



## States in Transition Observatory

# GNU Watch Zimbabwe November 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**

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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 (AC PDT)

**For previous 2009 GNU Watches, click on month:**

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

\* 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:

"So SADC is likely to wring some concessions from the old man, reminding him that a stable Zimbabwe is better for the region but he is unlikely to give in to all MDC demands because you don't want to go to congress appearing weak and giving in to your rivals." Political Science professor - Eldred Masunungure, 5 November 2009

"The real outstanding issues in the implementation of the Global Political Agreement (GPA) are: Removal of illegal sanctions imposed by the European Union (EU) and the United States; Cessation of pirate radio broadcasts by the West denigrating the inclusive government by indulging in hate messages; and the constitution-making process which the donor community is keen to hijack." Simon Khaya Moyo - Zimbabwean Ambassador to South Africa, 5 November 2009.

"We have suspended our disengagement from the Global Political Agreement with immediate effect and we will give President Robert Mugabe 30 days to implement the agreement on the pertinent issues we are concerned about." Prime Minister - Morgan Tsvangirai, 5 November 2009.

"May Western countries please remove their illegal and inhuman sanctions on my country and its people?" President Robert Mugabe, 17 November 2009.

## Article VI **Constitution**



- ✓ The Parliamentary Select Committee (PSC) on the constitution will consider banning Mugabe from standing for re-election as president if that is the wish of the people said co-chairperson Tongai Matutu. [Article](#)
- \* The public outreach programme should have been completed by November 13 but it seems unlikely that this process will be completed before January 2010 at the earliest as the deployment of the teams has been postponed to allow for other parliamentary processes to be completed.
- \* It will not be possible for government to meet the deadlines pertaining to the constitution that is set out in the Global Political Agreement (GPA) which stipulated that 20 months should be taken to complete the process of drawing up a new constitution for Zimbabwe.  
Upcoming deadlines:
  - 13 February 2010 – Draft constitution tabled before Second All Stakeholders Conference
  - 13 March 2010 – PSC draft constitution and accompanying report tabled before parliament
  - 13 April 2010 – Parliament to conclude its debate on the draft constitution
  - 13 July 2010 – Referendum to be held on the draft constitution
  - 13 August 2010 – If approved, the new constitution must be gazetted
  - 13 October 2010 – The Constitution Bill to be introduced to ParliamentThere is no mention of procedures past this point in the GPA, nor what should happen if parliament rejects the Bill.
- \* Strong differences remain within the various stakeholder groups about the process of writing a new constitution, which may derail the process.
- \* The budget for this process has been reduced to US\$11.4 million.
- \* No appointments to the constitutional commissions have been made, which the Presidents office says is because they are waiting to appoint all four commissions together.

- Media Commission [ZMC]: Parliament's list of 12 nominees was sent to the President in August.
  - Human Rights Commission [ZHRC]: A list of 16 nominees was sent to the President on 12th October.
  - Electoral Commission [ZEC]: A list of 12 nominees was sent to the President on 29th September.
  - Anti-Corruption Commission [ZACC]: No interviews are scheduled for those who applied to Parliament for positions on this Commission.
- ✱ Over one hundred war veterans, traditional leaders and Zanu PF supporters held a demonstration in Marondera demanding that Finance Minister Tendai Biti divert funds earmarked for the constitution making process to agriculture.
  - ✱ Zimbabwe National Army (ZNA) members of 4.1 infantry battalion in Masvingo have been deployed in rural areas allegedly to force villagers to accept the Kariba Draft constitution as the new constitution of the country.
  - ✱ Two ZNA members beat a civilian for wearing an anti Kariba Draft Constitution t-shirt in Darwendale. The t-shirts were distributed by Crisis in Zimbabwe Coalition when it held its 2009 People's Convention meeting in Harare.

