



**States in Transition
Observatory**

**GNU Watch
Zimbabwe
June 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)

[Click here for the April GNU Watch.](#)

[Click here for the May GNU Watch.](#)

* 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:

"We hope that the incremental gains we have made so far will convince even the most sceptical to ensure that this government is consolidated." Morgan Tsvangirai, Prime Minister 4 June 2009

"Only a dead imperialist is a good one. We are Africans, our friends are those of the African community, of the African continent, of the Non-Aligned Movement, of the Third World, those we think like us, those who when they assist you will not lay down conditions." Robert Mugabe, President 25 June 2009

"If the job of the civic society is to simply pander to political a party interest then that's wrong. I don't believe civic groups should just blindly follow the constitutional making process, it's not people driven it's a political party driven process." Lovemore Madhuku, NCA Chairman 3 June 2009

"Sanctions in this juncture in our history are meaningless. Help us help ourselves by removing all those sanctions so Zimbabwe can have a fresh start." Arthur Mutambara, Deputy Prime Minister 12 June 2009

Article VI constitution



[Constitution of Zimbabwe including Amendment No. 19](#) [Kariba Draft Constitution](#)

- ✓ The Parliamentary Select Committee, co-chaired by Munyaradzi Paul Mangwana (Zanu PF), stated that the new constitution making process would not use the Kariba Draft Constitution as its sole starting point.
The work plan for this process consists of a first all stakeholders conference followed by country-wide consultations for up to 4 months and then drafting of the constitution within 3 months of the consultations which will be presented to the second all stakeholders conference. This will be followed by the gazetting of the draft in parliament within 1 month of the second conference. A referendum will follow within 3 months of the debate in parliament. If successful, the bill will be gazetted, passed through parliament no later than 3 months after the referendum, and signed into law by the president. A draft version of the document is scheduled to be completed in the middle of March 2010.
- ✓ Eric Matinenga, Constitutional Affairs Minister said that the constitution will be finalised within the timeframe (18 months) set out in the GPA. "We are going to meet the time frames; so far there is nothing which causes me alarm that we will not meet the deadline." 2 June 2009.
- ? 5000 delegates from primarily traditional leaders, local councillors, churches, farmers and NGO's will be selected to participate in the first all stake holders' conference.
- ? There is no provision in the GPA for the Diaspora to be included in this process. However, the Parliamentary Select Committee has indicated that it is open to their input and a meeting was held in Johannesburg, South Africa to debate this issue.
- ? Debate continues about the proposed processes for the drafting of a new constitution. Some civil society groups, led by the NCA and ZCTU believe the process should be 'people driven', while government, also supported by several CSO's is following the parliamentary led process, as stipulated in the GPA.
- ? The NCA announced that it will roll out a nationwide programme to explain why it believes a parliamentary led constitutional reform process is unfavourable. They hope to draft their own constitution out of this process. [Article](#)
- * Zanu PF MP's decided not to participate in this process as they were not going to be paid for their involvement. [Article](#) The public hearings to identify delegates who are to attend the public conference were therefore delayed until the end of the month in all ten provinces. [Article](#)

- * MDC and Zanu PF supporters clashed during a meeting held by the parliamentary select committee in Masvingo. The Kariba Draft Constitution of 2007 caused the ruckus as Zanu PF wants this to be the document adopted as a new constitution which angered MDC members. [Article](#)

Article III Economic Development



- ✓ Cabinet has approved a commercialisation and transformation agenda. Government will decide on which state assets will be either commercialised or privatised with the hopes of injecting some cash into the economy.
- ✓ Deputy Prime Minister Arthur Mutambara has expressed the desire for Zimbabwe to abandon its "Look East" policy and rather have a more inclusive foreign policy. He also called for the 'rehabilitation' of exiled bankers and business men, who he believes are crucial to the economic recovery of the country. [Article](#)
- ✓ The downturn of gold production caused by poor prices being paid by the only authorised buyer, the RBZ and power-cuts is slowing. The industry has recently been deregulated and miners can sell their gold freely and retain all of their earnings. Joseph Malaba, CEO of the Chamber of Mines has discussed revived confidence and optimism in the gold mining sector. [Article](#)
- ✓ Finance Minister Tendai Biti has dismissed earlier reports that Zimbabwe will adopt the South African Rand.
- ✓ The anti-corruption commission is in the process of being set up and should be operational in July. Zimbabwe is ranked 166th out of 180 countries as per Transparency International. [Article](#)
- ✓ Prime Minister Morgan Tsvangirai met with the WB and IMF in a first step to establish ways of 'institutional re-engagement with multilateral and bilateral partners, as well as the members of the international community'. The IMF sent a six member delegation headed by Vitaliy Kramarenko into Zimbabwe to evaluate the economy. They met with the Ministry of Finance, and high profile representatives from government, banking, industry and agriculture but have made no commitment.
- ✓ Plans to nationalise (majority local share) foreign owned mines have been halted which should ease the fears of international mining bodies currently operating in the country.
- ? Finance Minister Tendai Biti said at the World Economic Forum in South Africa that the economy could grow by between 4 and 6%, while the Deputy Minister of Economic Planning Samuel Undenge estimated growth of only 2.8% at a separate engagement. [Article](#)
- ? July will see ZESA bills being issued after meter readings have taken place, an improvement on estimates based in foreign currency. Some Harare residents have received bills for water even though many have not had municipal water for 2 years. Deputy Mayor Emmanuel Chiroto said individual houses could not be removed from the billing system which is why all residents received the bill. It is unclear what will happen to those households who do not pay the minimum US\$10.
- ? Theresa Makoni, Public Works Minister said that an estimated US\$2 billion was needed by government in order to revive job creation and the construction sectors. [Article](#)
- ? The RBZ conducted an audit of the financial sector in March and recommended that institutions which fail to raise the required minimum capital by the end of September will have to either merge or close. [Article](#)
 - Commercial banks must have a minimum capital of US\$6.25 million
 - Building societies and merchant banks should have US\$5 million
 - Finance and Discount Houses should have US\$3.75 million and
 - Asset managers are supposed to have US\$1.25 million as minimum capital by September 30
- ? Zimbabwe's debt, explained by Senator O C Gutu:
 - As at December 1, 2008, Zimbabwe's external debt stood at US\$ 5,255 billion, with a current account balance of - US\$597 million.
 - As at April 30, 2009, Zimbabwe owed the African Development Bank US\$438 million
 - As at May 31, 2009, Zimbabwe owed the International Monetary Fund (IMF) US\$138 million and the World Bank US\$676 million.
- * The Consumer Council of Zimbabwe revealed that the cost of living for a 6 member household rose by 2% up to US\$437.62. A major contributing factor of the rise was the rental market; as there is no

