



**States in Transition  
Observatory**

**GNU Watch  
Zimbabwe  
July 2009**

This document is not meant to be a comprehensive report on the state of the interim government of Zimbabwe. Rather it is aimed at giving an overview, month by month, of political developments under the terms set out in the Global Political Agreement (GPA). The sections profiled in monthly outputs may vary depending on events and issues raised in that particular report. Where possible, the relevant article as stipulated in the GPA has been provided. As this documentation began in April, there may at times be references to activities or events that took place in previous months.

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Bullet logos are as follows

- ✓ Compliance with the GPA or positive steps
- ? Outcome still to be decided.
- ✗ Violation of the GPA

Action taken in relation to the relevant article is on average:

In the direction of compliance with the GPA

Shows no conclusive action towards compliance with or contravention of the GPA

In contravention of the principles laid out in the GPA



[Please Click Here](#) to download the Global Political Agreement (GPA) against which this analysis is drawn.

[A people's guide to the agreement](#) - Africa Community Publishing and Development Trust (ACPDT)

**For previous GNU Watches, click on month: [April 2009](#) [May 2009](#) [June 2009](#)**

\* Disclaimer – this document draws on reported activities and news media. It is not intended to be comprehensive and is, to the best of our knowledge accurate at the time of release.

## Article II commitment



Quotations by public figures pertaining to the GNU:

"Foreign direct investment is most welcomed as it brings new technology, capital and new markets," Such policies as the indigenisation and economic empowerment act should not be viewed as obstacles to investment promotion... They should be welcomed as promotive of the greater participation of our people in the economy." Robert Mugabe – President, 9 July 2009

"We had provided our people with hope and we have people trying to undermine that hope. I hope that the speaker of parliament and the parliamentary select committee can put the process back on rail as soon as possible because we need this constitution." Morgan Tsvangirai – Prime Minister, 13 July 2009

"The green shoots of recovery that are beginning to sprout don't mean we are out of the woods." Tendai Biti – Finance Minister, 16 July 2009

"As the Speaker of Parliament, I will make sure that the people's will in having a truly representative constitution is done. As Parliament, we are not going to write a Constitution on behalf of the people, but we are laying the ground for the people's full participation in the Constitution-making process." Hon. Lovemore Moyo – Speaker of Parliament, 26 July 2009

"We promise you real change not the one where people bicker over cars and on what document should be used as the basis for change." Simba Makoni – Mavambo-Kusile-Dawn, 1 July 2009

## Article VI constitution



[Constitution of Zimbabwe including Amendment No. 19](#)   [Kariba Draft Constitution](#)  
[Exposing Shortcomings of the Kariba Draft Constitution - NCA](#)

- ✓ A Peoples Constitutional Convention was held on the 3<sup>rd</sup> and 4<sup>th</sup> of July to give civil society the opportunity to debate and define which key principles and processes should be followed in the process of drafting of a new constitution.
- ✓ From the 13<sup>th</sup> to 15<sup>th</sup> the First All Stakeholders Constitutional Conference was hosted by the Parliamentary Select Committee. Approximately 234 NGO's attended, excluding the NCA and the ZCTU who boycotted the event because of differences of opinion on the process of constitution making. 18 thematic committees were established: Media, the Founding Principles of the Constitution Committee, Arms of the State (Principles of the Separation of Powers), Systems of Governance, Bill of Rights, Women and Gender Issues, Youth, Land, Natural Resources and Empowerment; Labour; Elections, Transitional Mechanisms and Independent Commissions; Executive Organs of the State; Public Finance; Tradition, Traditional Institutions and Customs; Religion, the Disabled and Freedom Fighters. Each committee must be chaired by an MP according to the GPA though it has been suggested that each committee will have a stakeholder representative as deputy chair. [Article](#)
- ? Commissioners who will serve on the Media Commission, the Zimbabwe Electoral Commission, the Anti-Corruption Commission and the Zimbabwe Human Rights Commission have still not been appointed. The deadline for applications was the 19<sup>th</sup> of June, but no action has been taken. [Article](#) Dr. Tafataona Mahoso is thought to be a front runner for the ZMC, the former head of the now defunct Media and Information Commission along with Chris Mutsvangwa, former Beijing Ambassador and Vimbai Chivaura, a known Mugabe loyalist.
- \* The first All Stakeholders Conference was due to begin on the 10<sup>th</sup>, but was postponed until the 13<sup>th</sup> because of Zanu PF concerns about the start date. This meant that the event missed the deadline

set in the GPA of the 12<sup>th</sup>. The event was also shortened to two days in stead of the original four due to budget constraints and lost a further half day due to political interference by Zanu PF supporters at the venue, actions which were harshly criticised by all three principals. 4000 people were scheduled to attend, but less than 400 had been accredited on the morning of the conference frustrating thousands of participants. Civics claimed that accreditation procedures were not clear which allowed for political party supporters to dominate the crowds attending the conference. [Article](#)

- \* President Robert Mugabe is insisting that the Kariba Draft Constitution be used as the defining document in drafting a new constitution, a position that is supported by JOMIC. This document has been widely criticised given the president powers contained within it. Other stakeholders would like the Kariba Draft to be no more than a reference document, a view that was upheld by co-chairperson of the Parliamentary Select Committee on Constitutional Reform, Douglas Mwonzora who said Mugabe's statements or preferences were not binding in the process. [Article](#)
- \* Several Zanu PF youths have been deployed nationwide to campaign for the use of the Kariba Draft Constitution, apparently using intimidation in campaigning for the adoption of the document. [Article.](#)
- \* The NCA announced that it was embarking on a parallel process for the drafting of a new constitution. "The NCA with the special support of ZCTU and ZINASU will convene the second people's convention on Monday 27 July, 2009. Our agenda is to get a genuine process that will give our country a democratic constitution," said the NCA chairman. The event was held in Chitungwiza and reportedly had over 6000 delegates from 68 different groups.
- \* The ZCTU have accused both MDC parties of betraying the people of Zimbabwe by allowing a parliamentary led process to be used in the crafting of a new constitution. ZCTU secretary general Wellington Chibebe said "The ZCTU is custodian of the resolutions of the national working peoples' convention (that preceded formation of the MDC) and will endeavour to follow to the book what was agreed then."