## Article III **Economic Development**



- ✓ The 2010 budget will be presented on the 2<sup>nd</sup> of December.
  - ✓ Zimbabwe's inflation now sits at 0.8%
  - ✓ Rapaport Group's RapNet Diamond Trading Network, the world's biggest diamond dealer, has banned its members from dealing in Zimbabwean diamonds because of human rights abuses.
  - ✓ Barclays Bank have introduced local Debit Cards and other banks continue to fix their broken Automatic Teller Machines (ATM) and revive credit card facilities which they hope will be operational before South Africa's FIFA World Cup soccer tournament.
  - ✓ Several mines, through the Chamber of Mines, have approached Finance Minister Tendai Biti for assistance in recovering monies misappropriated by the Reserve Bank of Zimbabwe (RBZ). The gold sector is owed US\$30 million alone which has forced most mines in the sector to close.
  - ✓ Tourism in Zimbabwe is slowly improving.
  - ✓ Bank deposits rose from US\$706 million between June and October to US\$1,016 billion, an increase of 44%.
  - ? Zimbabwean security forces have begun to withdraw from the Marange diamond fields and the country has completed 90% of the Kimberly Process (KP) recommended reforms said Mines Minister Obert Mpofu.
  - ? Foreign owned businesses with an asset value of US\$500 000 or more will have to cede 51% of their stakes to local shareholders under the controversial Indigenisation Bill which is expected to come into effect in January 2010.
  - ? A Bilateral Investment Promotion and Protection Agreement (BIPPA) between Zimbabwe and South Africa has been signed. Zimbabwe is also seeking US\$50 million in lines of credit from South Africa.
- [Legal Opinion: Proposed Bilateral Investment Promotion and Protection Agreement between Zimbabwe and South Africa](#)
- ? Government has earmarked US\$10 million for the relocation of thousands of families from the Marange diamond fields to make way for commercial mining operations said Deputy Minister of Mines Muriel Zwizwai.
  - ? The successor to the Short Term Emergency Recovery Programme ([STERP](#)) has been released. The Medium Term Plan ([MTP](#)) outlines how each sector can be improved and be run more effectively. There are however some questions about how realistic the plan is in terms of timeframes. [Article](#) Zimbabwe needs US\$15 billion to finance the MTP.

- \* Rural areas are finding it increasingly difficult to obtain cash and many villages have resorted to bartering to conduct everyday transactions.
- \* Problems of using the US dollar? At a glance these include: [Article](#)
  - Elevated price levels leading to, or caused by profiteering and unrealistic age demands by labour;
  - Inefficient transaction mechanisms (the no-change scenarios);
  - Limited dollarised plastic money;
  - Limited use of automated teller machines (ATMs);
  - Critical shortage of dollar liquidity;
  - Low volumes of exports as a result of uncompetitive pricing;
  - Low volume and high mark-up business models;
  - Overvalued US dollar prices; and
  - Exceedingly high costs of doing business.
- \* The KP held talks in Namibia where civil society members lobbied for the suspension of Zimbabwe's diamonds from free trade because of gross human rights abuses at the diamond fields. Zimbabwe escaped suspension from the body despite Zanu PF intimidation of witnesses of the abuses, like Farai Maguwu, a human rights campaigner. [US State Department Statement on the Kimberly Process](#)
- \* A South African company, New Reclamation Group, is involved with Zimbabwe's Mining and Development Corporation to mine diamonds in Chiadzwa.
- \* Old Mutual also has a 6% stake in African Consolidated Resources which is mining in the Marange area despite gross human rights violations.
- \* Mildred Chiri, the Comptroller and Auditor General of Zimbabwe released a damning report exposing widespread corruption and looting of state assets by Cabinet ministers and permanent secretaries. [Article](#)
- \* The Zimbabwe Stock Exchange (ZSE) experienced one of the worst ever trading months following the MDC-T's disengagement from government as both the mining and industrial indices crashed. The stocks on the ZSE rose sharply on the 5<sup>th</sup> during the SADC Troika Summit in Mozambique as hopes were placed on the body to resolve the political crisis.
- \* RBZ Governor Gideon Gono and his staff have been given immunity for all acts done in good faith and without negligence in his or her personal capacity.
- \* The Zimbabwe Electricity Supply Authority (ZESA) is US\$428 million in debt which it is unable to repay resulting in massive power outages nationwide.

## Article XXI **Electoral Vacancies and Elections**



House of Assembly vacancies – 10

Senate vacancies – 6

- ? Expelled MDC-Mutambara (M) legislator for Nkayi South Abedinico Bhebhe has approached authorities to set up dates for a by-election following his removal from the House of Assembly in August.
- ? MDC-Tsvangirai (T) Member of Parliament (MP) for Makoni Central, John Nyamande (57) died in a car crash on the 7<sup>th</sup>
- \* Government has said that no by-elections will be held until the new ZEC has been established. This is in violation of the Constitution, sections 34 and 38 which require elections to be held as per the Electoral Act.
- \* MP Tongai Matutu released statistics to Parliament on the state of the voters roll.
  - 503 dead voters are registered all with the same birth date of 1 January 1901.
  - There is a list of names of people aged 107 and 144,202 people who are over the age of 90 on the roll. He reminded the house that life expectancy in the country is 44.
  - There are 115 voters under the age of 18 with the youngest voter in the 2008 elections being 1.