regulation. The cost of living is still too high for most when even civil servants are earning a maximum of US\$100 per month. They have threatened imminent strike action if their salaries are not increased said the Public Service Association (PSA) in a circular which stated: "The PSA leadership has met with the members in Harare who have resolved to give government time up until the July pay sheet to improve on salaries and conditions of service, therefore the intended job action has been put on hold until early July 2009." [Article](#)

- * Deputy Mining Minister Murisi Zwizwai denied that any persons lost their lives in the Marange diamond fields. Human Rights Watch released a report on the abuses in the diamond fields. [Click to read the report](#) which details child labour, torture, abuse of villagers and corruption. Shuwa Mudiwa, MP for Mutare West has been arrested and jailed for trying to tell an international delegation where the site of a mass grave of diamond diggers is located.

Article XXI **Electoral Vacancies**



- * The clerk of parliament, Austin Zvoma stated that parliament does not have the directive to call for by-elections in vacant constituencies. "The role of the presiding officers of parliament is limited to notifying the commission and the president of vacancies. It is the president who has the role, in terms of the (Electoral) Act, of publishing notices in the Government Gazette ordering new elections." ZEC deputy chief elections officer Utoile Silaigwana said in Zimbabwe Independent newspaper that the responsibility did in fact lie with parliament which led Zvoma to make this declaration.

Article XX **Framework for a National Government**



- ✓ On the 7th, Prime Minister Tsvangirai embarked on a 3 week trip to America and Europe with the hopes of formalising re-engagement with the West. A critical outcome for Tsvangirai was affirmation from Western leaders that they support and will assist the GNU. However it remained clear that without significant improvement in the rule of law, implementation of the GPA, adherence to democratic rights and freedoms and dramatic reform of the RBZ, aid will remain limited.
- ✓ A Swedish delegation led by Jan Knutsson, director general of international development and cooperation in the Ministry of Foreign Affairs, visited Zimbabwe for 3 days in order to assess the ongoing reform process. Sweden will assume presidency of the European Union (EU) in July.
- ? It is understood that the Prime Minister Morgan Tsvangirai has finalised the list of appointed ambassadors. Once appointed, the candidates will attend a 3 month course in diplomacy run by the Department of Foreign Affairs. [Article](#) The unconfirmed list is as follows:
 - Hebson Makuise – Germany
 - Jacqueline Zwambila - Australia
 - Hilda Mafudze – Sudan
 - Khumbulani Mabed – Nigeria
- ? King Mswati III of Swaziland said he is looking into developments in Zimbabwe to see where he can support the country with its recovery. He also hopes to have a Joint Bilateral Cooperation Agreement signed between the two countries for collaboration in areas such as trade, sports, tourism and cultural exchange programmes. [Article](#)
- ? After failing to secure a parliamentary seat within three months of his appointment to cabinet, MDC vice-president Gibson Sibanda has lost his ministerial post, despite attempts by the three principals to create a non-constituency seat in the House of Assembly or the Senate.
- ? Zanu PF vice-president Joseph Msika is rumoured to be retiring. This led to Zanu PF heavyweights in Matabeleland campaigning for him to retain the vice presidency. This comes as questions arise about his support for the newly broken-away ZAPU formation.
- * The Southern African Development Community (SADC) who brokered the GPA will not meet to discuss outstanding issues on which the MDC asked for intervention. The body met on the 23rd of June and no mention was made of the MDC's concerns. Chair of the body, South African President Jacob Zuma in his first state of the nation address declared the groups support for the unity

government until 'free and fair elections can be held in that country.' [Click here to read the speech.](#)

The next meeting is in August. [Article](#)

- ✘ MDC-M lost its entire Nkayi district executive and all 23 councillors to MDC-T in protest against the suspension of legislator Abdenico Bhebe. He was reportedly suspended on charges of allegedly undermining the party and its leadership with 4 other MP's. No date for his hearing has been set. "We have decided not to have anything to do with Mutambara because he failed to tell us why we should denounce Bhebe." Kufakwezwe Ncube [Article](#)

