



Liaison, Dialogue and Research

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Policy Dialogue Report

6 May 2021, Zoom Platform

SALO Civil Society Briefing on Zimbabwe



International Liaison Dialogue and Research

SALO Briefing from Zimbabwean Civil Society

Thursday
6th of May 2021
11:00 - 13:00 (SAST)

SALO invites a virtual Civil Society Briefing on Zimbabwe, where leaders of Zimbabwean civil society will give an update on the political, socio-economic and human rights situation in the country. The panel will speak on recent arrests of activists, the current political situation in Zimbabwe and recent amendments to the constitution. SALO aims to bring various stakeholders together to build consensus on the situation in Zimbabwe.

Meeting ID: 943 9075 2455
Passcode: 519143

PANELISTS



DEWA MAVHINGA
SOUTHERN AFRICA
DIRECTOR, HUMAN RIGHTS
WATCH



MANTATE MLOTSHWA
PROGRAM LEAD,
MAGAMBA NETWORK



TAKUDZWA NGADZIORE
ZINASU PRESIDENT



MARGARET MUTSAMVI
CRISIS COALITION BOARD

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Executive Summary

On the 6th of May 2021, the Southern African Liaison Office (SALO) in partnership with the Norwegian People's Aid, hosted an online dialogue that brought together civil society representatives from Zimbabwe and South Africa. The dialogue was co-chaired by SALO members Munjodzi Mutandiri and Milisa Mbete.

The speakers were **Dewa Mavhinga**, Southern Africa Director at Human Rights Watch; **Mantate Mlotshwa**, Programme Lead at the Magamba Network; **Margaret Mutsamvi**, Crisis Coalition Board Member; **Takudzwa Ngadziore**, President of the Zimbabwean National Students Union (ZINASU). **Jestina Mukoko**, director of the Zimbabwe Peace Project, responded to the speaker's input from the floor.

Summary of the Presentations

Dewa Mavhinga, Southern Africa Director – Human Rights Watch

Dewa Mavhinga discussed how the current regime of Zimbabwe, under President Mnangagwa, is not democratic, it is:

“...not different from what existed under Mugabe. If anything, it is worse in terms of clamping down on [the] opposition, civil society groups [and] activists”.

This is particularly due to the role played by the state security forces. Groups such as the Zimbabwe Peace Project have found that the highest number of human rights abuses have been committed by the security forces, which include the police, the army, and the Central Intelligence Organisation.

Mavhinga continued to explain how democratic spaces are diminishing. The state has invested in a public relations campaign to present itself as reformed and democratic under the new incumbent, while it continues to commit human rights abuses. The legal and judicial systems are used to create a façade of democratic governance, whilst being used as a key tool of repressing activists through trumped-up charges, criminal laws, pre-trial detentions, and more recently, COVID-19 regulations. Mavhinga explained it thus:

“The process is really persecution through prosecution.”

While human rights defenders are being charged for criminal offences, those who are connected to the abduction or torture of activists have not been charged or arrested.

The judiciary and the justice system are severely compromised, Mavhinga continued. He also notes that some of the new constitutional amendment bills are intended to further weaken the independence of the judiciary.

Further, he explains that the state promotes that they are

“... open for business. [It] is essentially a mafia approach where those that are connected to the security forces and the government benefit, but broadly the citizens of Zimbabwe [do not]”.

The government looks to benefit themselves and private business interests at the expense of their citizens. Communities were evicted for a new coal mining operation, and a new commercial grass farming project, both examples of corruption and *“the predatory nature of this government”*

In closing, Mavhinga put forward the need to continue to call for accountability and pressure the state to respect human rights. Specifically, institutions such as SADC and the AU should be intervening in order to ensure human rights are protected. One way that this can be done is through sanctions that are targeted at individuals, particularly those heading the various state security forces.

Mantate Mlotshwa, Programme Lead – Magamba Network

Following Dewa Mavhinga’s presentation, Mantate Mlotshwa concurred that the greatest perpetrators of human rights abuses are the state security forces themselves, noting the painful irony that those institutions, such as the police force, are where citizens should go when they are victims. Mlotshwa discussed the way that the youth, in particular, are *“victims of the law”*, and the costs this has on them.

This includes significant financial costs, within the context of high rates of unemployment. Sustaining an income is hard when one is moving from place to place to avoid the threat posed by the security forces. Another example is high transport costs - when activists are released on bail and then made to report weekly to police stations on the other side of town. Youth particularly activists, are frequently victims of abuses, and the psychological costs are unimaginable, yet counselling services are not readily available. Finally, there is *“the professional cost of the struggle”*, where

arrests for participation in pro-democratic action can jeopardise one's career as well as the ability to complete one's studies.

