the slow pace of reforms, coupled with unilateral actions, have held back progress by the fragile unity government. The country is struggling to restore productivity, feed itself and repair its ruined infrastructure - largely blamed on the previous government's three decade-long misrule.

In response to the lethargic progress in government, most international and regional donors have withheld aid and demanded broad political reforms and assurances that Mugabe is ready to genuinely share power with the former trade union leader.