## Article III Economic Development



### [Mid-Year Fiscal Policy Review – July 2009](#)

Presentation by the Minister of Finance, Hon Tendai Laxton Biti to the 1st Zimbabwe International Investment Conference [10 July 2009](#)

- ✓ Government revenue rose to US\$70 million in June, a total of US\$185.3 million for the first half of the year, and the economy grew by 1.1% between January and April 2009. Finance Minister Tendai Biti has predicted that the economy will grow by at least 3.7% by the end of the year.
- ✓ Prime Minister Morgan Tsvangirai spoke to business and government representatives in Johannesburg in a bid to promote South African investment in Zimbabwe. His central message was that as Zimbabwe's neighbour, South Africa understands better than most the politics, economics and potential of his country.
- ✓ Import duties on key raw materials have been reduced.
- ✓ The MDC distanced itself from comments made by Deputy Minister of Mines, Muri Zwizwai who said that there were no killings in the Marange and Chiadzwa diamond fields.
- ✓ The IMF are aware of the improvements in the economy but have reiterated that until existing debts are cleared, they will not be lending any money to the government. "A more liberal economic environment, price stability, a deepening in financial intermediation, and increased access to foreign credit lines underpinned a pickup in economic activity," said the IMF after its visit at the end of June to review the process in implementing [STERP](#).
- ✓ Civil servant salaries have been increased in line with the demands of each profession. It is likely that the average salary will be between US\$140 and US\$170 per month which increases the wage bill (now anywhere from US\$48 million per month). [Article.](#)
- ✓ A delegation from the Kimberly Process Certification Scheme (KPCS) have called for a temporary ban on diamonds from Zimbabwe after unearthing gross human rights violations in retrieving the stones as adults and children are reported to have been forced by the army to mine the diamonds under

- Operation Hakudzokwi (No Return). The army refused to vacate the area after allegations of murder and torture, saying they are protecting the fields from illegal diamond miners.
- ? Toll fees will be in effect from August, an attempt by government to raise funds to maintain and upgrade national roads.
  - ? NANGO has asked Finance Minister Tendai Biti to return money that was stolen by RBZ Governor, Gideon Gono for use by Zanu PF in 2008.
  - ? The government is looking to the Development Bank of South Africa for a credit facility of US\$80 million in order to revamp the Hwange power plant.
  - ? Non-food inflation was at 1.45 percent, compared with -1.05 percent for May.
  - ? Industry and Commerce Minister Welshman Ncube supports the idea of Zimbabwe entering the Rand Monetary Union to avoid the use of multiple currencies. All rumours of re-introducing the Zimbabwe Dollar have been denied.
  - ? An international investment conference was held in Harare on the 9<sup>th</sup> and 10<sup>th</sup> where all 3 principals to the GPA touted for reinvestment in the country. Concerns about Zanu PF holding key positions in government however still prove to be a bitter pill for most potential investors.
  - ? The annual revenue target for government remains at US\$1 billion, leaving a shortfall of US\$391 million which it is hoped will come from donors.
  - × ZESA did not meet its obligations to pay US\$57 million owed to regional power utilities, and has not divulged how much has been raised.
  - × Dissatisfaction with the banking sector is on the rise as banks are charging exorbitant prices for simple banking services. Most employers pay salaries into bank accounts and account holders are complaining of having to pay up to US\$5 to withdraw their earnings. Different banks also have different conversion rates between currencies which is discouraging people from using the formal banking sector.
  - × Zimbabwe has debt to the tune of US\$3.1 billion according to Finance Minister Tendai Biti.
  - × The National Economic Council has still not met.
  - × A family of 6 needed US\$502 per month to survive in June, a 15% increase from May according to the Consumer Council of Zimbabwe. The prices of food stuffs remain out of reach for most Zimbabweans.
  - × Fuel shortages were nationwide this month after attempts to curb the issuing of import licenses to new operators and restore the control of the National Oil Company (NOCZIM). NOCZIM did not, however, have the hard currency to make the necessary cash payments for fuel. The shortages have also contributed to a rise in cost of most other commodities.
  - × Harare City Council is threatening legal action against customers refusing to pay outstanding rates bills due to a lack of service delivery, in some cases for several years. Some residents have had their water services cut after they failed to respond to letters of final demand. It is estimated that US\$20 million in unpaid water bills remains outstanding. CHRA has advised citizens to take their letters of final demand to their offices so they can be reviewed by lawyers. They are also advising residents not to pay for services not rendered, and claim that the costs remain too high for people to afford.

## Article XXI Electoral Vacancies



These figures are the expected outcomes of elections and are at time of release correct, but may change depending on events that take place in August.

- ? By-elections under the GPA may not be contested, but independent politicians are not bound by that agreement, allowing for expelled legislators to stand as independents. ZAPU has stated that it will run in any by-elections. [Article](#)
- × The President is in violation of the Electoral Act which provides for regular elections as he has not called for by-elections even for those vacant seats dating back to last year - Section 23A. If these elections are not held before September 15 2009, parties may contest these elections [Article 21].

## House of Assembly Vacancies

### **MDC-T**

- Lovemore Moyo of Matobo North lost his seat when he became the Speaker of Parliament.

### **Suspended** (All cases are being appealed)

- Matthias Mlambo, Chipinge East – Convicted of inciting public violence – 10 months
- Meki Makuyana, Chipinge South – Convicted of kidnapping a minor – 12 months
- Shuah Mudiwa, Mutare West – Convicted of kidnapping a minor – 7 years
- Ernest Mudavanhu, Zaka North – Convicted of abusing subsidised farming inputs – 12 months
- Lynette Karenyi of Chimanimani West has been convicted for forging her nomination papers which resulted in a fine. The sentence imposed was insufficient to trigger section 42 of the Constitution.

### **At risk of future suspension:**

- Blessing Chebundo of Kwekwe central facing charges of rape
- Trevor Saruwaka of Mutasa Central who is facing a violence charge.
- Hamandishe Maramwidze of Gutu North, Keya Shoko of Bikita West, Edmore Marima of Bikita East, Tachiona Mharadza of Masvingo and Evelyn Masaiti of Dzivarasekwa are all facing charges of abusing subsidised farming inputs.

The party released a statement calling these acts a "cynical and diabolical attempt" by Zanu PF to reduce the MDC majority in parliament by convicting its members on trumped up charges.