One of the members of parliament, Joana Mabombe, is such an example, where

"... if you look at the number of times she [has been] arrested, the number of times... that Joana got kidnapped with a number of other girls, and [hear them] explain how traumatic the experience was for them, [yet] ...after five years, Joana is going to be measured on her competence [and] ability to deliver in her job as an MP regardless".

After discussing these issues about the costs borne by youth in the pro-democracy struggle, Mantate went on to address the issue of *"the weaponisation of COVID-19"* and how it was one of the biggest issues during the last year. Specifically how the regulations around COVID-19 were used to arrest activists and members of opposition parties, yet these same regulations were not applied to the ruling party:

"Individuals get arrested for supposedly inciting violence by standing with a placard, but a party that organises a big event that has so many people gets away with it."

In addition, the police unleash violence on people under the guise of 'enforcing COVID-19 regulations'.

Finally, and linked to the above points, she spoke to the issue of the Constitutional Amendment Bill. To implement the bill, consultation processes were necessary, yet due to the COVID-19 restrictions, consultation attendance was limited to 50 people. She pointed out that in fact, the entire legislative process is problematic, as citizens are never adequately consulted. Even those few that are consulted are unable to make a proper contribution. The decisions are made in a way that is very removed from the population, only the senators and MPs weigh in.

She drew special attention to Clause 11 in the Amendment Bill, which looks at extending the women's quota, as well as introducing 10 seats for young people in Parliament. *"What this tool does is that it limits the voices of young people and women in Parliament. You're saying in a country where women and young people combined are a demographic majority, you're only going to give them a certain number of seats."* This also means that there is no space for people who are not members of political parties.

In closing, she gave two recommendations. For internal and external civil society as well as donor organisations, it is important to invest in building the capacity of citizens so that they are able to contribute to those democratic processes that do exist. One such way is making information accessible, which requires financing. Another important intervention would be to provide holistic support for human rights defenders, as they are facing many costs. Without support their activism is unsustainable.

Margaret Mutsamvi, Crisis Coalition Board

Margaret Mutsamvi focused her input on how the detrimental effects of the consolidation of power of the ruling party have affected women. One way that is happening, she agreed with all the previous speakers, is through the use of the legal system, where she noted that in 2020 alone, around 270 statutory instruments were gazetted. This took place without a process of consultation. Therefore, she explained, the consolidation of power by the executive has restricted citizen participation.

Whilst agreeing with Mantate Mlotshwa's point about how COVID-19 was weaponised, she added that the pandemic has also exacerbated existing socioeconomic inequality, and specifically had an adverse effect on women. The pandemic itself, but particularly the state's response to it, has a gendered effect. Economically, the closure of the informal sector during the lockdown has led to the loss of livelihoods, particularly for women. The informal sector, which is dominated by women, makes up 90% of employment in the country.

The cases of gender-based violence increased. Education has also been affected, with COVID-19 resulting in reduced access to education with the girl child being affected disproportionately. Further, a recent report showed *"...a record-breaking 2000 young girls got pregnant and dropped out of school."* The pandemic has increased the barriers to accessing healthcare. The costs of getting a COVID-19 test, a requirement for hospital admission, is unaffordable for most citizens and thus *"it has now become a preserve for the elite"*. Alongside this class divide, women, in particular, have experienced reduced access to sexual and reproductive health services. *"The socioeconomic inequality gap continues to increase amid the highlighted political crisis."*

Margaret Mutsamvi also touched on the issue of incarceration and corruption. Whilst many instances of corruption have been exposed, the perpetrators are not the ones who are arrested, instead, it is those who speak out against it that end up behind bars. This is in stark contrast to what she refers to as *“the continued catch and release”* of the high-profile people implicated in corruption scandals. Alongside men, women activists are being increasingly incarcerated, leading to heightened fear and withdrawal of women from political spaces, reversing the gains of all the work that has been done by women to encourage others to be politically active citizens.

Finally, in putting forward solutions, she echoed the call by Dewa Mahvinga, and argued that *“...we need to continue to make the government account to the people, account to the region and account to the global community”*, which, she argued, involved increasing the pressure on the state. For instance, international institutions, of which Zimbabwe is a member, need to pressure the government to meet the standards that were agreed to. Further, pressure needs to be put on state institutions to ensure they are independent and prevent further capture of these institutions, including the Zimbabwe Election Commission, the Zimbabwe Human Rights Commission, and the Zimbabwe Gender Commission, along with the judicial institutions.

The Zimbabwean public needs to be made aware of the implications of the Constitutional Amendment Bill, to ensure that the public is also putting pressure on the state to prevent this closure of participatory spaces. Finally, she added that ‘people-to-people solidarity’ is vital, and in particular this should come from the region, and the global community.