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

The continued disengagement from government by MDC-T resulted in an emergency SADC Organ for Politics, Defence and Security Co-operation summit which was held in Maputo, Mozambique on the 5<sup>th</sup>. The Troika consists of President of Mozambique (present Organ chairperson), the King of Swaziland (previous chairperson) and the President of Zambia (next chairperson). President Joseph Kabila of the Democratic Republic of the Congo (DRC) and South African President Jacob Zuma also attended the summit.

### **Grievances of Zanu PF and the MDC-T**

#### MDC-T

- Swearing in of Deputy Minister of Agriculture Roy Bennett as charges laid against him are false, and one is innocent until proven guilty (Tendai Biti was sworn in whilst facing treason charges.)
- Replace RBZ Governor Gideon Gono and Attorney General Johannes Tomana as their appointments are illegal as no consultation was held with Prime Minister Morgan Tsvangirai as per the GPA.
- MDC candidates must be appointed as provincial governors
- An end to politically motivated violence
- An end to ongoing violent farm invasions
- Media reform and President Robert Mugabe to appoint ZMC members.
- The MDC states that they have no power to remove sanctions

#### Zanu PF

- States Roy Bennet cannot be sworn in as he is in the middle of a court case for the illegal possession of arms.
- The Constitution of Zimbabwe is the paramount law in Zimbabwe and as both appointments were made before the GPA, they stand.
- Provincial governors are representatives of the president in the provinces and therefore the president has to exercise his discretion in making the appointments.
- There are no new land grabs, but there are some people with authentic offer letters who are moving into their designated farms.
- The MDC operates using pirate radio stations and the ZMC must be appointed after careful consideration to ensure the best people for the positions are appointed.
- As the MDC lobbied for sanctions, they should do the same for their removal

*The three principals have agreed to suspend discussions on RBZ Governor Gideon Gono and Attorney General Johannes Tomana until they find common ground on other outstanding issues.*

- ✓ SADC chairman Joseph Kabila and President of the DRC visited Zimbabwe to hold talks with the GPA signatories.
- ✓ As a result of the SADC summit the MDC-T ended its boycott of government on the 5<sup>th</sup> and SADC communiqué recommended that the 'engage in dialogue with immediate effect within 15 days, not beyond 30 days', and the dialogue should include all outstanding issues'. If the Troika fails to resolve the outstanding issues, the matter may have to be referred to a full heads of state summit. [Click to read the SADC Troika Communiqué](#)
- ✓ South African President Jacob Zuma has appointed a new mediation team to mediate to break the political deadlock. The team consists of Charles Nqacula, Zuma's advisor and former defence minister, Mac Maharaj, a former minister of transport and Lindiwe Zulu, international advisor and former foreign ambassador who visited Zimbabwe on Sunday the 29<sup>th</sup>.

- ✓ Prime Minister Morgan Tsvangirai attended a Cabinet meeting on the 11<sup>th</sup> after he suspended his parties' disengagement from Zanu PF and said that the SADC timeline for the resolution of outstanding issues will be met.
- ✓ Prime Minister Morgan Tsvangirai visited Tripoli in Libya where he met with Col. Muammar Gaddafi who is the head of the African Union (AU).
- ✓ Zimbabwe sent 5 MP's to the first session of the Second Pan-African Parliament (PAP) on the 7<sup>th</sup>. Those attending were Zanu-PF Chief Whip Joram Gumbo, Senator Chief Fortune Charumbira, Patrick Dube MP (MDC-M), Mrs Editor Matamisa (MDC-T) and Senator Kokerai Rugara (MDC-T).
- ✓ Government has embarked on an audit of public service officials said Public Service Commission Minister Eliphas Mukonoweshuro, but he said the audit will exclude the army as it does not fall under his ministry. [Article](#) Estimated to cost about US\$4 million, money which will be provided for by donors, preliminary findings show that thousands of employees continue to draw salaries months after leaving employment.
- ? MDC-T has accused MDC-M of delaying the talks to resolve outstanding issues as the deadline of 15 days to begin talks had been missed. MDC-T accused the Mutambara faction of showing a lack of urgency to the crisis faced by the Zimbabwean people.
- ? The three principals met on the 14<sup>th</sup>, their first meeting since the Maputo SADC summit.
- ? All political parties met on the 23<sup>rd</sup> to discuss outstanding issues pertaining to the GPA. Tendai Biti and Elton Mangoma represented the MDC-T, Welshman Ncube and Priscilla Misihairambwi-Mushonga represented MDC-M. and Patrick Chinamasa and Nicholas Goche for Zanu PF.
- ? Botswana President Ian Khama has called for fresh elections in Zimbabwe as a strategy to fix the political impasse
- ? Zimbabwe may be allowed to rejoin the Commonwealth in 2 years after President Robert Mugabe resigned from the organisation in 2003.
- ? The Open Society Initiative for Southern Africa (OSISA) released a report [A Way Forward](#) stating that SADC should deploy SADC monitors full time in Zimbabwe until a new constitution is written and all outstanding issues have been resolved.
- \* Zanu PF and war veterans had told several rural communities that the MDC-T disengagement from government actually meant that they have resigned from government and that Zanu PF is the sole political party in government. It is thought this tactic is meant to create distrust and despondency among MDC supporters.
- \* SADC has observed that RBZ Governor Gideon Gono and the Ministry of Home Affairs are not operating in the spirit of the GPA. [Article](#)