OUTSTANDING ISSUES

- ✓ MDC-T held an extra-ordinary national executive meeting on the 23rd to debate critical issues affecting the unity government. Issues included the death of the Midlands South provincial secretary, Senator Patrick Kombayi, the detention of their Director-General Tondepi Shonhe and the conviction of Mutare West MP Shua Mudiwa on kidnapping charges, amongst other issues.
- ? There is discussion about replacing AIPPA with 2 pieces of legislation, namely the Freedom of Information Act and the Media Practitioners Act. A stakeholder's media conference in Kariba last month claimed that these draft laws could be gazetted within the next few weeks. [Article](#)
- ✘ There has been no progress made in the sharing of provincial governorships.
- ✘ The Reserve Bank Governor and the Attorney General, both unilaterally reappointed by President Mugabe remain in their positions.
- ✘ No laws considered repressive or draconian have been gazetted for alteration or removal. Eric Matinenga, Minister of Constitutional and Parliamentary Affairs revealed that the Council of Ministers is reviewing a draft legislative agenda.
- ✘ None of the 7 outstanding by-elections have been scheduled.
- ✘ MDC-T boycotted a cabinet meeting after President Mugabe brought the meeting forward by a day. Some believe the move was to prevent Prime Minister Tsvangirai from chairing it while Mugabe was in Libya for an AU summit. "For a long time we have remained the polite and subservient upholders of the GPA against clear evidence of the absence of a reliable and honest partner," said Thokozani Khupe, the parties Deputy President on [29th June 2009](#)

Article IV Funding



United States policy during the political transition in Zimbabwe - [Click here](#)

- ✓ A 'Multi Donor Trust Fund' has been approved by cabinet and will be established within the Ministry of Finance to facilitate the payment of donor funds to the state without having to go through the RBZ and its Governor Gideon Gono.
- ✓ The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) reviewed its budget and released the figure of US\$718 million for the humanitarian Consolidated Appeal (CAP). It was revealed that Zimbabwe needs US\$719 in urgent humanitarian assistance. [Consolidated Appeals Process \(CAP\) 2009](#) – Zimbabwe Funding Update.
- ✓ The EU has offered budget support of €30 million for government, humanitarian aid of €8 million and food aid of €9 million. [Article](#)
- ✓ The US has pledged US\$73 million for education, health and governance related assistance.
- ✓ Germany has pledged almost €30 million for the education, health and farming sectors.
- ✓ Norway increased aid to Zimbabwe, bringing the 2009 budget to US\$31 million. "The aid will go partly to non-governmental organisations and partly to the United Nations. The main priority is basic health, primary education and transition aid" said Prime Minister Jens Stoltenberg.
- ✓ Britain has offered an additional £5 million towards food and education. International Development Secretary Douglas Alexander;" Our £60million package will provide support directly to Zimbabwe's poorest people." The funds will not go via the RBZ but through NGO's and the UN.
- ✓ French Prime Minister Francois Fillon is considering cancelling Zimbabwe's Paris Club debt, if the country guarantees that it will spend the funds on development projects. "I indicated that France was prepared to renegotiate Zimbabwe's debt in the framework of the Paris Club but with a specific

offer from France which would involve converting that aid (savings from a debt write off) into development projects."

- ? Morgan Tsvangirai managed to raise over US\$200 million during his overseas trip. Far short of the US\$8.3 billion needed to rebuild the country.
- ? Government has asked China for a credit facility at concessionary interest rates to improve the transport sector, focusing on road reconstruction.
- ? The Global Fund will no longer finance HIV/AIDS projects through the government National Aids Council (NAC), but will provide funding via the UN. This is in response to the RBZ diverting US\$7.3 million last year. It is unclear how much funding will be made available, the government recently asked for US\$297 million.
- ? Defence Minister Emmerson Mnangagwa led a team to China, Russia and Malaysia primarily seeking aid to kick-start the economy. China is giving Zimbabwe a £600 million, a loan that was secured by Finance Minister Tendai Biti. [Article](#)
- ? Comesa is contemplating a financial rescue package for Zimbabwe

Article VII, XVI Humanitarian & Food Assistance



- ✓ Solidarites, a French charity is to open in July offering a food security programme. Constance Decorde, communications officer, estimates that 6 million people face food shortages. [Article](#)
- ✓ The Red Cross is currently feeding approximately 6 300 inmates. [Article](#) Government is apparently considering releasing starving prisoners with the hopes of reducing the mortality rate.
- ✗ Zimbabwe's prisons continue to present a humanitarian crisis. A flyer circulating in and around Harare called for the dismissal of Commissioner Paradzai Zimondi owing to his mismanagement of the prisons and allowing prisoners to starve. There are widespread reports of a new outbreak of Cholera in the prisons.
- ✗ It is estimated that 6 million people have very limited access to clean water and sanitation. 1.5 million children are unable to enrol in education without interventions, 800 000 people are without food and 44 000 children under the age of 5 are suffering from acute malnutrition. [CAP document](#)

FOOD SECURITY

- ✗ Farmers remain unable to afford critical inputs since the shift in currency from the Zimbabwean Dollar to multiple international denominations and as a result of prohibitive loan conditions. Zimbabwe needs 400 000 metric tonnes of wheat, but the expected outputs are closer to 5 – 10 000.
- ✗ The US Department of Agriculture's Foreign Agriculture Service (FAS) released a report indicating that the maize harvest will be slightly larger in 2008/09. [Click to read full report.](#) Farmers have allegedly planted less than 10% of the projected 100 000 hectares. [Article](#) The Zimbabwe Vulnerability Assessment Committee (ZimVac) said in a report that 16% of the population or 1.4 million rural inhabitants will not be able to meet their minimum cereal needs. [Click to read report](#) and click to read a crop report by the [UNFAO/WFP](#).

EDUCATION

- ✓ Government is conducting an audit on the number of civil servants registered on its payroll. It is rumoured that up to 30 000 ghost teachers may be receiving a salary of US\$100 every month. Public Service Minister Eliphaz Mukonoweshuro expects this process to be completed by mid-July.
- ✓ State schools have waived traditional school fees and have instituted what is called an admission free of US\$5 (primary) and US\$10 (secondary) per learner. The only other nominal costs that could be due are levies. [Article](#)
- ? The education sector requires at least US\$100 million to rehabilitate itself, US\$90 million of that ensuring that each child has a textbook. It would seem that donors have provided significant funds in this regard. There are fears that if this is not rectified urgently, a whole generation of learners could be lost. [Article](#) Many teachers continue to resort to alternative or complimentary work in order to survive.