Takudzwa Ngadziore, ZINASU President

Takudzwa Ngadziore framed his input around the political Systems Theory, as put forward by David Easton in 1953., which looks at the political system holistically, and how different aspects of it interact with one another. He argues that based on this theory, state intuitions such as parliament should be the voice of the people, and should be responding to the needs of the people, yet in Zimbabwe, this is not the case. Instead, *“what we are seeing... is...an interest by the crocodile liberators to thwart the*

democratic space. It's an interest by the intellectual hyenas to continue to victimise, to harass, and to shrink the democratic space."

He points to the Constitutional Amendment Bill (Number 2) as a key example of this. The bill was proposed by Cabinet in December 2019, and thereafter none of the official processes was followed, particularly the requirement for public participation. He somberly stressed that *"if we fail to protect the Constitution, [there] will come a time and age in which the Constitution will fail to protect [us]"*.

Another contentious piece of proposed legislation is the Patriotic Bill. Whilst a piece of legislation cannot force citizens to love their country, he pointed out that in fact, a true act of patriotism would rather be to *"defend the country against the government"*, this being the case only in countries where *"their citizens are victims of first-degree misgovernance"*. This of course, according to the speaker, includes Zimbabwe. Whilst reiterating the points made by previous speakers, including the financial and educational costs borne by those who are defending democracy, he also contributed that there are social costs, in that activists are portrayed as 'enemies of the state'.

Putting forward proposed solutions, Ngadziore stressed that it was important for the Zimbabwean youth to unite and act collectively, specifically to *"reaffirm citizens' collective power in response to issues within the national discourse."* One key institution where this is available is by voting, and thus people need to be encouraged to vote.

He also noted that before this can take place, several issues need to be resolved. Firstly, truth, reconciliation, and forgiveness need to take place – starting with the truth. Secondly whilst many of the sectors need to be reformed, the reform of the security sector is particularly urgent. Zimbabwean life is highly militarised, including having riot police stationed in town, and frequent arrests taking place - Ngadziore himself was arrested earlier this year. Thirdly, citizens need to act against corruption, which affects young people in particular as it resulted in the collapse of the education sector. Fourthly, young people need to demand health care, which is an essential need of all people.

He concluded that whilst the ruling party and their networks are intent on destroying civil spaces, young people in particular need to fight to ensure that they can have a democratic and egalitarian society.

Respondent:

Jestina Mukoko, Director – Zimbabwe Peace Project

Jestina Mukoko reflected on the inputs of the panellists. Speaking to the input by Dewa Mavhinga, she agreed that the converging of the state and the ruling party is a problem and is getting worse. She raised the example of the recent announcement of the ruling party that they would be training all civil servants according to the Herbert Chitepo School of Ideology. This, she stressed, “*spells disaster*”, as it assumes that all civil servants need to be members of the party, and dissenting voices will likely be dealt with harshly. In a similar vein, Mukoko raised the issue of the proposed National Youth Service, and how it might have severe implications, particularly leading up to the 2023 elections. Indeed, members of the opposition parties, in particular, are being targeted.

Jestine Mukoko agreed with the panellists who had argued that COVID-19 had been weaponised. She drew attention to how the COVID-19 regulations have been used to limit and suppress participation in the hearings on the proposed Constitutional Amendment Bill. Drawing on the panellist’s various critiques on the Constitutional Amendment Bill and the process that has been followed to try and get it passed, she argued that such processes have highlighted how the Bill is not people-centred.

She echoed the concern of Margaret Mutsamvi, in that women are becoming increasingly hesitant to get involved in politics, having seen so many women being victims of arrest and violence. Mukoko agreed that the concern about the endless statutory instruments “*that are literally raining on us*”, being used to suppress pro-democracy voices and public participation is a central area of concern. In closing, and speaking about the Constitutional Amendment Bill, she stated that “*I think citizens need to be able to regain their agency and reject this amendment...*”.

Contributions and Questions from the Floor

- Do you expect the proposed Patriotic Bill to be passed? If so, how will it affect you?
- What are the implications of Mnangagwa’s attempts to reintegrate Zimbabwe into the international community, such as through institutions like the African Peer Review Mechanism and possibly also the Commonwealth? Might that be a platform for greater solidarity?

