



**States in Transition  
Observatory**

**GNU Watch  
Zimbabwe  
October 2009**

This document is not meant to be a comprehensive report on the state of the IG 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.

**BEST PRINTED IN A5 FORMAT AS A BOOKLETT**

**Table of Contents**

[Article II Commitment](#) .....2

[Article VI Constitution](#) .....2

[Article III Economic Development](#) .....3

[Article XXI Electoral Vacancies](#) .....4

[Article XX Framework for a National Government](#).....4

[Article IV Funding](#) .....5

[Article VII, XVI Humanitarian & Food Assistance](#) .....6

[Article XXII Joint Monitoring and Implementation Committee – JOMIC](#) .....7

[Article V Land Question](#).....7

[Article XVII Legislative Agenda Priorities](#) .....7

[Article XI, XVIII National Security Council](#) .....8

[Article XV National Youth Training Programme](#).....8

[Article X Free Political Activity](#) .....8

[Article XXII Periodic Review Mechanism](#) .....9

[Article IV Sanctions](#) .....9

[Article VII, XII Reconciliation](#) .....9

[Articles XII, XIX Rights and Freedoms](#) .....9

[Article XI Rule of Law](#) .....10

[Article VI, VII, XIII Civil Society Mechanisms](#) ..... 11

[Abbreviations](#).....13

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 2009 GNU Watches, click on month:**

[April](#) [May](#) [June](#) [July](#) [August](#) [September](#)

\* 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.

[www.statesintransition.org](http://www.statesintransition.org)

## Article II Commitment



Quotations by public figures pertaining to the GNU:

"I am very confident that Zimbabwe will come out with an answer to the problems of Zimbabwe, including the constitutional dispensation." Prince Guduza Dlamini, president of the Southern African Development Community's (SADC) Parliamentary Forum – 2 October 2009

"South Africa does not have a credible foreign policy on Zimbabwe because we have not consistently applied diplomatic pressure on Zanu PF to live up to the Global Political Agreement (GPA). We have not applied quiet but firm pressure via intelligence and defence on those around Mugabe to exit and not be spoilers. We have not invested in the unity government to get basic services restarted - without which the whole GPA deal is dead, and we have not provided real assistance in helping the Government of Zimbabwe to normalise relations with the rest of the world, especially the International Monetary Fund and World Bank." South African representative to the SADC Parliamentary Forum – Wilmot James, 5 October 2009

"Our country remains in a positive stance to enter into fresh, friendly and cooperative relations with all those countries that have been hostile to us in the past." President Robert Mugabe, 6 October 2009

"We are not pulling out of the inclusive government. If we disagree with other principals in the inclusive government, we will consult the people on the way forward because they have the mandate to make us stay or pull out. Mugabe and Zanu PF should not however fool themselves and misjudge our tolerance for ignorance." Prime Minister Morgan Tsvangirai – 17 October 2009

## Article VI Constitution



- ✓ MDC-T has proposed that the new constitution should involve proportional representation in Parliament, limit terms in office for the president and prime minister and reintroduce dual citizenship among other points.
- ✓ The Zimbabwe African Peoples Union (ZAPU) does not support the use of the Kariba Draft constitution of 2007 as a founding document for debate as it is too similar to the Lancaster House Agreement (1979) which gives too much power to the president.
- ✓ Government has agreed to release US\$11, 3 million in batches to enable the constitution making process to continue.
- ✓ New configurations re the constitutional making process include: MDC-T, MDC-M and Zanu PF will each chair 5 thematic committees, 2 will be chaired by traditional chiefs.  
The 17 thematic committees are as follows:

1. Founding principles of the constitution,	9. Systems of government
2. Media	10. Citizenship and bill of rights
3. Land, natural resources and empowerment.	11. Youth
4. Executive organs of the state, PSC, police and defence	12. The disabled
5. Languages	13. Elections, transitional mechanisms and independent commissions
6. Women and gender issues	14. Labour.
7. War veterans	15. Public finance
8. Arms of state, principle of the separation of powers.	16. Religion
	17. Traditional institutions and customs
- ? The new management committee is mapping out roles under the newly agreed structure agreed by the principals on the 17<sup>th</sup> of September 2009.
- ? Zimbabwe Electoral Commission  
Parliament has forwarded 12 names to the president for a final selection of 8. Old members of ZEC, Joyce Kazembe and Theophilus Gambe are thought to be included. Analysts have said that

no members of the old Zimbabwe Electoral Commission (ZEC) should be allowed to serve on the incoming independent ZEC.