- * It was hoped that the University of Zimbabwe (UZ) would re-open on the 6th of July but lecturers have stated that until their salary disputes are resolved, they will not return to work. Some lecturers have not been paid since November 2008 and the grounds are still without water and sanitation services.

HEALTHCARE

- ✓ The Ministry of Finance has given some money to Harare Hospital, to the tune of US\$1 million, out of an expected pot of US\$2.4 million. It is not clear how much funding Parirenyatwa Hospital has received but services are slowly beginning to improve and most mortuary's have completed pauper burials for those bodies that have not been claimed. [Article](#)
- ? The ten month old cholera epidemic has infected almost 100 000 people and has claimed the lives of nearly 4 000 reported the Red Cross. The Harare City Council has begun dismantling cholera treatment centres in Budiriro and Beatrice Infectious Diseases Hospital as the spread of the disease has slowed.
- * Norton Hospital is without an Opportunistic Infections (OI) clinic which is hampering the quality of care that HIV/Aids patients receive. Patients have to travel long distances for treatment, when they are already suffering from an OI. It is not clear what the status of OI Clinics is nationwide.
- * Underlying causes of cholera in Zimbabwe remain unattended to [Click for the Sokwanele Footage of raw sewerage at a school.](#)

Article XXII JOMIC (Joint Monitoring Implementation Committee)



There has been no action.

Article V Land Reform



- ✓ Zanu PF national chairman, John Nkomo lost his high court bid to remain in Jijima Lodge in Bulawayo when Justice Francis Bere ordered him to cease all activities on the farm. His settlement was being contested by businessman Langton Masunda. Nkomo filed an urgent chamber application in a bid to stop his eviction. [Article](#)
- ✓ [Case In the SADC Tribunal in Windhoek, Namibia 4 June 2009.](#) Luke Munyadu Tembani VS Government of Zimbabwe
- ✓ The CFU expressed anger at Prime Minister Morgan Tsvangirai's recent statement in the United Kingdom that the wave of fresh farm attacks was 'exaggerated'. Trevor Gifford, president of the CFU has accused Tsvangirai of pandering to donors fears with the hopes of getting more aid.
- * No comprehensive land audit has been started (Section A)
- * The SADC court ruling is having little impact on the current farm attacks. The ruling stated that the 78 commercial farmers were entitled to keep their land, despite the fact that the land had been identified for resettlement by Zanu PF. [Article](#) (Section C)
- * Celina Pote, Zanu PF politburo member is being harassed by Zanu PF supporters after she testified in court in support of commercial farmer Digby Nesbit who is being prosecuted for refusing to vacate his farm, Plot 30, Hippo Valley.
- * Arikana Chihombori an American doctor and niece of Prime Minister Morgan Tsvangirai is trying to take ownership of a farm in the Chegutu district called De Rus from Mr. L J Cremer. She claims that she was given an offer letter to take over the farm. [Article](#) When questioned about the legality of her actions, she said the land redistribution programme is to 'correct historical injustices.'
- * Senator Jamaya Muduvuri of Zanu PF owns 4 farms: Shiloh Farm, Mandalay Farm, Hoffmarie Farm and Brunswick Farm, and is set to take another. He is fighting with French farmer Catherine Jouineau-Meredith to take ownership of Twyford Farm in Chegutu, land which is protected under bilateral agreements between Zimbabwe and France. [Article](#)
- * Dydimus Mutasa, a Zanu PF minister is reported to have 10 farms: Mula farm in Headlands, Cold Stream, Padiswood (Under Arda Management), Arbed, Loneakkop, Sink Mula, James farm(Nyazura),

Poridget (Epworth/Ruwa). He also has farms in the Matinhidza Area 17km from Headlands and another in Mazvikadei and another farm on the Brandely road. [Article](#)

- * Wildlife conservancies are under threat by Zanu PF officials who are occupying the land with 99 year leases. Some beneficiaries are reportedly Masvingo governor and resident minister Titus Maluleke, Higher and tertiary education minister Stan Mudenge, former Masvingo Zanu -PF provincial chairman retired major Alex Mudavanhu, and Senator Josaya Hungwe. When questioned about the move, Natural Resources Minister Francis Nhema said, "We have always maintained that blacks have been sidelined from the lucrative business of running conservancies hence were decided to give our people 99 years leases to the properties." [Article](#)

Article XVII **Legislative Agenda Priorities**



The House of Assembly has adjourned until the 14th of July and the Senate until the 21st.