### **Zanu PF**

- A nominated seat as per the GPA in lieu of Vice President Joyce Mujuru's seat
- Death of Ephrem Mushoriwa of Gokwe in Gumunyu
- Death of Cletus Mabaranga of Guruve North
- Death of Eliot Manyika of Bindura North
- Death of Charles Pemhenayi of Mutare North

### **At risk of future suspension:**

- Tranos Huruba of Chivu North and Ivone Dzingirayi of Chivi South are also facing input scam charges.

### **MDC-M**

- Abednico Bhebhe of Nkayi South, Njabuliso Mguni of Lupane East and Normal Mpofo of Bulilima East, have been expelled from the party for indiscipline and insubordination. Their lawyer Thamsanqa Khumalo has filed an application to the High Court to challenge the unprocedural manner with which the party's disciplinary committee handled the matter as no specific charges were brought forward. Under Section 41 (1) (e) of the Constitution if you are not a member of a political party you may not represent that party in Parliament.

## Senate

### **MDC-T**

- Death of Patrick Kombayi of Gweru-Chirumanzu

### **At risk of further suspension:**

- Roy Bennett facing charges of possession of arms

### **Zanu PF**

- 1 seat to replace Senate President Edna Madzongwe – constituency seat Chegutu
- 2 seats freed up by Governors Titus Maluleke from Chiredzi and Jaison Machaya of Gokwe who now hold ex officio seats.

- A nominated seat as per the GPA in lieu of Vice President Msika's seat

### **Chiefs**

- Death of Chief Bidi of Matabeleland South

### **Projected Figures - Veritas**

#### **House of Assembly**

MDC-T – 100 after the election, down to 97 and expected to drop to 87

MDC-M – 10 after the election, 11 now and expected to drop to 8

Zanu PF – 99 after the election, 95 now and expected to drop to 94

Independent – 1

#### **Senate**

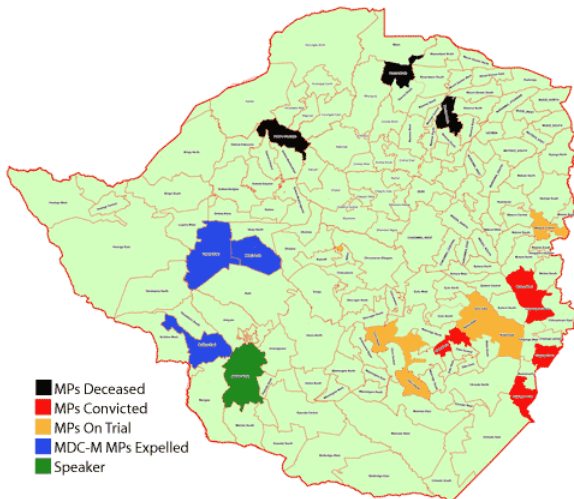
MDC-T – 24 after the elections, 27 now and expected to gain to 32

MDC-M – 6 after the elections, 8 now and expected to gain to 9

Zanu PF – 63 after the elections, 59 now and expected to drop to 55

\*Expected results = Results have not taken into account possible by-election results

*Please see the Veritas Bill Watch Special of 31 July 2009 for further analysis and information.*



The map above illustrates constituencies where seats are exposed to by-elections as a result of MP deaths and MP convictions. [Click to go to this page on the Sokwanele Website.](#)

## **Article XX Framework for a National Government**



- ✓ The Prime Minister and his deputy have expressed their frustration at the slow pace of reforms as set out in the GPA.
- ? The AU has commended SADC on its actions taken with regard to implementation of the GPA and called for the immediate lifting of sanctions.

### **OUTSTANDING ISSUES**

- ✓ Diplomatic delegates are set to begin a 3 week training exercise on the 3<sup>rd</sup> of August before they are posted to their stations in early September. It is thought that MDC-T will make appointments for Germany, Australia, Sudan and Nigeria, while MDC-M will nominate for Senegal.
- ✓ The Ministry of Information, Communication and Technology has launched a website: <http://www.ict.org.zw>
- ? An ultimatum was issued by cabinet to the three principals ordering them to resolve all outstanding issues. These include the ongoing legal attacks on MDC and civic activists, the delay in swearing into office MDC Treasurer General Roy Bennett as Deputy Agriculture Minister, the appointment of

provincial governors and the failure of the National Security Council to meet. However, it is suggested that Roy Bennett and the 6 provincial governors will be sworn in next month.

- ? Deputy Minister-designate Roy Bennett was denied permission to travel to South Africa on business as his bail conditions are still in place. High Court Judge Justice Francis Bere upon hearing Bennett's appeal said that he should have gone to the Bail Court to get his conditions altered. [Article](#)
- ? After the signing of the GPA, a committee was formed to revise the existing Cabinet handbook which outlines the roles for various members of government. Prime Minister Morgan Tsvangirai has expressed concern at the lack of action in this regard.
- \* President Mugabe is refusing to retract the appointments of Reserve Bank Governor, Gideon Gono and Attorney General Johannes Tomana which has resulted in a deadlock between the three principals as Tsvangirai claims the appointments were made without his consent. He is calling for their resignation in order to restore integrity to their offices. Mutambara has taken a non-confrontational stance towards Zanu PF and has stated that Tsvangirai should learn to work with the two individuals in the spirit of inclusivity.
- \* SADC has ruled out holding an extraordinary summit to deal with these outstanding issues. However South African President Jacob Zuma, and Chair of SADC has stated that should the need arise, intervention measures will be taken within the SADC and other continental structures.