- Could the panellists please elaborate on the role of the police and the military in determining the political sway and enforcing the current government's political will?
- Given that the ruling party has been superior to the government for the past 40 years, how best, as activists, can we navigate the situation? It seems that anything that you say against ZANU-PF means that you are against the government as a whole.
- Mantate Mlotshwa spoke about the issue of financial and psychological costs. Yet there is also the question of the relationship between civil society and activists, where there is a disconnect. How best can we be innovative to form a mutually beneficial relationship between activists and civil society?
- Should the Constitutional Amendment be passed? What Constitutional remedies do political parties, civil society and the general populace have, to challenge their Parliament?
- Advocate Dewa Mavhinga is suggesting that there is a need to deepen restrictive measures, but at the same time, to reform the security sector. That may be so, but for the past two decades, credible evidence suggests that the sanctions have not constrained the military from escalating human rights violations in Zimbabwe and might have exacerbated it. Military generals are now *“running the state from the shadows, and they have been very clear that they will not reform themselves out of power”*. What does this evidence mean, to the call for restrictive measures?
- Is this a problem that the international community does not understand, or do they want to hear from Zimbabweans what the solution is? Zimbabweans should issue a clear statement on what needs to be done, how it should be done, and who should be involved.

Responses from panellists.

Margaret Mutsamvi

Margaret Mutsamvi addressed the question regarding how Zimbabwe is trying to reintegrate itself into the international community, and whether those could be platforms for international solidarity. She stressed the importance of ‘people-to-people

solidarity' and saw that as being in contrast to Mnangagwa's process of trying to re-engage the international community.

"It is not a people-centred process. It is the state process, or rather, [a] ZANU-PF process where they are trying to appear to the international community as a rebranded institution, which on the ground is not so". Making these international connections is simply about attracting foreign investment and is unrelated to possibilities for solidarity. Yet she also emphasised the importance of the international community in supporting the struggles of Zimbabweans, but the narrative that the international community needs to hear should be from the people of Zimbabwe themselves.

Mantate Mlotshwa

In answering the questions of the relationship between civil society and activists, Mantate noted that the concept of an activist needs to be defined, and in Zimbabwe, some are institutionally based activists on the one hand and some are acting as individuals, on the other hand. When those individual activists are targeted by the state, civil society and established institutions should be supporting them. If these civil society institutions have the capacity, particularly in financial terms, to support the 'ordinary' people, it would strengthen that relationship.

Another very important intervention would be to decentralise aid away from the big cities of Harare and Bulawayo, which would decentralise services for activists. Finally, she raised the issue of accountability and transparency.

"In as much as we demand this from government, I think there needs to be some form of a culture of accountability when it comes to the resources that are given to civil society to support human rights defenders that are within institutions as well as those that are not".

Answering the question about the ruling party and its hold on the state, she argued that:

"the biggest challenge we have in Zimbabwe [is the] institutionalisation of democracy. It's so difficult in Zimbabwe to separate the Judiciary, the police, the army, any institution... you discover that... everything links to the ZANU-PF".

Dewa Mavhinga

Answering the same question, Dewa Mavhinga agreed that the main problem is that *“ZANU-PF has abused state institutions to retain political power at the expense of citizens”*, and that until that is resolved, ZANU-PF is unlikely to change. In response to the question about whether joining bodies such as the African Peer Review Mechanism or the Commonwealth might be beneficial to the people, his answer was a straightforward ‘no’. Those moves were meant to cosmetically paint a picture of a reformed government, and hide ongoing human rights abuses. Rather, human rights groups should be working to expose the abuses, and to *“expose the regime for what it is, so that the world knows [it] clearly”*.

Replying to the question regarding the effectiveness of restrictive measures, particularly sanctions, he did agree that the past restrictions had not been effective, but at the same time argued that there still needs to be an international response to human rights violations. One such way is sanctions targeted at individuals, as is the case in Uganda. As the state cracks down on local activists, the international community is needed ever more urgently.

“The military regime in Zimbabwe will not volunteer to reform. So, it will not be about appeasing them into reform, but about proper, direct democratic confrontation by the political actors, and also by activists who have got accurate information of the excesses of the regime in Zimbabwe”.

Conclusion

The dialogue provided a platform for members of the Zimbabwean civil society to inform and update their South African counterparts about the recent events unfolding in Zimbabwe, and thus contributed to building consensus on how to understand the situation as well as how the international community can respond and support those in Zimbabwe.

The analysis and recommendations included in this report do not necessarily reflect the view of SALO or any of the donors or conference participants, but rather draw upon the major strands of discussion put forward at the event. Participants neither

reviewed nor approved this document. The contents of the report are the sole responsibility of SALO, and can under no circumstances be regarded as reflecting the position of the donors who provided financial assistance for this policy dialogue session.

About the Southern African Liaison Office:



The Southern African Liaison Office (SALO) is a South African-based not-for-profit civil society organisation which, through advocacy, dialogue, policy consensus and in-depth research and analysis, influences the current thinking and debates on foreign policy especially regarding African crises and conflicts.

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