## Article IV **Funding**



- ? President Robert Mugabe has praised China for the profitable Africa-China partnership.
- \* Finance Minister Tendai Biti told parliament that he is unable to woo international donors until substantial reform of the RBZ is made, as fears of the funds being diverted remain.

## Article VII, XVI **Humanitarian & Food Assistance**



- ✓ The International Organization for Migration (IOM) is launching a new programme which will assist internally displaced persons (about 3000 families) in Zimbabwe with emergency life saving material.
- \* The United Nations Childrens Fund (UNICEF) announced that 100 children are dying each day in Zimbabwe while 1 in every 4 is an orphan with HIV / Aids being the biggest killer. Most deaths are preventable. The worldwide rate of infant mortality has dropped but in Zimbabwe it has risen by more than 20%.

## **FOOD SECURITY**

- \* The Commercial Farmers Union (CFU) is warning of possibly the worst agricultural season since Zanu PF's land reform programme began in 2000 and possibly since independence.
- \* The Famine Early Warning Systems Network (FEWSNET) estimates that 1.6 million people will need food aid in December 2009, 1 million of those in rural areas.
- \* Government has only managed to raise US\$5.7 million of the US\$48 million it had planned to use for the 2009/2010 agricultural season said the Ministry of Agriculture. [Article](#) "A total of 1 200 000 tonnes of fertiliser were required for the 2009/2010 season. To date only 44 percent has been mobilised through private sector partnerships and donor assistance, leaving a huge gap which will adversely impact on productivity." Ngoni Masoka said, the ministries permanent secretary on the 3<sup>rd</sup>.
- \* President Robert Mugabe attended the United Nations (UN) Food Summit in Italy on the 14<sup>th</sup> with an entourage of 60 officials.
- \* The Zanu PF executive in Chimanimani has stated that food aid should not be distributed without the presence of its party members. Joshua Sako in the same speech stated that aid organisations of campaigning for the MDC. Some relief organisations have threatened to pull out of the area if politicians meddle in their operations. [Article](#)
- \* The cost of living for a family of six rose by 1% to US\$490.08 in October says the Consumer Council of Zimbabwe (CCZ).
- \* A shortage of farm labourers on resettled farms and new farmers' inability to raise funds for inputs has left most farms fallow resulting in food insecurity.

## **EDUCATION**

- \* Its is estimated that 100 000 O Level pupils did not write their exams as they could not afford the examination fees.
- \* Parents across the country are paying for extra lessons ahead of the A and O Level examinations as the quality of education in 2009 was sub-standard.
- \* Only 680 of the 3 000 students at the University of Zimbabwe graduated in 2009. President Robert Mugabe blames South Africa for the 'brain drain' as lecturers had left the institution.
- \* The Progressive Teachers Union of Zimbabwe (PTUZ) and the Zimbabwe Teachers Association (ZIMTA) will encourage their members to oversee school examinations even though the Ministry of Education has revealed that they have no money to pay them for invigilating the A and O Level examinations.

## **HEALTHCARE**

- ✓ Stakeholders have agreed to form a national health fund to channel donor funds as donors are nervous of going via the RBZ. [Article](#)
- ✓ The Global Fund to Fight Aids, Tuberculosis and Malaria had made available some of the US\$38 million in unused grants as the organisation is now satisfied with how the country is spending the money. A week later they disbursed US\$180 million in the organisations eighth round of grants.
- \* Harare mayor Muchadeyi Masunda confirms that many areas of the city remain without water. "Greater Harare requires 1,000 mega litres per day. The Morton Jaffray Water Works has the capacity to generate 614 mega litres of water per day, while Prince Edward has a capacity to pump 100 mega litres" he said, which combined with constant power outages and a lack of water treatment chemicals makes the situation bleak.