## Article IV Funding



- ✓ After a successful trip to Europe and America, Zimbabwe will for the first time in a decade begin formal talks with the European Union. The engagement will take place within the parameters of Article 8 of the Cotonou Partnership Agreement. [Article](#)
- ? Tendai Biti has distanced himself from a supposed Zimbabwe / China US\$5 billion deal which involves the selling off of platinum mines worth an estimated US\$40 billion, for a loan with Eximbank of China for US\$5 billion. "The Zimbabwe government through the Ministry of Finance has not signed any agreement with China in regard to the disposal of any resources with China." [Article](#)
- ? Approximately R200 of the R300 million set aside by the South African government to aid Zimbabwe has been given to help with humanitarian support and economic reconstruction.
- ? [Special Commonwealth Programme for Zimbabwe](#) details.
- \* President Mugabe has praised China for its US\$950 million credit facility to help the recovery of the Zimbabwean economy while at the same time berating the West for insisting on conditions before helping the people of Zimbabwe. [Article](#)

## Article VII, XVI Humanitarian & Food Assistance



### **FOOD SECURITY**

[The right to food - Full text, ZimOnline.](#)

- ✓ Government announced in June that it had secured US\$100 million which was to help the Grain Marketing Board (GMB) with procurement of grain from farmers. Officials are hoping that if the GMB can pay farmers timeously for their produce, then they may be more willing to use the official channels for the production of cereals.
- ✓ Finance Minister Tendai Biti announced that government will make available US\$142 million for agricultural inputs for small scale farmers.
- ✓ 300 000 communal farmers could benefit from a WB programme for the 2009/10 season which will give smallholder farmers seed packs to boost food production. This grant will not be extended to newly resettled farmers whose occupation of the land is still under dispute. The WB said "higher priority will be provided to female headed households and those with high dependency ratios caused by HIV/AIDS or similar health problems."
- ? The government has appealed to the families of inmates to assist with the upkeep of the prison population by donating food, blankets, clothes and other essentials. The prisons service does not

have the funds to provide even basic services. It is thought that at least two inmates a day die from hunger and disease in two of the biggest prisons, Chikurubi and Harare Central.

- ✘ USAID has warned that if no major food imports are made between now and March 2010 the food situation could deteriorate. This follows the WFP and FAO missions to Zimbabwe in May which estimated that 2.8 million people would be food insecure in this period.
- ✘ Food products remain on the shelves in shops but also remain out of reach for most people.

## **EDUCATION**

- ✓ Government has outlawed the practise of teachers demanding incentives from students. In interviews with The Herald after a visit to Mapanzure communal lands at the weekend, parents with children at Muchenurwa and Shumbayaonda primary schools said teachers were demanding maize and sweet potatoes from pupils. One parent, Mr John Hakurabwi from Mapanzure irrigation scheme, said: "They are ripping us off, these teachers. They now demand maize and sweet potatoes from parents, if we fail to pay fees and incentives, which they also expect us to pay for them to come to work, yet they are being paid by the Government."
- ? Early in the month, about 50 teachers in Masvingo went on strike over non-payment of salaries since February. In a memorandum of demands they gave the education ministry two weeks to pay or they would boycott classes every Thursday and Friday. [Article](#) Teachers in other parts of the country are demanding salaries of US\$400 per month and have threatened to go on a nationwide strike if their demands are not met. Raymond Majongwe of the Progressive Teachers Union of Zimbabwe (PTUZ) said "We will only agree to an acceptable figure and since the cost of living in the country is around US\$400 that is the amount that we will accept otherwise we will stop reporting for duty." The Minister of Education has told the unions that government does not have the money to meet these demands. When the civil servant increases were announced, PTUZ slammed government over the proposed US\$140 per month.
- ✘ The Great Zimbabwe University did not open in July after students could not raise the pegged US\$300 fee per semester. The National University of Science and Technology (NUST) is operating at less than half capacity, while the University of Zimbabwe hopes to reopen on August 3, but will not be accepting new students. [Article](#)
- ✘ Teachers unions are calling on the government to bring the youth militias under control as they continue to harass teachers and set up bases in schools.
- ✘ Some parents who failed to pay school fees were visited by debt collectors and threatened with having their furniture removed if they failed to pay within 48 hours.
- ✘ Temporary teachers in Hurungwe district have stopped working as they have not been paid for the past 5 months.

## **HEALTHCARE**

- ✓ Greece has donated US\$650 000 to help fight cholera and to provide aid to food relief projects. The funds have been distributed equally between WHO and the WFP.
- ✓ Medical equipment and drugs worth US\$25 million have been donated to district outlets and organisations fighting HIV and AIDS by the Expanded Support Program (ESP).
- ✓ The Global Fund to Fight AIDS, Tuberculosis and Malaria will no longer be using the National AIDS Council (NAC) as its primary recipient of funds, but will now go through the UNDP.
- ✘ People are still dying from a lack of medical attention in places like Silobela, a rural area. A major contributing factor is that rural people cannot afford the hospital fees.
- ✘ The findings of a UN study done in 2007 were released last month revealing that at least 73% of maternal deaths were avoidable (the maternal mortality rate is 725 per 100 000 live births). The report entitled Maternal and Perinatal Mortality Study states that interventions exist to treat complications, and deaths from them are avoidable.
- ✘ The National Blood Transfusion Service is critically under funded and under stocked. A pint of blood is out of reach for most people pegged at around US\$120 at public hospitals. Harare Hospital requires between 300 – 400 units a month but the supply is very erratic.



- \* Of the estimated 1.7 million people infected with HIV, 320 000 are in need of antiretroviral (ARV) treatment, while only about 150 000 are receiving it. [Article](#)
- \* The start of the rainy season in September is causing alarm in aid agencies concerned about a potential cholera outbreak. Even though the cholera epidemic which killed 4000 people is officially over, frantic efforts are being made to stock up on medications and supplies ahead of the expected rains.

## Article XXII JOMIC (Joint Monitoring Implementation Committee)

- ✓ JOMIC has accused state media of reporting in a biased manor about the new political dispensation. Concerns raised were about the state media being a Zanu PF mouth piece which continues to promote hate speech, in direct contravention of the GPA. Thabitha Khumalo (MDC-T) raised these concerns with media executives.
- ? A report to SADC on the inclusive government by JOMIC is due in August, six months after the formation of the inclusive government. Issues around governors and continued political intimidation, unrelenting farm invasions and government behaviour towards MDC-T parliamentarians remain contentious issues ahead of this reporting period.
- ? JOMIC have openly supported the use of the Kariba Draft Constitution as the primary text for consultations on a new constitution. [Article](#)