? Zimbabwe Human Rights Commission

16 applicants have been short-listed after interviews with Senator Obert Gutu (MDC-T), Thabitha Khumalo MP (MDC-T), Edward Mkhosi MP (MDC-M) and Mabel Chinomona MP (ZANU-PF) which were held on the 12<sup>th</sup> of October. Out of the 16, 8 appointments must be made of which 4 must be women, as well as one other position for the chairperson bringing the total to 9.

- \* Henry Muradzikwa has been appointed chair of the Media Commission. His former position was chief executive of the state controlled Zimbabwe Broadcasting Corporation (ZBC). Former Daily News editor Nqobile Nyathi will deputise him. Permanent Secretary to the Ministry of Information and Publicity George Charamba said that this commission will only be set up formally when all other commissions are formed.

An unofficial list of commissioners for the media commission includes:

Henry Muradzikwa (Chairman)

Chris Mhike - Lawyer and journalist

Ambassador Christopher Mutsvangwa

Mathew Takaona - Outgoing Zimbabwe Union of Journalists President

Nqobile Nyathi - Former News Editor of the Financial Gazette

Godfrey Majonga - Danhiko Project Deputy Director

Dr Millicent Mombeshora - Reserve Bank Division Chief

Miriam Madziwa-Sibanda - Freelance journalist

Reverend Useni Sibanda - Christian Alliance National Director

- \* Controversial media hangman Dr. Tafataona Mahoso was appointed head of the Broadcasting Authority of Zimbabwe (BAZ) but the authority may be dissolved due to complaints about the unilateral appointments by Information Minister Webster Shamu from civil society and the MDC. The authority will be responsible for the issuing of new broadcast and publication licenses.
- \* Zimbabwe Anti-Corruption Commission - No movement.

## Article III Economic Development



Presentation: The Zimbabwe Economy – October 2009 – Sokwanele [Click for slide presentation.](#)

- ✓ The High Court has restored mining rights to the Chiadzwa/Marange diamond fields to African Consolidated Resources and nullified government's 2006 cancellation of these rights.
- ✓ The Confederation of Zimbabwe Industries (CZI) has revealed that capacity utilisation in the manufacturing sector for the first half of the year was at 32.3%, an improvement from below 10% earlier in the year.
- ? Parliament will debate the existing mining laws to make way for increased investment.
- ? The Kimberly Process (KP) recommended a 6 month ban on Zimbabwean diamonds following a review mission, but should have expelled Zimbabwe [Article](#)
- ? The government has revealed that it has short listed 6 investors to take over Zimbabwe Iron and Steel Company (Zisco), but the investors will inherit debt of US\$300 million. Among the bidders are Arcelor Mittal and Murray and Roberts, both of South Africa, and steel companies from India.
- ? Finance Minister Tendai Biti produced a proposal for government debt and arrears clearance which is under cabinet discussion. Zimbabwe's total debt is US\$5, 7 billion, of which US\$5, 2 billion is external and US\$413 million domestic liabilities. Zanu PF ministers are opposed to the programme as they believe it will make the economic situation worse.
- ? Watch the program on the goings-on at Chiadzwa broadcast by SBS Australia on 11 November [Click to watch](#) , or read the [Transcript](#)

- ✘ Transparency International released a Global Corruption Report and placed Zimbabwe 166<sup>th</sup> out of 180 countries surveyed.
- ✘ The IMF gave Zimbabwe a loan of US\$510 million as part of a bail out package to help with the global financial crisis. However, Zimbabwe has fallen behind in repaying its original debt of US\$139 million.
- ✘ Due to the lack of coins in Zimbabwe, retail prices are inflated or customers are forced to purchase surplus goods to get their monies worth, as retailers cannot provide change.

## Article XXI **Electoral Vacancies**

- ? Senator Misheck Chando (Zanu PF) passed away leaving a seat vacant for Bindura/Shamva.
- ✘ Senate seats requiring by-elections have risen to 6 while 9 constituency seats remain vacant, totalling 15.

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

### MDC-T Disengagement from Zanu PF

When Deputy Agriculture Minister Roy Bennett was detained after a hearing in his trial for treason, Prime Minister Morgan Tsvangirai said this was one step too far by Zanu PF given its continued lack of respect for and implementation of the GPA and withdrew his party from all dealings with Zanu PF, but not from government.