- ✖ Several areas like parts of Mabvuku, a high density area outside of Harare, are still without running water and have been given no explanation by the Minister of Water Resources Development and Management, Sipepa Nkomo.
- ✖ 116 cases of cholera have been reported, with 5 deaths report the WHO.
- ✖ Earlier in the month in Harare suburbs like Glen Nora, Budiriro, Warren Park and Glen View had been without water for over a week leaving residents to draw water from shallow wells resurfacing cholera fears. Harare Deputy Mayor Emmanuel Chiroto said the outages were caused by an erratic power supply, not water systems failures.
- ✖ The Gweru City Council does not have enough funds to replace its aging water infrastructure which has left residents with a serious water shortage which could lead to an outbreak of diseases such as cholera. [Article](#)

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



- ✖ There has been no reaction by JOMIC to ongoing farm invasions or political violence which rose up when the MDC-T disengaged from government. At the gathering on the 12th included the United Nations, donor countries, civic activists and government.
- ✖ A meeting of JOMIC revealed unresolved hostilities between the MDC and Zanu PF on the 27<sup>th</sup> in Harare.

## **Article V Land Question**



- ✓ A new film called 'House of Justice' and a report "If Something Is Wrong" by GAPWUZ revealed the human rights abuses of farm workers and farmers between 2008 and 2009.
- ? Zimbabwe and China are negotiating a deal to allow China to become involved in contract farming revealed the Secretary for Foreign Affairs Ambassador Joey Bimha. China has provided US\$260 million towards the agricultural sector for inputs and machinery.
- ? Farmer Charles Lock went to the High Court asking for Brigadier Justine Mujaji to be convicted of contempt of court after failing to respect the courts ruling allowing Lock to collect his property from his farm.
- ✖ Ongoing disturbances on the farms have left most large scale white farmers unable to plant crops. [Article](#)
- ✖ Friedwal Farm workers are being prevented from feeding the pigs by invaders who are under instructions from Deputy Governor of the RBZ Edward Mashiriringwani. Several of the workers have been attacked and had their homes burnt down. [Farm Worker Testimony](#) 6 workers were arrested for inciting public violence and were held at the Chinhoyi Police Station.
- ✖ Kigby Nesbit, a commercial crocodile farmer in Chiredzi was ordered to leave his farm by the 22<sup>nd</sup> after he was convicted of failing to vacate his land with a fine of US\$200 or a 10 day prison sentence. Magistrate Enias Magate gave a further deadline of February 15 2010 for the complete removal of 8000 crocodiles. Senior Assistant Commissioner for Matabeleland North, Edmore Veterai will take ownership of the property.
- ✖ Hester Theron, a 79 year old widow has been threatened with prison if she refuses to vacate her farm in Beatrice within the first week of December 2009.
- ✖ The Bilateral Investment Promotion and Protection Agreement (BIPPA) signed between Zimbabwe and South Africa provides security of tenure for all new South African investments, but does not protect those farms listed under Zanu PF's land reform process. More than 200 South African farmers are affected by BIPPA and are threatening to take legal action against South Africa.  
*South Africa has vowed to uphold the SADC Tribunal ruling in favour of 70 commercial farmers stating that they can remain on their land.*
- ✖ At the UN Food Summit, President Robert Mugabe accused the West of deliberately making the land reform policy of Zanu PF fail to make his country dependent on food aid.

- \* John Anderson a farmer in Shurugwi has been invaded on his Anderson's Corrongemite Farm when a gang of Zanu PF supporters took the farm for ZIMASCO (Pvt) Ltd Health Manager, Mr. Farai Marikano with support from local police men. Several farm workers were badly beaten. [Article](#)
- \* Bulawayo High Court Judge Maphios Cheda is in the process of invading a farm owned by Glen James in Inyathi. Cheda has been trying to seize the land since August.
- \* Thomas and Susan Beattie of Umvovo Farm in Chegutu are unable to farm due to constant harassment by Zanu PF supporters. Sylvester Hunyani has been trying to invade the farm since August.
- \* Tafataona Mahoso, Zanu PF heavyweight has invaded Welverdien Farm in Mutare and gave the owners Charles Bezuidenhout 48 hours to vacate the premises.

## **Article XVII Legislative Agenda Priorities**



Both Houses have adjourned and will resume on 1 December 2009.