## Article V Land Question

- ✓ Deputy Prime Minister, Arthur Mutambara has reiterated the need for a comprehensive land audit and differed with Mugabe and Tsvangirai when he said that government should take responsibility for irregularities and stop looking to Britain and America for compensation. An initial audit carried out by Lands Minister Didymus Mutasa and the Presidential Land Resettlement Committee has shown that several Zanu PF heavyweights have not followed the 'one man, one farm' guideline and are refusing to hand back their extra farms to government. The report is expected to be given to the Ministry of Special Affairs for Land, Land Reform and Resettlement in President Mugabe's office.
- ? Prime Minister Tsvangirai told the farming community that the government is not in a position to compensate farmers for land which was acquired during the controversial Land Reform programme of Zanu PF, but has hinted that the British should do something about it.
- ? Bon Vaughn-Evans, a director of the Commercial Farmers Union (CFU) was found hacked to death at his home in Gweru. His wife Jean, in her 80's and still frail and in a wheelchair after their previous attack, one of 3 recent attacks is said to be very distressed. It is unclear whether the attack was politically motivated or just a botched robbery.
- \* Since February, an estimated 150 000 farmers and their workers have been displaced as a result of illegal farm invasions by Zanu PF loyalists, there has been little response from government to these actions.
- \* Charles Lock has been cleared of charges for staying on his farm in Karoi; his wife Ellen Lock is now facing the same charges. Despite letters from court allowing them to remain on the land, an army brigadier is insisting the land belongs to him. [Article](#)
- \* Stockdale Farm, overtaken by Edna Madzongwe a top Zanu PF official continues to be blighted. One of its guards committed suicide on the property allegedly for being linked to the death of a man who stole oranges.
- \* Ray van Rensburg, 76, was killed in an attack at his home in Gweru after he was attacked by an unknown assailant.
- \* Attorney General Johannes Tomana is involved in a property dispute over a conservancy farm in Masvingo, Malangani Ranch. Farmer Kenned Hood claims that the offer letter he had from Governor Titus is fraudulent and the farm has been seized illegally. [Article](#) Moves like this and others by senior Zanu PF officials have angered war veterans who have petitioned Vice President Joyce Mujuru to intervene in the acquisitions which they call 'daylight robbery.'

- \* Controversial businessman Billy Rautenbach has been given a large piece of land in the South of the country which was left in trust by former leader Joshua Nkomo. This move has angered potential black farmers.



## Article XVII **Legislative Agenda Priorities**

- ✓ Statutory Instruments Sis 109 and 114/2009 have been announced. These will effect changes in customs and excise duties on petrol and diesel.
- ✓ Government has withdrawn the Mines and Minerals Amendment Bill of 2007 which demanded foreign owned mines have 51% local ownership in an effort to lure investors. Mining has become the leading source of foreign exchange with gold accounting for a third of exports. Some of the biggest firms in Zimbabwe include Impala Platinum Holdings (Implats), Anglo Platinum and Rio Tinto.
- ? The bill which is intended to guide the process of national healing is still in its infancy.
- \* No amendments to AIPPA, POSA or other repressive legislation have been tabled in Parliament.
- \* The Information Communication Technology Bill remains a departmental draft which has not been sanctioned by Cabinet.

## Article XI, XVIII **National Security Council**



- ? The new National Security Council met for two hours on the 30<sup>th</sup>. The National Security Council Act stipulates that they should have met every month since March. The inaugural gathering was attended by some of the service chiefs from the Joint Operational Command, a group which had previously refused to recognise Tsvangirai as their leader. [Article](#). Minister of State for Security Sydney Sekeramayi said the meeting was a very cordial gathering.

Attendees of the meeting included: Vice President Joyce Mujuru, Deputy Prime Ministers Arthur Mutambara and Thokozani Khupe, Defence minister Emmerson Mnangagwa, State Security minister Sydney Sekeramayi, Home Affairs co-minister Giles Mutsekwa, Economic Development minister Elton Mangoma, Chief Secretary to the President and Cabinet Misheck Sibanda, Zimbabwe Defence Forces commander General Constantine Chiwenga, army commander Lieutenant-General Phillip Sibanda, air-force commander Air Marshal Perence Shiri, deputy police commissioner-general Levy Sibanda, Central Intelligence Director Happyton Bonyongwe, Minister of State Security, Chief Secretary to the President and Cabinet, Secretary to the Prime Minister, the Commissioner-General of police, Commissioner of Prisons and the Director-General of the Central Intelligence Organisation (CIO).

However, Vice-President Joseph Msika, co-Home Affairs minister Kembo Mohadi, Finance minister Tendai Biti, Industry and Commerce minister Welshman Ncube (who is supposed to attend as a nominee of his party), police Commissioner-General Augustine Chihuri and Prisons Commissioner Major-General Paradzai Zimondi did not attend.

## Article XV **National Youth Training Programme**



- ✓ Home Affairs Co-Minister Giles Mutsekwa has promised to embark on a fact finding mission to investigate the reports of renewed militia activity. "I will from next week begin touring the areas where reports of the resurfacing of militia bases are coming from to find out the truth. I want to assure you that if I find the existence of such bases I will dismantle them and bring this violent practice to a stop once and for all, and as the minister of Home Affairs, ensure that those involved are brought to book," he said on the 17<sup>th</sup>.
- \* Reportedly, youth militia have been deployed to MDC strongholds to ensure that rural communities participate in the constitution making process, and to push for the use of the Kariba Draft as the primary resource document. Mutare, Masvingo and Mashonaland Central have been named as hot

spots. [Article](#) Zanu PF deputy secretary for Youth, Saviour Kasukuwere has confirmed the deployment of the militias in the violent election campaign of last year.

- ✘ Youth militia have also begun to set up bases at schools in certain areas apparently intimidating teachers striking over low wages. Teachers were a target group during the 2008 violence.
- ✘ Youth members have been conscripted into state parastatals in Mwenezi East district to ensure that MDC supporters are not employed. [Article](#)

## Article X **Free Political Activity**



- ✓ Simba Makoni launched the Mavambo-Kusile-Dawn party (formerly a movement) which he says will bring 'real change' to Zimbabwe. The event in Mbare, outside of Harare, was attended by about 300 supporters. Makoni ran as an independent presidential candidate in the 2008 elections.
- ? It is reported that 5 war veterans have been given eviction notices to move off land that was allocated to them in 2000 by Zanu PF because they now support the MDC. Fanuel Musona, Gift Lemon, Lyson Reason, Gift Mhembere and Lazarus Malunga believe it is because Zanu PF loyalists perceive this action to be a betrayal of the liberation movement.
- ✘ Obert Mpfu, Minister of Mines is being accused by ZAPU of intimidating their supporters in Umguza, Matabeleland North.