### What does the pullout mean?

- MDC-T MP's continue to sit in Parliament
  - Prime Ministers functions in government continue
  - Prime Minister and Deputies continue to functions.
  - Prime Minister disengages from the Council of Ministers
  - Prime Minister will not attend Cabinet
- ✓ Prime Minister Morgan Tsvangirai met South African President Jacob Zuma on the 21<sup>st</sup> who said that Zimbabwe must not be allowed to slide back into instability. He also met with Democratic Republic of the Congo President Joseph Kabila, and with Angolan President Jose Eduardo dos Santos in an attempt to garner support for his position in government.
  - ✓ Kenyan Prime Minister Raila Odinga has urged President Robert Mugabe to step down saying he is not part of the solution to the existing political problem. "Moreover it's high time these political compromises were stopped, that in our countries allow losers to remain in power." 22 October 2009.
  - ✓ The SADC mission to Harare on the 29<sup>th</sup> consisted of foreign ministers from Mozambique, Zambia and Swaziland. Prime Minister Morgan Tsvangirai announced that Democratic Republic of the Congo leader Joseph Kabila would be visiting Zimbabwe too as the sitting chair of SADC. The Troika subsequently recommended a special SADC summit to deal with the political fallout.
- [Article](#)
- ✓ Thaba Moyo was installed as ceremonial mayor of Bulawayo along with his deputy Amen Mpofu.
  - ✓ Brian James has been installed as the Mayor of Mutare.
  - ✓ Ambassadors Hebson Makuvise (Germany), Hilda Suka-Mafudze (Sudan), Jacqueline Nomhla Zwambila (Australia), Mabed Khumbulani (Nigeria), all MDC-T, Gertrude Stevenson-Dickey (Senegal), from MDC-M have successfully completed their ambassadorial training and will be deployed in December.
  - ? Zanu PF chairman John Nkomo has been nominated to take the post of Vice President alongside Joice Mujuru, however Commissar Richard Ndlovu says that the endorsement is null and void as procedures for the nomination were not followed. Turmoil in Zanu PF followed as provincial organisations in Matebeleland would not nominate a candidate by the agreed upon

- date, and, war veterans in Bulawayo have rejected Nkomo's nomination. [Article](#) Any appointment should only be made in consultation with Prime Minister Morgan Tsvangirai.
- ? Prime Minister Morgan Tsvangirai told his supporters to prepare for fresh elections in 2011. He also promised that the new constitution would remove repressive legislation and commented on the slow pace of Zanu PF to implement reform. [Article](#)
- ? Cabinet meetings are to go ahead without members of MDC-T; leaving only MDC-Mutambara and Zanu PF. [Article](#)
- ? Prime Minister Morgan Tsvangirai and President Robert Mugabe met on the 26<sup>th</sup> for the first time since MDC-T disengaged from Government. MDC-T after the meeting said that they would wait for the outcome of SADC mediation, and if that failed, they would prepare for fresh elections.
- \* [Outstanding Issues and SADC from MDC-T - SADC Communiqué of 26 January 2009.](#)
- Provincial governors still not appointed
  - Reserve Bank of Zimbabwe Governor and Attorney-General positions remain unresolved despite illegality of their appointments
  - Failure to swear in Deputy Minister of Agriculture, Roy Bennett
  - No 6 month review of the GPA
  - No review of ministerial positions
  - Unequal application of the law
  - National Security Council has met only once in 6 months
- \* As a result of the MDC-T disengagement, Zanu PF attempted to appoint its own supporters as acting ministers to replace those in MDC-T who had stopped attending cabinet meetings.
- \* Zanu PF refused entry to the United Nations Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment, Manfred Nowak. He was invited by the government to conduct an official fact finding mission into the 2008 election violence but was turned away at Harare International Airport. The reason given was due to the previously unanticipated Consultative process currently taking place in Harare involving the GNU and the Southern African Development Community (SADC), the Government of Zimbabwe would be unable to receive the Special Rapporteur on the proposed dates. Despite a personal invitation by Prime Minister Morgan Tsvangirai, Nowak had to return to Johannesburg after a night spent at Harare Airport without an official visit to the airport by the MDC.
- \* Over 500 Harare residents went to Town House to protest over service delivery and spending decisions made by the council. A list of demands was handed to City Mayor Muchadeyi Musunda and his council.
- \* President Robert Mugabe told traditional chiefs at the installation of Mr. Stanley Urayai Mhondoro as Chief Zvimba that they should engage more actively in politics and that they should not be neutral but rather aligned to a political party.