- ✓ Parliament on the 18<sup>th</sup> unanimously passed the Reserve Bank Amendment Bill which will reduce the powers of RBZ Governor Gideon Gono. An independent chairperson and board for the bank will be appointed. The bill now awaits debate by Senate, which if approved will go before Mugabe for signature.
- ✓ MDC-T MP for Mutare Innocent Gonesse presented a motion to parliament to amend the Public Order and Security Act (POSA). This amendment aims "to ensure that public gatherings are regulated in a manner that will allow Zimbabweans to fully exercise their fundamental democratic right to engage, to express themselves through the medium of peaceful assembly and association and to clarify some of the existing provisions in the current Act". [Article](#)
- ✓ On the 28<sup>th</sup> the High Court of Zimbabwe was set to register the SADC Tribunal judgement of 28 November 2008 in favour of 70 commercial farmers.
- ✓ Tongai Matutu, MP for MDC-T in Masvingo moved a motion in parliament calling for an urgent audit of the voters roll citing gross irregularities and inaccuracies.
- ? The Minister of Finance, Tendai Biti announced that he would present the Audit Office Bill, the Public Management Bill and the Financial Adjustments Bill to the house soon.
- \* STERP promised reform of POSA although to date no move has been made in this regard.

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



- \* No meetings held.

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



- ? Zanu PF Youth Minister Saviour Kasukuwere and the MDC-T's Deputy Thamsanqa Mahlangu travelled to Rwanda to study the genocide in 1994 and how the country has dealt with healing and recovery.
- \* A government report has revealed that 10 277 youths were employed in the run up to the March 29 2008 elections under the Ministry of Youth Development. No procedures were followed in their appointment, or measures taken for adding their names to the government payroll. Since the National Youth Service Training began in 2001 over 80 000 people have been through the training.
- \* A group of youths captured the District Administrator for Kadoma whilst demanding land as they had assisted the government in invading many farms, and now wanted their own.
- \* The MDC accused Zanu PF of reactivating its youth militia and torture bases to intimidate citizens into accepting the Kariba Draft Constitution.

## Article X **Free Political Activity**



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

#### **MDC-T**

[Click here to download the Prime Ministers Newsletters](#)

[Herald reinvents fictitious divisions in the MDC](#)  
[Roy Bennett Ruling Today](#)  
[Roy Bennett Ruling 2](#)  
[The Changing Times Online 10 November 2009](#)  
[The Changing Times Online November 20](#)  
[The Changing Times Online November 24](#)

## Article IV **Sanctions**



- \* Declaration by Friends of Zimbabwe Group [October 30 2009](#). This statement was agreed upon by the countries attending a meeting of the Friends of Zimbabwe held in Berlin on October 26, 2009.  
Participants: U.S., Australia, Canada, Denmark, Finland, France, Germany, Ireland, Italy, Japan, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, UK, European Commission (EC), European Union (EU) Presidency (Sweden), EU Council Secretariat, International Monetary Fund (IMF), World Bank, African Development Bank (ADB), United Nations.
- \* At the UN Food Summit in Italy, President Robert Mugabe lashed out at the international community accusing them of making Zimbabwe aid dependant by crippling the government. He is only allowed to travel to Europe for UN meetings.

*"We face very hostile interventions by these states which have imposed unilateral sanctions on us," Mugabe said This has had a negative impact on our farmers who, according to our neo-colonialist enemies, must fail as to damn the land reforms we have undertaken." President Robert Mugabe, 17 November 2009.*

## Article VII, XII **Reconciliation**



- ✓ A meeting of the Organ on National Healing, Reconciliation and Integration was held in Bulawayo where victims of Gukurahundi demanded compensation. Co-Minister of National Healing John Nkomo came under fire for being one of the sponsors of the 1980s massacre.
- ? The United Nations Human Rights Commission for Refugees (UNHCR) denied claims that it is running a repatriation programme for Zimbabweans from South Africa.
- \* Xenophobia broke out in South Africa in De Doorns, Western Cape. Over 2 000 people had to flee their homes and take refuge in government buildings after most of their shacks were set on fire on the 17<sup>th</sup>. [Article](#)

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



- \* The Law Society of Zimbabwe protested against the way the judicial system is being run. The continued harassment of human rights lawyers was their paramount grievance. Attorney

General Johannes Tomana was criticised as he failed to protect lawyers from harassment by the police. The lawyers have threatened to boycott the opening of the 2010 judicial year if their concerns are not addressed.