### **BELOW IS A LIST OF POLITICAL PARTY COMMUNICATION AND STATEMENTS**

Zanu PF have not released any statements or communiqués.

#### **MDC-T**

[Q & A with Morgan Tsvangirai - Time Magazine](#)

- Minister Mahlangu remanded in custody after State opposes bail [31 July 2009](#)
- Another MDC MP arrested [31 July 2009](#)
- MDC Youth Chairman's bail ruling to be delivered tomorrow [30 July 2009](#)
- The Changing Times Online [28 July 2009](#)
- MDC Secretary-General Hon Tendai Biti receives death threat [27 July 2009](#)
- Fifth MDC MP convicted [22 July 2009](#)
- MDC activist brutally assaulted [21 July 2009](#)
- The Changing Times Online [17 July 2009](#)
- MDC salutes members, civic groups [13 July 2009](#)
- MDC councillor brutally assaulted at Constitutional Conference [13 July 2009](#)
- Journalists must be allowed to do their job [9 July 2009](#)
- Gono, Tomana case remains an outstanding issue [8 July 2009](#)
- The Changing Times Online [7 July 2009](#)
- President Tsvangirai says Constitution-making must be people-driven [6 July 2009](#)
- MDC calls for investigation of Chiadzwa [2 July 2009](#)

## Article VII, XII **Reconciliation**



- ✓ Finance Minister Tendai Biti announced that government is in the process of fund raising for a national reconstruction programme called the Diaspora Bond which aims to involve Zimbabweans living abroad in the reconstruction of the country. The amount has not been specified but it is understood to be guaranteed by Cairo based African Export-Import Bank (Afreximbank).
- ✓ Prime Minister Morgan Tsvangirai has called for an official investigation into the 1980s Gukurahundi massacres in Matabeleland.
- ✓ A headman, Willie Chanhuhwa is using a local beer for traditional cleansing in the Manicaland Development Association training centre that was used as a torture base during the 2008 elections. It is hoped that this cleansing will help local villagers move past their fear. The headman is known to

have been involved in election violence last year but is being supported by his villagers as he tries to become a better person.

- ? The Organ of National Healing, Reconciliation and Integration dedicated 3 days to national healing (24-26) with the aim of lessening ongoing political violence. President Mugabe said that the time should be used to renounce all forms of political violence. [Article The Declaration](#) . Many civil society organisations distanced themselves from the initiative seeing it as an attempt to gloss over ongoing violations. Statements were also made about the timing of this process being too soon as the wounds from the 2008 election violence were still fresh and nobody has yet taken responsibility for it. 15 people were arrested for wearing black arm bands in protest against the peace days, they were detained in Mbare Police Station for several hours and were interrogated thoroughly.

## Articles XII, XIX Rights and Freedoms



### MEDIA

- ✓ The African Commission on Human and Peoples' Rights (ACHPR) has advised government to officially decriminalise the practice of journalism through legislation like the Access to Information and the Protection of Privacy Act (AIPPA) which states. This comes at a time when accreditation was being insisted upon for journalists wanting to attend the International Investment Conference.
- ✓ Deputy Prime Minister Arthur Mutambara has chastised the ZBC and The Herald for their coverage of the disruption of the First All Stakeholders Constitutional Conference and repeated the need for swift media reforms on legislation and journalistic practice.
- ✓ Journalists Stanley Gama, Valentine Maponga, Jealousy Mawarire and Stanley Kwenda who were prevented from covering the Common Market for East and Southern Africa (Comesa) Summit in Victoria Falls earlier this year because they did not have accreditation are seeking official confirmation that the MIC is null and void and that the Zimbabwe Media Commission (ZMC) is the only legal entity dealing with the media.
- ✓ Import duties have been scrapped on all newspapers sold in the country as of the 1<sup>st</sup> of August. Professor Jonathan Moyo, ex Information Minister and opponent of press freedoms is said to be angered by the move as it 'puts national security at risk' as the country will be 'bombarded' with propaganda from the West and the MDC-T.
- ✓ Further to this, Finance Minister Tendai Biti said that to assist with the progress of the Information Communication Technology he had proposed the reduction of duties on computers, telephone handsets and printers.
- ✓ The BBC and CNN, banned from Zimbabwe for several years, are said to be welcome in the country. Minister of Media, Information and Publicity Webster Shamu said that as long as they operate within local laws there would be no problem. He denied that they had ever been banned.
- ✓ The Daily News, an independent newspaper that was forced to close in 2003 has been issued with a licence to operate.

? Joram Nyathi, deputy editor of the Zimbabwe Independent, has been forced to resign over differences in opinion with the board of directors. His column regularly repeated Zanu PF rhetoric and unfairly criticised the MDC. He has since taken up a post within JOMIC. [Article](#)

? 28 out of 126 applicants have been identified for the Zimbabwe Media Commission and the Broadcasting Authority Board; interviews are expected to happen in the first week of August. Members of the public are allowed to listen to the interviews, but not to participate in the selection process. The President will appoint the chairpersons and commissioners out of a final list of 12 submitted to him by the Parliamentary Committee on Standing Rules and Orders (CSRO). In terms of Section 100N of the Constitution appointed persons "must be chosen for their knowledge of and experience in the press, print or electronic media or broadcasting." The panel consists of Senator Obert Gutu (MDC-T), Thabitha Khumalo MP (MDC-T), Edward Mkhosi MP (MDC-M), Mabel Chinomona (Zanu PF) and Senator Chief Fortune Charumbira.

- \* State television did not screen the budget speech made by Finance Minister Tendai Biti on the 16<sup>th</sup>, instead they aired a cartoon. The MDC has written to the Zimbabwe Television CEO Happison

Muchechete to complain about the blackout on MDC activities, including coverage of the Prime Minister's press conferences.

- ✘ The Herald and Sunday Mail newspapers are still controlled by Zanu PF, as are the radio stations and television channels. Radio stations like SW Radio are still blocked from broadcasting officially into the country.
- ✘ The Ministry of Information and Publicity issued a directive on the 24<sup>th</sup> to The Herald and ZBC instructing them to refer to President Mugabe as Head of State, and the commander of the Army whenever referenced.
- ✘ The Supreme Court will hear the case against Zimbabwe Independent Editor Vincent Kahiya, news editor Constantine Chimakure and finance director Michael Curling who are charged by the state of publishing falsehoods when they published names of state agents who were involved in abductions last year. They have been remanded until November the 24<sup>th</sup>.