## Article IV Funding



- ✓ The United Kingdom will provide US\$100 million in aid to Zimbabwe to assist with the humanitarian crisis.
- ✓ The WB is donating US\$74 million to help 700 000 poor farmers through the provision of seed, fertilizers and other agricultural equipment.
- ✓ The EU is providing seed and fertilizer to the tune of €15.4 million to small scale farmers.
- ✓ Australia and the WB will provide US\$7 million to expand maize production via the World Bank Global Food Crisis Response Programme.
- ✓ German Mayor of Munich Clr. Hep Monatzeder pledged to assist the Harare City Council to revamp its waste collection; water reticulation and information technology systems.
- ✓ Government has agreed on how to spend the IMF grant of US\$400 million. US\$150 million will go to productive sectors such as mining and manufacturing and the remainder will be used for the completion of public works programmes.
- \* Problems within the unity government remain of great concern to funders.



## Article VII, XVI Humanitarian & Food Assistance

- ✓ The consumer council of Zimbabwe put a family basket at US\$490.08 this month, down 1.01 percent from September.
- ✓ The Ministry of National Housing and Amenities has committed itself to building houses for victims of the 2005 Operation Murambatsvina. The Minister, Fidelis Mhashu, said that 7 480 houses are required and that 4 000 had already been built. [Article](#)
- \* Bulawayo's sewerage reticulation system is on the verge of total collapse with none of the 18 pumping stations operational. The backflow of sewerage into households is increasing. Mayor Thaba Moyo said the city required US\$5,392 million to rehabilitate the system. [Article](#)
- \* The Coalition Against Child Labour Zimbabwe (CACLAZ) estimates that as many as 90% of children born on farms are not registered with birth certificates, exposing them to child labour.

### **FOOD SECURITY** (See Land)

- \* The Zimbabwe Peace Project (ZPP) released a report saying that high numbers of villagers are being denied food by Zanu PF if they don't renounce the MDC. [Article](#)
- \* Ongoing farm invasions have disrupted the ability of commercial farmers to grow maize fuelling fears of widespread hunger in 2010.

### **EDUCATION**

- ✓ Examination dates were set for October 27 to November 5.
- \* Students who failed to make the September 25 deadline for the payment of Ordinary and Advanced level examination fees will not be granted an extension and will not write the papers.
- \* The Basic Education Assistance Module (BEAM) fund which was set up in September to assist children with school fees is now being run by Zanu PF officials fuelling fears of corruption.
- \* 120 Zimbabwe School Examinations Council (Zimsec) workers embarked on a strike over wages, demanding an increase from US\$115 to US\$400 per month.
- \* Zimsec said that only 139 000 of the 380 000 O and A Level students had registered for this years examinations.
- \* Violence against teachers in rural areas is on the increase as intimidation by Zanu PF supporters and youths since MDC-T pulled out of engagement with Zanu PF. 80 teachers have had to flee violence in Chieweshe after MDC-T disengaged from government (a traditional Zanu PF stronghold.)
- \* Reports suggest entire schools like Bambadzi Secondary School in Matabeleland South, failed to register a single pupil to write O level examinations due to the cost of the exams.

### **HEALTHCARE**

- ✓ The United Nations (UN) has provided hundreds of bicycles and motorbikes to healthcare staff in order to enable workers to respond quickly to potential cholera outbreaks in the coming rainy season.
- ? Intensive care units are in short supply although general healthcare facilities are gradually improving.
- \* The UN estimates that about 25% of Zimbabwe's healthcare facilities lack clean and reliable water supplies.
- \* Health experts are warning of a cholera outbreak with the rainy seasons as water reticulation systems remain largely collapsed and open sewerage flows in high density areas.
- \* In the last month, 5 people have died from cholera and over 117 people have been infected with the disease confirmed the United Nations Children's Fund. [Article](#)



## Article XXII **Joint Monitoring and Implementation Committee – JOMIC**

- ✓ JOMIC has acknowledged the increase in hate speech and abusive language by private and state controlled media. [Article](#)