- ✓ When parliament resumed earlier in the month it criticised the slow speed with which the government was implementing reforms as set out in the GPA. Settlement Chikwinya, a legislator called on the executive to push reforms more forcefully. One area that was specifically touched on was the continued lack of free and open media.
- ✓ MP's Settlement Chikwinya and Douglas Mwonzora successfully moved a motion calling for government to amend or repeal all legislation that inhibits media freedom. The state run and owned Zimbabwe Broadcasting Service (ZBC) and The Herald newspaper were identified as key areas to be reformed. They also called for the creation of a Broadcasting Authority which could issue licences to new media and for the swift establishment of the ZMC.
- ✓ The Senate has created six thematic committees, namely
 - 1) HIV/AIDS
 - 2) Gender and Development
 - 3) Millennium Development Goals
 - 4) Peace and Security
 - 5) Indigenisation and Empowerment, and
 - 6) Human Rights
- ✓ The African Commission on Human and Peoples' Rights ruled in favour of Independent Journalists Association of Zimbabwe (Ijaz), Zimbabwe Lawyers for Human Rights (ZLHR) and the Media Institute of Southern Africa (MISA) on their challenge to AIPPA. The Commission said that the government should 'decriminalise' offences relating to the accreditation and practice of journalism.
- ? After meeting on the 1st of June and adopting recommendations from its sub-committee on how commissioners would be selected, the Parliamentary Standing Rules and Orders Committee (PSRO) advertised for submissions for posts in the constitutional commissions. The 4 new commissions are the Zimbabwe Media Commission (ZMC), the Zimbabwe Electoral Commission (ZEC), the Anti-Corruption Commission (ACC) and the Zimbabwe Human Rights Commission (ZHRC). The clerk of parliament, Austin Zvoma said "The interviews are going to take place in public and the public will listen and watch without participating in the process." The PSRO also approved a budget of US\$36 million which is needed to drive this process. It is unclear whether government will be able to provide the money.
- ? Applications posted by the Standing Rules and Orders Committee (PSRO) for positions within the Zimbabwe Media Commission (ZMC) have been advertised, with applications closing on the 19th. The ZMC will replace the widely criticised Media and Information Commission (MIC), which should have been replaced in January 2008 as per amendments to AIPPA, Section 38. The PSRO will submit 12 names to President Mugabe, who will then decide on the final 9 who will make up the board.
- ? Under [STERP](#), the Reserve Bank of Zimbabwe Amendment Bill has been cleared by Cabinet and the Information Communication Technology Bill is at an advanced stage.
- ? The Broadcasting Services Act (BSA) and the Postal and Telecommunications Act (PTA) have long been described as draconian and undemocratic. It is hoped they will be replaced by the Information and Communications Technology Bill. This move will allow for the formation of the National

Information and Communications Technology Authority of Zimbabwe. This body will control all aspects of communication from licensing of radio/TV, radio wave signals, regulating of costs and multi media facilitation to regulation. The new bill does not make provision for the repeal of AIPPA, but does put forward some amendments. [Article](#)

- × The Parliamentary Legal Committee has still not met, despite the number of outstanding statutory instruments needing attention.
- × Ministerial responsibilities have still not been gazetted. This leaves many issues unclarified for example: who should be calling for by-elections, if a minister is unavailable, who should one contact if there was clarity needed on an issue etc.
- × 2 new Senate seats are vacant after the deaths of Chief Bidi in Matabeleland South, and Patrick Kombayi from Gweru-Chirumanzu constituency. The total vacant seats are now 5. The notice for by-elections should be gazetted within 14 days of parliament being notified of the vacancies.
- × All electoral petitions from the 2008 elections have been dismissed by the Electoral Court. Appeals lodged at the Supreme Court have not been heard in violation of the Electoral Act stipulation that all petitions must be finalised within 6 months of the elections.
- × The MDC-T has 6 members who are at risk of losing their seats if convicted or imprisoned. (Information care of Veritas):
 - [Mathias Mlambo](#), MP for Chipinge East – sentenced to 10 months’ imprisonment for obstructing the course of justice. He has been granted bail pending the hearing of his appeal but his suspension continues despite his release on bail [*Constitution, section 42*].
 - [Shuwa Mudiwa](#), MP for Mutare West – in prison awaiting sentencing on 27th June on a charge of kidnapping. His lawyers have already said the conviction will be challenged in the High Court, claiming the charge is unfounded and politically motivated. The maximum sentence for kidnapping is life imprisonment and so a sentence of more than 6 months is conceivable – which would mean suspension and the possible loss of the seat for Mr Mudiwa.
 - [Meki Makuyana](#), MP for Chipinge South – on trial for kidnapping.
 - [Blessing Chebundo](#), MP for Kwekwe Central – arrested on a charge of rape and on bail awaiting trial. [The maximum sentence for rape is imprisonment for life.]
 - [Trevor Saruwaka](#), MP for Mutasa Central – facing political violence charges.
 - [Senator Roy Bennett](#) – due in court on 1st July on charges of possessing arms of war [which might also attract a heavy sentence in the event of a conviction].
 - [Lynette Karenzi](#), MP for Chimanimani West’s case is slightly different – her right to the seat is being challenged in a High Court civil case by her March 2008 ZANU-PF opponent, on the basis of her conviction for involvement in the forgery of a signature on her nomination paper [the sentence imposed was insufficient to trigger section 42 of the Constitution].

Article XI, XVIII **National Security Council**



- × The service chiefs who swore never to salute Prime Minister Morgan Tsvangirai are to blame for the failure to launch the National Security Council said Deputy Prime Minister Thokozani Khupe. She believes that they are deliberately stalling its formation as they do not respect nor recognise the new structure of government. The body is supposed to meet once a month and since coming into law in February, it has not met once. [Article](#)

Article XV **National Youth Training Programme**



- × There are reports that youth militias have been reinstated in bases near rural schools. They are purportedly using school facilities for their own needs and intimidating teachers with regard to their political affiliations. PTUZ President Takavafira Zhou has identified bases in Chikarudzo, Masvingo province, Goromonzi, Mashonaland East, and in the towns of Gokwe and Mberengwa in Midlands province. [Comment on the re-establishment of bases in schools](#)

Article X **Free Political Activity**



- ✓ The Prime Minister's Office has launched a newsletter "to report back to you, the people, the progress and problems of the Inclusive Government and to keep you informed about what your government is doing" said Tsvangirai in the first edition (40 000 copies). Discussions are being held to see if newspapers within the country can carry the circular.
- ✗ The launch of the newly reformed Zapu party was due to take place in Nyamandlovu in Matabeleland North, but the ZRP would not grant permission for the gathering in the traditionally Zapu area.
[Article](#)

BELOW IS A LIST OF POLITICAL PARTY COMMUNICATION AND STATEMENTS

Zanu PF have not released any statements or communiqués.