## Article XI Rule of Law



### POLITICAL ACTIVISTS / DETAINEES

- ✓ The Student Solidarity Trust (SST) has released a damning report documenting the deaths of 7 teachers and 60 other people who were abducted, tortured and killed by state agents during political violence last year. The report is called the "State of the education sector in Zimbabwe 2008."
- ✓ Judge President Rita Makarau at a meeting hosted by Zimbabwe Lawyers for Human Rights said, "It is the duty of all judicial officers to protect the rights of prisoners. They must be invited to these training workshops and trainings." [Article](#)
- ✓ High Court Judge Tedious Karwi has ordered the state to produce video footage to back up the claim that activists were abducted last year because of terrorism and banditry charges. Jestina Mukoko, Manuel Chinanzvavana, Pieta Kaseke, Audrey Zimbudzana and Broderick Takawira are among the named who are accusing the state of politically motivated harassment.
- ✓ On the 14<sup>th</sup> MDC-T supporters, human rights activists and a journalist came together to lay a lawsuit against the state for abduction, unlawful detention and deprivation of liberty in 2008. The total claim is for US\$19.2 million. The individuals are Collen Mutemagau, Kisimusi Dhlamini, Audrey Zimbudzana, Zakaria Nkomo, Gandhi Mudzingwa, Fidelis Chiramba, Broderick Takawira, Mapfumo Garutsa, Pascal Gonzo, Tawanda Bvumo, Violet Upfuranhewe, Chinoto Mukwezaramba, Pieta Kaseke, Regis Mujeye and journalist Andrison Manyere. [Article](#)
- ✘ The four WOZA members who were arrested in Bulawayo on the 17<sup>th</sup> of June appeared badly beaten in court in early July only to be remanded out of custody until the 22<sup>nd</sup>. The state had neither a docket nor a state witness or an explanation of why the four were so badly beaten. In Harare, another four WOZA members arrested on the 18<sup>th</sup> of June had also been badly beaten and denied medical attention, the state once again failed to produce a docket or witnesses and the case was delayed until the 6<sup>th</sup>. Both groups of women are charged under Section 37 1 of the Criminal Law (Codification and Reform) Act for 'disturbing the peace and security of the public' during peaceful demonstrations.
- ✘ Human rights lawyer Alec Muchadehama's appeal to have the case of 7 MDC supporters charged with terrorism moved to the High Court has been approved. The case claims their constitutional rights were violated when they were abducted by plain clothed state agents and tortured last year. [Article](#) The 7 are Kisimusi Dhlamini, Gandhi Mudzingwa, Chinoto Zulu, Zacharia Nkomo, Regis Mujeye, Mapfumo Garutsa and journalist Andrison Manyere.
- ✘ Roy Bennet, MDC Treasurer General and Deputy Agricultural Minister designate will go to court in Mutare on the 13<sup>th</sup> of October on charges of the illegal possession of arms intended for terrorism and banditry. Peter Hitschmann recently released from a 3 year sentence linked to the same case has said he will not be a state witness against Bennett who, if convicted, could be jailed for life.
- ✘ An MDC election agent named 'J' has provided details of an attack by Zanu PF supporters on the 25<sup>th</sup> of June this year. His main concern with the Organ on National Healing is that the word Justice does not feature anywhere in its mandate and Zanu PF continues to blatantly frustrate the MDC and violate the GPA.

- ✘ Police have failed to prove their innocence in the abduction of four MDC-T activists in 2008. Concillia Chinanzvavana, Fidelis Chiramba, Violet Mupfuranhewe and Collen Mutemagau, facing charges of recruiting youths to undergo military training in Botswana for purposes of committing banditry in Zimbabwe have asked for their case to be referred to the Supreme Court
- ✘ Patrick Danga, an MDC activist remains in prison after he tried to prevent Zanu PF MP Patrick Zhuwawo from assaulting MDC MP Amos Ghibayo at the all stakeholders' constitutional conference. It is believed by many that this is political interference in the judicial system as Zhuwawo is Mugabe's nephew.
- ✘ Jestina Mukoko's trial is suspended pending her application to the Supreme Court to see if her rights were violated as a result of alleged abduction, torture and detention through her lawyer Beatrice Mtetwa. If found guilty, the state could be forced to pay a compensation claim of US\$222 000.
- ✘ Ebba Katiyo an MDC activist is in hospital after a near fatal attack by Zanu PF supporters in Uzumba, Mashonaland East on the 12<sup>th</sup> of July, and the second assault in two weeks. A case has been opened with the police, the attackers are known but no arrests have been made – the attackers are alleged to be Headman Katiyo, Zanu PF district chairperson, Teguru, Albert and Sarah Mutopo.
- ✘ Police Commissioner Augustine Chihuri has reportedly fired over 1000 police officers after it was discovered they were investigating cases against Zanu PF members linked to last years election violence. They are expected to appeal their dismissal.
- ✘ Athanancia Mlilo an MDC official was badly beaten on the 22<sup>nd</sup> in Mvuma by unknown assailants. She is the mother of well known MDC media spokesperson Nqobizitha Mlilo and the attack is being described as attempted murder and politically motivated.
- ✘ 5 MDC supporters were attacked by Zanu PF supporters for wearing MDC party regalia. All the cases were reported to the police, but to date only one has been acted upon. The victims are Never Murandu and Musungwa Ellarita who were attacked by two soldiers identified as Dube and Kwashi in Gokwe Kana in early July. In Mashonaland East's Uzumba, Tafirei Tofiromutsa, Fabion Chipiso and Ebba Katiyo were badly assaulted by Zanu PF militia. Apply Katiyo, Albert Mabu and Sarah Mabulate were attacked last week.
- ✘ MDC-T national youth Chairman and Deputy Youth Minister Thamsanqa Mahlangu was arrested on the 28<sup>th</sup> for allegedly stealing a cell phone belonging to war veteran Joseph Chinotimba. He and his co-accused Malvern Chidamoyo appeared in court on the 30<sup>th</sup> and were granted bail. The state appealed the order and Thamsanqa will remain in prison for 7 days.. [Article](#)