## Article V **Land Question**



### [South African Litigation Centre legal position on SADC tribunal](#)

- ✓ USAID and Standard Chartered Bank of Zimbabwe have an agreement to enable the bank to provide loans up to US\$20 million aimed at the agricultural sector.
- ✓ The European Commission (EC) is willing to fund a land audit. Head of the EC delegation to Zimbabwe Xavier Marchal said: "We are ready to assist the government to implement an inclusive, transparent, and comprehensive land audit . . . which should be aimed at resolving the land issue. This is the bigger picture, which cannot be ignored if Zimbabwe's agriculture is to become highly successful again." 8 October 2009.
- ? Finance Minister Tendai Biti last month stated that Zimbabwe expects to harvest 2.5 million tonnes of maize in the 1009/10 season, but the Commercial Farmers Union President Deon Theron estimates that maize output will drop to 386,250 from 417,000 tonnes last year.
- \* Violence on Zimbabwe's remaining white owned farms continues to increase.
- \* Nestle was exposed for being in business with Grace Mugabe who provided the company with a million litres of milk a year off Gushungo Dairy Estate, a farm stolen from a commercial farmer. The company has since stopped buying milk from the Mugabe's due to international pressure.
- \* Government has revealed that only 203 farmers out of the 6 500 farms gazetted have been compensated.
- \* Charles Lock was granted permission by the High Court to remove his property from his Lawrencedale Farm in Headlands as army Brigadier-General Justin Mujaji forcefully stole the farm but he remains threatened by Mujaji if he enters the property.
- \* Soldiers on orders from Brigadier Justin Mujaji were sent to Karoi Farm where they have repeatedly raped 3 women since being stationed at the farm since 2004. [Article](#)
- \* 40 families of farm workers face eviction from Carse Farm as Ruston Ngandu, who took the farm forcefully says that their presence hampers his farming ability.
- \* Rape and sexual violence are being reported on invaded farms by victims who claim the army are the perpetrators.
- \* 73 year old black farmer Luke Tembani has been evicted from his farm, Remainder of Minverwag of Clare Estate Ranch, despite a SADC ruling barring his eviction.

## Article XVII **Legislative Agenda Priorities**



- ✓ The Reserve Bank Amendment Bill was gazetted in August and is expected to be tabled in parliament when it reopens next month. The banks' authority will be limited by several clauses and internal procedures improved. See Veritas Bill at end of document for details of the merits and demerits of the bill.
- \* The second session of Parliament opened on the 6<sup>th</sup> of October and adjourned the same day until the 20<sup>th</sup> of October. Parliament then opened to sit for the following time periods
  - o House of Assembly – 2h:38 on the 20<sup>th</sup>, on the 21<sup>st</sup> for 2h:38 and on the 22<sup>nd</sup> for 2h:49 minutes, before adjourning until the 3<sup>rd</sup> of November

- The Senate sat on the 20<sup>th</sup> for 31 minutes and again on the 22<sup>nd</sup> for 86 minutes before adjourning till the 10<sup>th</sup> of November.

## Article XI, XVIII National Security Council

- × No meeting was held.

## Article XV National Youth Training Programme

- ✓ Eight youth militia members involved in June 2008 election violence have been sentenced to three years imprisonment respectively. The eight, Simon Muchata, his brother Farai, Amon Mangondo and brother Jeremiah, Onesimo Muchafa, Nobert Chimuka, Emanuel Mucha, and Nicholas Dhliwayo were found responsible of kidnapping and brutally assaulting Bikita minerals manager, Nigel Graham MacPhail and salaries' administrator, Susara Reykene.
- ? Minister of Youth Development and Empowerment, Saviour Kasukuwere revealed that his ministry is working on re-introducing the National Youth Service Programme. The GPA states that all youth programmes must be run in a non-partisan way and shall not include partisan political material advancing one political party over another. [Article](#)
- × Masvingo Governor Titus Maluleke ordered Mviso Mission Hospital in Zaka to ensure that two thirds of trainee nurse places should be filled by Zanu PF youth for the course starting in mid October.
- × Journalists had to flee a meeting being held at the Chinhoyi Hall after Zanu PF youths disturbed the meeting dealing with Hurungwe East legislator Sarah Mahoka who faces expulsion from the party after 'putting the party into disrepute.'
- × Zanu PF militants are forcing youths in the Mudzi area to join the notorious 'green bomber' militia. Villagers below the age of 35 were taken in mid October to Myamapanda to undergo 'unspecified' training. [Article](#) Local Zanu PF MP, Newton Kachepa is said to be playing a leading role in recruitment.
- × Elliot Mutizhe, an MDC-T supporter and candidate in the 2008 polls was severely beaten by 20 Zanu PF militia in Makoni South in Manicaland on the 10<sup>th</sup> of October. He was told that they were finishing their job from last year when they failed to kill him. He is recuperating in a private Mutare Hospital.
- × A report released by the Comptroller and Auditor-General, Milfred Chiri, states that the Ministry of Youth Development illegally hired 10 277 youths between May and June 2008.
- × Over 15 teachers have had to run away from Jingamvura Primary and Secondary schools in Chiweshe after they were beaten and forced to vacate the premises by Zanu PF youths because Morgan Tsvangirai had pulled out of government.
- × 50 homes of MDC supporters have been burnt to the ground by Zanu PF militia in the Chiweshe district. The militia were led by a well known district committee chairman named as Gatsi.