MDC-T

[Tainted individuals must stay away from the Zimbabwe Media Commission](#)

[Statement by the Prime Minister upon his return to Zimbabwe after his trip to Europe and the United States](#)

[MDC MP sentenced to 7 years](#)

[Thokozani Khupe's speech after MDC Ministers walked out of Cabinet Meeting](#)

[People driven constitution will deliver democracy - Khupe](#)

[MDC rejects imposition of Kariba Draft Constitution](#)

[Resolutions on the Extra Ordinary National Executive meeting held on 23 June 2009](#)

Article VII, XII **Reconciliation**



- ? As reported in The Herald, Vice President Joice Mujuru in a speech delivered at a gender themed conference alluded to a taskforce that was being set up with the aim of resolving political disputes between offenders and their victims. "This committee is going to ensure that all our grievances are addressed to the satisfaction of the involved parties. The national healing programme is coming down to the grassroots and will leave no stone unturned in handling every grievance." she said.
[Article](#)
- ✗ Gibson Sibanda, Minister of National Healing, Reconciliation and Integration is no longer an MP after his failure to secure a seat within 3 months of his appointment.
- ✗ Irene Kahn of Amnesty International visited Zimbabwe to assess the human rights situation. Her recommendations for the country focused on implementing a plan for national healing and the depoliticising of state institutions, like the police. [Click for findings and recommendations](#)

Articles XII, XIX **Rights and Freedoms**



MEDIA


- ? Several groups and individuals have called for the exclusion of figures like Jonathan Moyo and Tafataona Mahoso from any future media or information commissions based on their previous roles in repressing Zimbabwe's media. Mahoso has applied to sit on the ZMC in spite of the fact that he was responsible for the closure of four independent newspapers. It is understood that other applicants include Professor Claude Mararike (ZUJ), Pius Wakatama and Matthew Takaona.
- ✗ The Ministry of Information and Publicity would not provide Prime Minister Morgan Tsvangirai with a media crew for his tour to the EU and America, despite the Prime Minister's office offering to meet the costs. MDC-T has accused state run media institutions of continuing to violate media freedoms as set out in the GPA under section XIX, freedom of expression and communication. The ZBC and Zimpapers continue to give unfair media attention and coverage to Zanu PF. Letters by MDC-T

director of Information and Publicity Luke Tamborinyoka to the two entities on the 9th have yielded no response.

- ✘ Four local journalists' Stanley Gama, Valentine Maponga, Stanley Kwenda and Jealous Mawarire took the government to court over the state requirement for press to provide accreditation in order to cover the Comesa summit that took place in Victoria Falls. Application for accreditation with the MIC is no longer necessary as the body does not legally exist. The court granted them an interim order demanding that Information Minister Webster Shamu, his permanent secretary George Charamba, MIC chairman Dr Tafataona Mahoso and others, stop interfering with their work. The state intends to appeal the judgement and the 4 were still barred from attending the summit when it opened on the 7th. [Article](#)
- ✘ Two journalists; Chris Mahove and Ben Madzimore were arrested on the 5th for covering a demonstration by Harare City Council employees. They are both members of the Zimbabwe Union of Journalists. [Article](#) It is alleged that they were assaulted while in police custody and had their equipment/ footage destroyed by the police. [Article](#)
- ✘ The Swedish delegation that toured Zimbabwe has expressed concern at the lack of speed with which the GPA directives are being implemented, especially when it comes to media reform.
- ✘ Zimbabwe Independent editors Vincent Kahiya and Constantine Chimakure and the papers finance director Michael Curling, appeared in court on the 16th to appeal for their case to be referred to the Supreme Court. They are challenging the constitutionality of section 31 in the Criminal Law (and Codification) Reform Act under which they are charged for publishing a story on state agents who abducted and tortured then MDC opposition activists. The matter was postponed until the 9th of July. [Article](#) (Article XI (a))
- ✘ Emmerson Mnangagwa, Zimbabwe's Defence Minister has apparently called for the banning of the independent newspaper, The Zimbabwean, a move that was rejected by Cabinet. [Article](#)

Article XI Rule of Law



- ✓ On the 29th, the Deputy Secretary General of the International Commission of Jurists (ICJ) embarked on a 3 day fact finding mission to assess the human rights situation in Zimbabwe.
- ? The car crash that killed the prime minister's wife, Susan Tsvangirai is not an accident says Peter Hermes, an independent advisor to Tsvangirai. "I think that the judiciary in Zimbabwe is very busy covering up what happened. Also the police didn't investigate what happened. They were destroying forensic evidence immediately after the accident. They left the car for a couple of days upside down by the side of the road so it was very hard for independent investigators to find evidence." [Listen to the interview with Hermes](#)
- ✘ Transparency International has conducted a study of cases brought to the centre which showed that out of 312 suspected cases of corruption, 38% identified the police as the fraudulent party and a significant number were against the judiciary. [Interview With John Makumbe - Download \(MP3\)](#) 
- ✘ The Human Rights NGO Forum has released a damning report which gives the details of 872 cases of state organised or state condoned violence in 2009, despite the GPA being in effect. The body calls for the government "to bring to an end impunity for perpetrators of all human rights abuses and to ensure the rule of law is upheld" and for the police "to exercise restraint when dealing with unarmed protestors, as well as to treat all citizens fairly and within the confines of the law in the discharge of their duties."