## Article VI, VII, XIII Civil Society Mechanisms

**Below is a selection of reports by various civil society organisations.  
The list is neither comprehensive nor exhaustive.**

### **Justice For Agriculture (JAG)**

Farm Communiqués [14 July 2009](#) [28 July 2009](#)

Open Letter Forum [No. 652](#) [No. 653](#)

### **Sokwanele** [www.sokwanele.com](http://www.sokwanele.com)

Zimbabwe Inclusive Government (ZIG) Watch: [Issue 7](#)

### **National Association for NGO's In Zimbabwe (NANGO)**

[Statement on the unwarranted disruption of the All Stakeholders Constitutional Conference](#)

### **Veritas**

BILL WATCH

[5 July 2009](#) Update on Government Legislative Agenda

[13 July 2009](#) Debacle at Constitutional Conference

[21 July 2009](#) Parliament Nears End of 1st Session

[26 July 2009](#) Budget Bills passed

PEACE WATCH

[11 July 2009](#) Torture is Totally Unacceptable

[20 July 2009](#) Three Days Dedicated to National Healing

CONSTITUTION WATCH

[1 July 2009](#) Peoples Constitutional Convention

[10 July 2009](#) 1<sup>st</sup> All Stakeholders Conference

[12 July 2009](#) Accreditation Instructions & Programme for 1st All-Stakeholders Conference

**Research and Advocacy Unit (RAU)**

[A critique of the ZEC report on the 2008 General Elections](#)

**National Constitutional Assembly (NCA)**

[Statement on the disrupted 'all' stakeholders conference](#)

**Zimbabwe Lawyers for Human Rights (ZLHR)** [www.zlhr.org.zw](http://www.zlhr.org.zw)

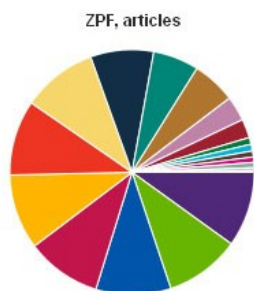
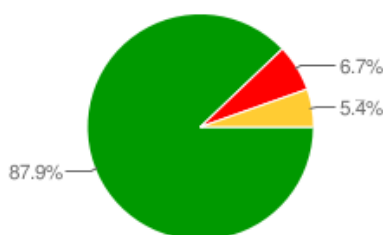
[Rights Lawyers' complaint on constitutional conference](#)

**Zimbabwe Human Rights NGO Forum** [www.hrforumzim.com](http://www.hrforumzim.com)

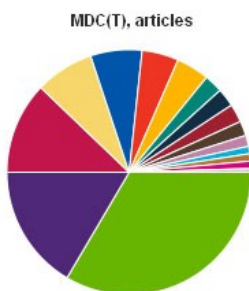
[Human Rights Bulletin No. 41](#) - The right to health in Zimbabwe

**Sokwanele ZIG Watch Issue 7 – Breaches of the GPA**

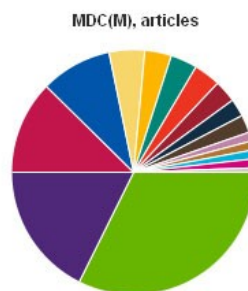
Cumulative % share of breaches



2821 breaches



206 breaches



170 breaches

Chart legend - click to expand

- |   |  |  |  |                                |
|---|--|--|--|--------------------------------|
| Zanu PF   | Declaration of Commitment                                | Respect for National Institutions and Events | Traditional Leaders                            | Framework for a New Government |
| MDC-T   | Restoration of Economic Stability and Growth             | External Interference                        | National Youth Training Programme              | Electoral Vacancies            |
| MDC-M   | Sanctions and Measures                                   | Free Political Activity                      | Humanitarian and Food Assistance               | Implementation Mechanisms      |
| Land Question   | Rule of Law, Respect for the Constitution and Other Laws | Legislative Agenda Priorities                | Security of Persons and Prevention Of Violence | Periodic Review Mechanism      |
| Constitution  | Freedom of Assembly and Association                      | Freedom of Expression and Communication      |  |                                |
| Promotion of Equality, National Healing, Cohesion and Unity | State Organs and Institutions                            |  |  |                                |

The charts reflect breaches logged against each party since the start of the the ZIG Watch project (December 2008).

## Abbreviations

AIPPA	Access to Information and the Protection of Privacy Act
AU	African Union
BSA	Broadcasting Services Act
CFU	Commercial Farmers Union
CHRA	Combined Harare Residents Association
CIO	Central Intelligence Organisation
CID	Criminal Investigation Department
Comesa	Common Market for Eastern and Southern Africa
CSO's	Civil Society Organisations
CSRO	Committee of Standing Rules and Orders
GNU	Government of National Unity
GPA	Global Political Agreement
IMF	International Monetary Fund
MDC	Movement for Democratic Change
MDC-T	Movement for Democratic Change – Tsvangirai Faction
MDC-M	Movement for Democratic Change – Mutambara Faction
MISA	Media Institute of Southern Africa
MIC	Media and Information Commission
MP	Member of Parliament
NANGO	National Association for NGO's In Zimbabwe
NCA	National Constitutional Assembly
NGO	Non Government Organisation
POSA	Public Order and Security Act
PTUZ	Progressive Teachers Union of Zimbabwe
RBZ	Reserve Bank of Zimbabwe
SADC	Southern African Development Community
STERP	Short Term Emergency Recovery Programme
UNDP	United Nations Development Programme
WB	World Bank
WFP	World Food Programme
WHO	World Health Organisation
Zanu PF	Zimbabwe African National Union – Patriotic Front
ZAPU	Zimbabwe African Peoples Union
ZBC	Zimbabwe Broadcasting Corporation
ZCTU	Zimbabwe Congress of Trade Unions
ZEC	Zimbabwe Electoral Commission
ZESA	Zimbabwe Electricity Supply Authority
ZMC	Zimbabwe Media Commission
ZIMTA	Zimbabwe Teachers Association
ZINASU	Zimbabwe National Students Union
ZLHR	Zimbabwe Lawyers for Human Rights
ZMC	Zimbabwe Media Commission





[WWW.STATESINTRANSITION.ORG](http://WWW.STATESINTRANSITION.ORG)  
[WWW.IDASA.ORG](http://WWW.IDASA.ORG)