## Article X Free Political Activity\_

- × 10 students have been removed from the Presidential Scholarship Fund for apparently supporting the MDC. All students were registered at Fort Hare University in South Africa.
- × ZAPU leader Dumiso Dabengwa has denied allegations that ZAPU runs along tribal lines.

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

Zanu PF have not released any statements or communiqués.

#### **MDC-T**



[MDC Transport Manager abducted, party fears for his life](#)

[MDC feed-back rallies resume this weekend](#)

[There is no government outside the Global Political Agreement](#)

[Press statement by MDC President Morgan Tsvangirai](#)

[Imprisonment or Roy Bennett provocative and unacceptable](#)

[Shamu's unilateral appointments a threat to the inclusive government](#)

### **MDC-M**

Interview with Deputy Prime Minister Arthur Mutambara [Part 1](#) & [Part 2](#)

### **Mavambo/Kusile/Dawn**

[Interview with Simba Makoni on MDC-T disengagement from government](#)

## **Article XXII Periodic Review Mechanism\_**



- × No movement has been made.

## **Article IV Sanctions\_**



[See the attached file, Sanctions No Restraint](#) – United States document stating that sanctions against certain individuals pose no threat to economic reform in Zimbabwe.

- × Rifts in MDC-T are beginning to show over whether they should be calling for the removal of sanctions or not.

## **Article VII, XII Reconciliation**



- ✓ Zimbabwe's bishops told a conference that for the cycle of violence, humiliation, oppression and exploitation to end the truth of the past needs to be openly discussed. [Article](#)
- ✓ Zapu are calling for investigations into the Gukurahundi massacres to be a part of the work undertaken by the Organ on National Healing and Reconciliation. [Article](#)

## **Articles XII, XIX Rights and Freedoms**



### **MEDIA**

- ✓ Media experts have suggested that journalists should ignore state control of the industry especially as the Media Commission has still not been finalised.
- ✓ Newsday, a new newspaper, is set to go online on 2 November 2009 while awaiting permission to print.
- ? The Broadcasting Authority of Zimbabwe (BAZ) has released application fees for new broadcasting licences. An application for Free-to-Air National Broadcasting Services will cost US\$2 500 and the 10 year basic licence fee is pegged at US\$18 000. The same licence for television will cost US\$2 500 plus the 10 year fee of US\$20 000.
- × Controversial media hangman Dr. Tafataona Mahoso was appointed head of BAZ.
- × Another BAZ board member Benjamin Mabenge shot and killed an MDC activist, Clement Takaendesha, and wounded Taurqai Chigede on his farm in November 2007 as they were fishing in a stretch of river that passes through his land.

- ✘ Board members for parastatals under Webster Shamu's Media, Information and Publicity ministry have been appointed amid much concern as the military and Zanu PF loyalists are included in each of the boards of BAZ; Zimpapers; Zimbabwe Broadcasting Holdings; Transmedia; Kingstons and New Ziana [Article](#)
- ✘ State media continue to name Mugabe as - His Excellency, President, Head of State and Government, Commander-in-Chief of Defence Forces.
- ✘ The Ministry of Media, Information and Publicity ordered all state broadcasters to cease coverage of all MDC-T activities until the party reverses its decision to suspend contact from Zanu PF.
- ✘ Previously named Newsday editor Barnabas Thondlana was threatened with arrest by George Charamba, Mugabe's spokesperson if he launches the paper without a licence.
- ✘ Freelance journalist Annie Mtalume was arrested for going to the Chiadzwa diamond fields on the 9<sup>th</sup> and then transferred to Mutare where she was granted bail of US\$30 3 days later. She was remanded out of custody until the 26<sup>th</sup>.
- ✘ Two Al Jazeera correspondents were detained by security personnel working for Mugabe when they tried to cover a cabinet meeting on the 20<sup>th</sup>.

## Article XI Rule of Law



- ✓ Walter Chikwanha, a Masvingo Magistrate issued a warrant of arrest for a Zanu PF MP for failing to arrive in court to face charges of assault.