POLITICAL ACTIVISTS / DETAINEES

- ✓ Zimbabwe Peace Project Director Jestina Mukoko at the Supreme Court in her case accused the state of abducting, torturing and detaining her in violation of the constitution. The judges on the bench were Chief Justice Chidyausiku, Deputy Chief Justice Malaba, and Judges of Appeal Sandura, Cheda and Ziyambi. Mukoko is represented by South African lawyer Jeremy Gauntlett.
- ✓ Magistrate Clever Tsikwa has removed himself from the case involving 108 MDC members who are accused of extortion in Nyanga. He claims that 'external influence' made it impossible to continue with the case. It is rumoured that the CIO have been trying to manipulate the outcome of the trial. He remanded the accused to September 30. [Article](#)

- ✓ 5 Zanu PF supporters have been arrested for the murder of Moses Chokuda, MDC Gokwe district organising secretary in March 2009. The accused include the son of a governor, Jaison Machaya, two ZNA soldiers and two others.
- ? Terry Musona, Lloyd Tarumbwa and Fani Tembo who were abducted last year by state agents were taken from their homes again on the 2nd to the Attorney Generals office. The office told them to turn state witness and testify against MDC activists who were standing trial for banditry. Judge President Rita Makarau then stated, "I am personally going to guarantee your security on the trial day, and you should also seek security before you start giving your testimony. It is not my responsibility to grant you security but the law should do that for you. You should also show the courage you have shown to me when you were narrating your reasons for refusing to testify against your fellow party members, and this should be done truthfully because if you lie you won't be protected by the law." [Article](#)
- ? After being removed from remand on the 1st, human rights lawyer Alec Muchadehama's trial should have started on the 17th for 'obstructing or defeating the course of justice' by unlawfully causing the release from custody of his clients, Kisimusi Dhlamini, Gandhi Mudzingwa and Andrison Manyere, but the Attorney Generals office delayed the trial as it needed to gather the necessary evidence. [Article](#) The prosecutor then said that the case would not be proceeding and left the courtroom. It is unclear if this motion is legal as he did not allow the Magistrate into the room to formally dismiss the case and give permission for Muchadehama to leave (Veritas Newsflash 24 June 2009). [Article](#)
- ? Concillia Chinanzvavana, Fidelis Chiramba, Violet Mupfuranhewe and Collen Mutemagawu have requested, through their lawyer Alec Muchadehama, that their case be referred to the Constitutional Court to determine if their kidnapping last October constitutes 'unlawful deprivation of liberty in violation of Section 13 (1) of the Constitution'. [Article](#) They were abducted in October last year and held incommunicado for 2 months.
- ✗ High Court Judge Justice Hungwe postponed the referral to the Supreme Court of the case of journalist Andrison Manyere to the 1st of July, as he believes his rights were infringed when the state requested more time to gather evidence. The other 6 co-accused of contravening Section 23 (1) (a) (i) and (ii) of the Criminal Law (Codification and Reform) Act are Kisimusi Dhlamini, Gandhi Mudzingwa, Regis Mujeye, Zacharia Nkomo, Mapfumo Garutsa and Chinoto Zulu.
- ✗ MDC Director General Toendepi Shonhe is facing charges of perjury after affirming the affidavit written by the three abductees (mentioned above) claiming they had been kidnapped before the trial. He was granted bail of US\$500 but remained in custody as the state invoked Section 121 of the Criminal Procedure and Evidence Act which suspends bail orders for 7 days.
- ✗ Last month violence hot spots were identified in Masvingo, Muzarabani, Mberengwa, Chilimanzi, Mutoko, Cashel and Shamva. [Read Reports](#). This month Dombashawa, Mutoko, Marondera, Odzi and Mudzi have been identified. [Article](#)
- ✗ WOZA and MOZA hosted a demonstration to mark International Refugee Day in Bulawayo when they came under attack from police. 5 WOZA members and 3 journalists were arrested in a separate protest in Harare the next day (all except 4 women were released). The remaining inmates were badly beaten and subsequently denied medical treatment while in custody. They are being represented by human rights lawyer Beatrice Mtetwa. Jenni Williams, leader of WOZA said that this showed that there was not any real change in rights and freedoms since the signing of the GPA.
- ✗ ZINASU Treasurer General Sheunesu Nyoni, Brian Mtisi, Samson Nxumalo, Melusi Hlabano and Archieford Mudzengi appeared in court in Bulawayo after being charged with "participating in an unlawful gathering with an intention to cause public violence, bigotry and breach to peace" on the 11th of November 2008. Their lawyer Nqobile Ndlovu has asked that the case be referred to the Supreme Court or thrown out. The justification is that Section 37(1) (a) of the Codification Act was declared to be unconstitutional because it takes away the rights to freedom of assembly, freedom of expression and freedom of association guaranteed in Section 24.1 of the constitution.
- ✗ MDC National Treasurer Roy Bennett was in court on the 30th and is expected to be issued with a trial date under the charge for terrorism soon.

Article IV Targeted Sanctions



[British Embassy Response To The Herald 03/06/09](#)

- ✓ It is understood that all targeted sanctions will remain in place until tangible and democratic changes in line with the GPA have been implemented and sustained.
- ? The US Administration granted a visa to Zanu PF Tourism Minister Walter Mzembi who accompanied Prime Minister Morgan Tsvangirai to America. He is not on the list of sanctioned individuals but was refused a visa the month before when he wanted to accompany Finance Minister Tendai Biti to the States.
- ? The EU temporarily lifted travel bans on two Zanu PF Cabinet Ministers. Stephane Toulet, the deputy French Ambassador to Harare said 'the decision is meant to promote human rights and good governance in Zimbabwe and to re-engage Zimbabwe with the EU.' [Article](#)
- ? On the 12th Deputy Prime Minister Arthur Mutambara at the 19th World Economic Forum appealed to the West to lift sanctions against Zimbabwe. He stated that with sanctions in place Zimbabwe will not be able to find the much needed US\$2 billion financial rescue package to enable Zimbabwe to have a fresh start.