## **MEDIA**

- ? Prime Minister Morgan Tsvangirai launched the Public Broadcasting Report which was commissioned by Africa Governance Monitoring and Advocacy Project (AFRIMAP), OSISA, Open Society Institute Media Programme (OSIMP) and the Media Institute for Southern Africa – Zimbabwe (MISA-Zimbabwe).
- \* Reporters Without Borders wrote to Tomas Salamao the executive secretary for SADC ahead of the SADC summit in Mozambique, voicing their concerns about the lack of progress being made by government with regard to media freedoms and the safety of journalists working in country. [Click to read letter.](#)
- \* MISA sent an alert to journalists reminding them of safety measures that should be followed at all times when reporting in Zimbabwe amid fresh violence.
- \* South African insurance giant Old Mutual was exposed for being a major shareholder in Zimpapers, the government run and Zanu PF mouthpiece of The Herald and Zimbabwe Broadcasting Corporation.
- \* The African Commission on Human and Peoples Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information in Africa has expressed his/her concerns over the process of appointing people to the Zimbabwe Media Commission as it did not establish that members are independent and appropriately qualified.

## **Article XI Rule of Law**



- \* 12 soldiers were tortured to death last month following the disappearance of guns and bombs from Pomona barracks. Major Kembo is alleged to be the lead person in their torture.

## **POLITICAL ACTIVISTS / DETAINEES**

- ✓ MDC-T Deputy Minister of Youth, Thamsanqa Mahlangu and his 3 co-accused were acquitted on charges of theft for a cell phone belonging to war veteran Joseph Chinotimba.
- ✓ Heya Shoko, MDC-T MP for Bikita West was acquitted on charges of fraud.
- ✓ Peter Munyani, an MDC-T activist has escaped after being held for over 6 months in an unknown place following 2008 election violence.
- ✓ MDC MP Blessing Chebundo of Kwekwe Central has been cleared of charges of raping a 14 year old girl as the state witnesses contradicted themselves during the trial.
- ✓ The Zimbabwe Congress of Trade Unions (ZCTU) called for Home Affairs ministers Kembo Mohadi and Giles Mutsekwa to resign as they have failed to ensure that the police follow the rule of law.
- ✓ Madock Chivasa ,Farirayi Mageza ,Simbai Chivasa, Hillary Zhou, C.Mhofu Tapiwa Mushati and Dickson Chemvumba who were arrested on the 28<sup>th</sup> of March 2008 and on bail had their case discharged from court.
- ✓ Giles Mutsekwa, co-Minister of Home Affairs has ordered the arrest of Central Intelligence Organisation (CIO) operative Joseph Mwale for the murder of MDC activists in 2000.
- ? Lawyer Alex Muchadehama, who is on trial for contempt of court, has been removed from remand by new magistrate to the case Archie Wochiunga after Chiwoniso Mutongi resigned due to interference.
- \* The trial of Deputy Minister of Agriculture designate Roy Bennett who is facing terrorism charges began on the 9<sup>th</sup> under Justice General Bhunu. The government was represented by Attorney General Johannes Tomana while Bennett was represented by Beatrice Mtetwa. The state is basing its case on the testimony of Peter Hitschmann who gave 'information' while being tortured resulting in the states own witness not being able to testify as Attorney General

Johanes Tomana was prevented from submitting the evidence. [Article](#) The police admitted that they falsified evidence when they added weapons which were not recovered from Hitschmann revealed Chief Superintendent, Siphon James Makone. [Article](#) Chief Superintendent Siphon James Makone told the court that he had not completed his investigations into the case and that he was yet to obtain the relevant documentation needed to prove the purchase of arms. The trial has been postponed until early 2010.

- ✱ Mordecai Mahlangu was arrested on the 2<sup>nd</sup> for obstructing the course of justice after he wrote a letter to the Attorney General protesting a subpoena that was issued to Peter Hitschmann which directed him to testify against MDC Treasurer and Deputy Minister of Agriculture designate Roy Bennett.
- ✱ Pascal Gwenzere, MDC-T transport manager appeared in court at the end of last month on charges of stealing guns from the Pomona Barracks in Harare and for undergoing military training in Uganda. Gwenzere had no legal representation during the special court session and was remanded in custody until November 12. He was unable to walk properly and is still recovering from the torture he suffered by security agents while being denied medical treatment. After being held at Chikurubi Maximum Security Prison, the charges of military training were dropped due to a lack of evidence and he was allowed to apply for bail. He was granted US\$500 bail and was ordered to report to the Harare Central Police Station twice a week until his trial starts.
- ✱ Gertrude Hambira of the General Agriculture and Plantation Workers Union of Zimbabwe (GAPWUZ) had an attempted abduction on the 3<sup>rd</sup>. She was not at home so the would-be attackers ransacked the house and fled when the house alarm went off. She is now in hiding.
- ✱ ZCTU president Lovemore Matombo was arrested on the 8<sup>th</sup> while addressing members in Victoria Falls. Khumbulani Ndlovu and Percy Mciyo were also arrested although no charges were formally laid against them. They were all released on the 12<sup>th</sup> after a magistrate threw out charges laid against them.
- ✱ Four student leaders were arrested at the University of Bindura on the 9<sup>th</sup> whilst holding a campaign meeting where Student Representative Council (SRC) elections were underway. They were held over night at the Mashonaland Central Police Station and then released after being charged under the Criminal Law Codification and Reform Act for 'participating in a gathering likely to cause a breach of peace or bigotry.'
- ✱ 120 ZNA soldiers at KGV1 Barracks have been brutally tortured over the theft of weapons in early November. [Article](#) Major Maxwell Samudzi was beaten to death as a result of the torture. Late last month 12 soldiers were beaten to death over the theft of weapons from Pomona Barracks; they died at Two Medical Company Hospital.
- ✱ 32 activists from civil society in Gweru have been summoned to court over a peaceful demonstration held a year ago. They were arrested and charged with POSA but were later released on bail. The hearings were set for 20 November even though their charges have changed from POSA and are now for the destruction of property and chanting slogans against President Robert Mugabe.