## POLITICAL ACTIVISTS / DETAINEES

- ✓ Lawyer Harrison Nkomo has filed a US\$500 million lawsuit against the Ministry of Home Affairs; Police Commissioner Augustine Chihuri, Didymus Mutasa (former Intelligence Minister) and several Central Intelligence Organisation (CIO) and police officers on behalf of Jestina Mukoko and 8 MDC activists after the Supreme Court upheld their application stating that their constitutional rights had been violated. The Attorney General has renounced the accused and will not be providing them with legal assistance.
- ✘ Two leaders of the National Association of Non-governmental Organisations (NANGO) were arrested ahead of a meeting thought to be to discuss MDC-T's disengagement from government. They were released on bail pending a hearing set for November.
- ✘ The trial of MDC Deputy Agriculture Minister designate, Roy Bennett started in Mutare on the 13<sup>th</sup>. His lawyer Trust Maanda could not stop Mutare Provincial Magistrate Lucy Mungwari sentencing him to prison pending his trial in the High Court. Bennett was arrested on 13 February 2009 for offences allegedly committed in 2005. It was agreed with Attorney General Johannes Tomana that the trial on terrorism charges will resume on November 9 with lawyer Beatrice Mtetwa leading the defence. [Article](#) President Mugabe has said that Bennett will only be sworn in once all charges against him have been cleared. This move resulted in Prime Minister Morgan Tsvangirai boycotting his weekly Council of Ministers the following day. [Article](#)
- ✘ 5 senior members of the Zimbabwe National Student Union (ZINASU) were arrested and tortured for charges of misconduct and undermining the office of the president and cabinet for saying "Robert Mugabe is the major outstanding issue that is stalling progress for the inclusive government." The 5 are ZINASU National President Clever Bere, National Spokesperson Blessing Vava, Secretary for Education and Research Obert Masaraure, National University of Science and Technology SRC President Kurayi Hoyi and Great Zimbabwe University student activist Tafadzwa Kutya. They were released 2 days later and received medical treatment at the Avenues Clinic in Harare.
- ✘ Human Rights lawyer Alec Muchadehama's trial began on the 12<sup>th</sup>. He pleaded not guilty to charges of contempt when he secured the release of his clients from custody in April, namely Andriison Manyere from Chikurubi Maximum Prison, Gandhi Mudzingwa and Kisimusi Dhlamini who were under hospital detention at the Avenues Clinic. The trial has been adjourned until November 17.

- \* Jenni Williams and Magodonga Mahlangu of Women of Zimbabwe Arise (WOZA) had their trial date postponed for a day to the 16<sup>th</sup> as the clerk of the court who had their file was not available. The state verbally declared in June that the two had been unlawfully arrested on 16 October 2008, but to date no written confirmation of this has been forthcoming.
- \* MDC Mutoko councillor, Chamunorwa Mundete, has had to flee his home following an attack by 10 armed men who threatened to kill him.
- \* Magistrate Mark Dzira has been threatened with death by Zimbabwe National Army (ZNA) members after he remanded 3 officers to October 30; they are facing charges of attempted murder and discharging a firearm in public.
- \* Magistrate Ngoni Nduna has recused himself from the case of Minister of State for Presidential Affairs, Didymus Mutasa after he was threatened by CIO who wanted the case records. Mutasa failed to arrive at court to give testimony on a land case which led to Nduna ordering his arrest.
- \* 50 security forces raided, without a warrant, a Harare residence belonging to MDC-T under the pretence of searching for weapons. Whilst there they assaulted the occupants and forced the caretaker to dig in the garden to look for the weapons.
- \* MDC transport manager Pascal Gwezere was abducted on the 27<sup>th</sup> in Mufakose by armed men driving an Isuzu. The following day, several men went back to his house and confiscated his wife's cell phone telling her he was being held at the Marimba Police Station. He was released on the 28<sup>th</sup> badly beaten and traumatised.
- \* MDC administrator Edith Mashayire was almost abducted in Harare by four armed men in an Isuzu also on the 27<sup>th</sup>. They claimed she was under arrest and assaulted her with their weapons. She screamed for help and the assailants fled.
- \* Two Zimbabwe Election Support Network (ZESN) officials Thulani Ndhlovu and Nodhana Ndhlovu were arrested on the 28<sup>th</sup> in the Hwange Dete area for conducting public outreach workshops allegedly without police permission. Thulani Ndhlovu was later released while Nodhana Ndhlovu was released two days later by Magistrate Munamati Madzorere.