Article VI, VII, XIII Civil Society Mechanisms



- ✓ CSO's representing over 80 organisations met on the 3rd of June to discuss their involvement in the process of drafting a new constitution. [Declaration text.](#)
- ✓ Civil society groups the NGO Human Rights Forum, ZCTU, Crisis and NANGO conducted a 5 day tour of Europe to canvass support from Spain as it will take over presidency of the EU in 2010. [Article](#)

[Statement by Zimbabwean Civil Society to the Prime Minister Morgan Tsvangirai](#)

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

WHO Daily Cholera Update [9 June](#)

JAG

Farm Communiqués [3 June 2009](#) [4 June 2009](#) [5 June 2009](#) [9 June 2009](#) [10 June 2009](#) [25 June 2009](#)
Open Letter Forum [4th June](#) [11th June](#) [11 June Part 2](#) [15th June](#) [25th June](#)

Zimbabwe Vulnerability Assessment Committee (ZimVac) [Click to read report](#)

Sokwanele www.sokwanele.com

Zimbabwe Business Watch: [Week 23](#) [Week 24](#) [Week 25](#)
[ZIG Watch Issue 6](#)

Veritas

BILL WATCH

[2nd June 2009](#) – Call for Applicants for Constitutional Commissions This Week

[9th June 2009](#) – Appointment to Constitutional Commissions

[13th June 2009](#) – Illegal not to hold by-elections.

[17th June 2009](#) - Legislative Reform Series[No.1. AIPPA]

[22nd June 2009](#) – Parliament Adjourns Mid July

PEACE WATCH

[2nd June 2009](#) – Human Rights Defenders [6th June 2009](#) – Abductees Trial Monday 8th June

[10th June 2009](#) – Political abductees, violence on farms and rule of law

[24th June 2009](#) – Jestina Mukoko's case in Supreme Court on Thursday

[29th June 2009](#) – MDC-T Expresses Frustration

CONSTITUTION WATCH

[15 June 2009](#) – Constitution Select Committee – Work Plan

[27th June 2009](#) – Presidential Powers in the Kariba Draft Constitution

MISA www.misazim.co.zw

[Statement on the constitution making process](#)

[Zimbabwe Media Commissions statutory Functions and Powers](#)

[Judge Postpones Application by Freelance Journalist](#)

[Ministry challenging High Court Judgement](#)

ZUJ www.zuj.org.zw

[ZUJ Position on Government Media Reforms](#)

[ZUJ Welcomes The Appointment of Shamhu](#)

CHRA www.chra.co.zw

[Residents speak on constitution making process](#)

[CHRA demands order at ZESA](#)

[Minister Chombo's sincerity in the appointment of special interests councillors questionable](#)

WOZA www.wozazimbabwe.org

[All WOZA members finally released](#)

[4 members arrested then released on bail - State trying to deny Bulawayo members bail](#)

[4 badly beaten members denied medical treatment, detained in custody](#)

ZLHR www.zlhr.org.zw

[Lawyers vindicated once again as Muchadehama is removed from remand](#)

ZESN www.zesn.org.zw

[Comment on the \(ZEC\) report of the 2008 elections](#)

ZCTU www.zctu.co.zw

[Select committee on constitution making process should be chaired by a neutral person](#)

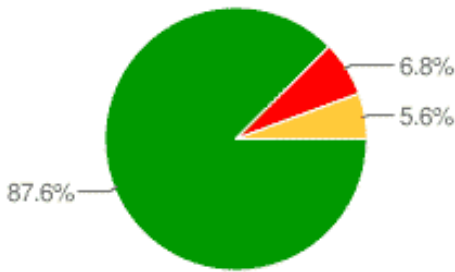
FEWS Zimbabwe Food Security Outlook www.reliefweb.int

[Food outlook April to September 2009](#)

Zimbabwe HR NGO Forum www.hrforumzim.com

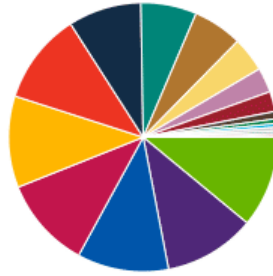
[Monthly violence reports](#)

Total, by party



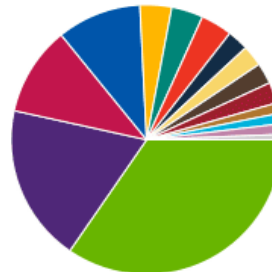
2876 breaches

ZPF, articles



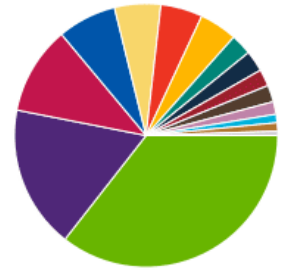
2523 breaches

MDC(M), articles



159 breaches

MDC(T), articles



194 breaches

*total since start of ZiG Watch project

Legend



Abbreviations

AIPPA	Access to Information and the Protection of Privacy Act
BSA	Broadcasting Services Act
CFU	Commercial Farmers Union
CHRA	Combined Harare Residents Association
CIO	Central Intelligence Organisation
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
MAZ	Media Alliance of Zimbabwe
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
MOZA	Men Of Zimbabwe Arise
MP	Member of Parliament
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
STERP	Short Term Emergency Recovery Programme
UNDP	United Nations Development Programme
WB	World Bank
WCZ	Women's Coalition of Zimbabwe
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
ZUJ	Zimbabwe Union of Journalists
ZIMTA	Zimbabwe Teachers Association
ZLHR	Zimbabwe Lawyers for Human Rights