## 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.

### **CHRA**

[City Council in 2010 budget formulation talks](#)  
[CHRA Meets the Munich Delegation](#)

### **Commercial Farmers Union of Zimbabwe (CFU)**

[CFU response to Minister Murerwa's memorandum to Cabinet dated 27 August 2009](#)

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

Open Letter Forum: [No. 669](#) [No. 671](#)  
 Farm Situations Communiqués: [7 October](#) [15 October](#) [23 October](#)

### **Media Institute of Southern Africa – Zimbabwe (MISA) [www.misazim.co.zw](http://www.misazim.co.zw)**

[Statement on appointment of media boards](#)

### **Research and Advocacy Unit (RAU)**

74,021 people aged 100 and over are still registered on the voters roll as well as 82,456 people registered who are aged between 90 and 100. [Click to read full report](#)

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

Zimbabwe ZIG Watch: [Issue 10](#)  
[Sokwanele.com - list of army personnel responsible for specific atrocities in Zimbabwe](#)

**Veritas**

**BILL WATCH**

[3 October - New session of Parliament opens](#)

[6 October - Parliament opens and immediately adjourns to 20 October](#)

[8 October - Reserve Bank Amendment Bill](#)

[9 October - Human Rights Commission Interviews](#)

[15 October - PM's Press Conference](#)

[19 October - Parliament Resumes On Tuesday 20th](#)

[22 October - Public Hearings on Finance and Audit Bills](#)

[26 October - SADC Organ Troika Ministers in Harare Thursday to discuss GPA](#)

**Zimbabwe Election Support Network (ZESN)**

The Zimbabwe Election Support Network released a report exposing problems in the current voters roll. [Click to read the Executive Summary](#)

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

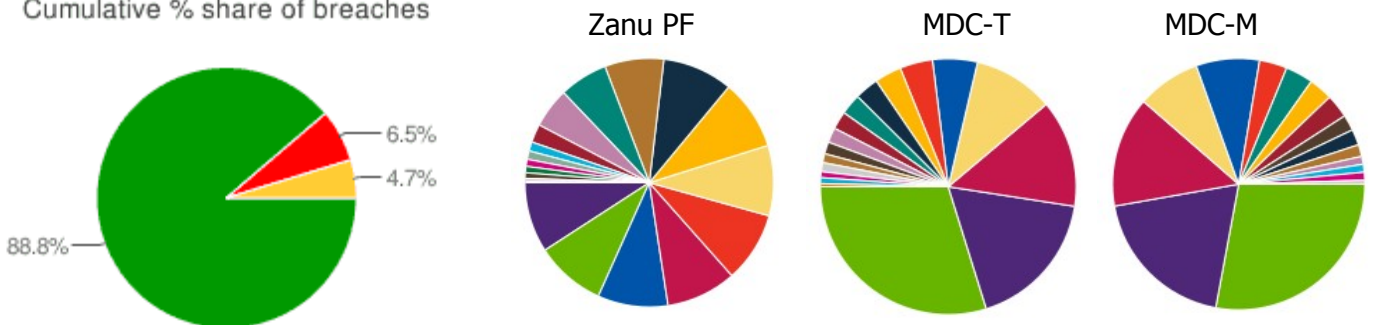
The Legal Monitor [Issue 14](#)

**Zimbabwe Election Support Network (ZESN)**

A report exposing problems in the current voters roll. [Click to read the Executive Summary](#)

**Sokwanele ZIG Watch Issue 10**

Cumulative % share of breaches



# Abbreviations

ADB	Africa Development Bank
AU	African Union
BAZ	Broadcasting Authority of Zimbabwe
CFU	Commercial Farmers Union
CSO's	Civil Society Organisations
CSRO	Committee of Standing Rules and Orders
DRC	Democratic Republic of the Congo
EU	European Commission
GNU	Government of National Unity
GPA	Global Political Agreement
IG	IG
IMF	International Monetary Fund
IZEC	Independent Zimbabwe Electoral Commission
JOMIC	Joint Monitoring and Implementation Committee
JOC	Joint Operations Command
KP	Kimberly Process
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
NCA	National Constitutional Assembly
NGO	Non Government Organisation
NSC	National Security Council
PSC	Parliamentary Select Committee
POSA	Public Order and Security Act
RBZ	Reserve Bank of Zimbabwe
SADC	Southern African Development Community
WB	World Bank
WHO	World Health Organisation
Zanu PF	Zimbabwe African National Union – Patriotic Front
ZAPU	Zimbabwe African Peoples Union
ZCC	Zimbabwe Anti Corruption Commission
ZBC	Zimbabwe Broadcasting Corporation
ZCTU	Zimbabwe Congress of Trade Unions
ZEC	Zimbabwe Electoral Commission
ZESA	Zimbabwe Electricity Supply Authority
ZHRC	Zimbabwe Human Rights Commission
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)