## **Article VI, VII, XIII Civil Society Mechanisms**



- ✓ Jenni Williams and Magodonga Mahlangu of Women of Zimbabwe Arise (WOZA) received the 2009 Robert F. Kennedy Human Rights Award which was presented to them by American President Barack Obama.
- ✓ The National Association of NGO's in Zimbabwe's (NANGO) Godwin Phiri has revealed that the coalition's boycott of a ministerial meeting last month hosted by Justice Minister Patrick Chinamasa was the first of many actions against gatherings convened by government if any of their leadership continue to be arrested. [Article](#)
- ✱ Civil Society Monitoring Mechanism (CISOMM), independent monitors of the GPA were excluded from meetings with the SADC Troika ministerial team which visited Zimbabwe early in the month.

**Below is a selection of reports by various civil society organisations.**

The list is neither comprehensive nor exhaustive.

**Combined Harare Residents Association - CHRA**

[Mbare man dies... as municipal police unleash violence on vendors](#)  
[Residents fear another cholera outbreak](#)

**GAPWUZ**

[Report: If Something Is Wrong - The invisible suffering of commercial farm workers and their families due to "land reform."](#)

**Justice For Agriculture (JAG)**

[Open Letter Forum No. 675](#) [No. 677](#) [No. 679](#) [No. 680](#) [No. 681](#)  
[26 November 2009 - Farm Situations Communiqué](#)

**Research and Advocacy Unit (RAU)**

[Report: Roundtable in the Inclusive Government of Zimbabwe](#)  
[Appointments under Zimbabwe's Inclusive Government](#)

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

Zimbabwe Business Watch: [Week 45](#)

ZIG WATCH NOT RELEASED AT TIME OF DISTRIBUTION

**Veritas**

BILL WATCH

[30 October 2009 - Parliamentary Committee Meetings](#)  
[3 November 2009 - GPA review referred to SADC Troika Summit](#)  
[4 November 2009 - This week in Parliament](#)  
[7 November 2009 - Parliamentary Committee Meetings](#)  
[9 November 2009 - MDC-T to 'Re-engage' in the Inclusive Government](#)  
[14 November 2009 - Parliamentary Committee Meetings](#)  
[15 November 2009 - Bills in House of Assembly](#)  
[19 November 2009 - Legislative Reform Series - A private members bill](#)  
[22 November 2009 - Parliamentary Committee Meetings 22 to 26 November](#)  
[24 November 2009 - Negotiations on Outstanding Issues Start At Last](#)  
[30 November 2009 - South African Mediation Team in Harare](#)

CONSTITUTION WATCH

[31 October 2009 - Delays in Constitution Making Process](#)  
[27 November 2009 - Advocacy Meetings on New Constitution](#)

PEACE WATCH

[8 November 2009 - Civil Society Leaders Arrests](#)  
[18 November 2009 - Abuse of Law to Harass Unionists](#)  
[28 November 2009 - WOZA gets RFK Human Rights Award](#)

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

Go to website for **The Legal Monitor** or [Click here.](#)

[Press Release 9 November 2009 - Roy Bennett Trial](#)  
[Lawyers ask Justice Bhunu to recuse himself from Bennett's case](#)  
[Bennett denies charges as Justice Bhunu cautions state witness](#)

## Abbreviations

|         |                                                              |
|---------|--------------------------------------------------------------|
| ACHPR   | African Charter on Human and Peoples Rights                  |
| ADB     | Africa Development Bank                                      |
| AU      | African Union                                                |
| BAZ     | Broadcasting Authority of Zimbabwe                           |
| BIPPA   | Bilateral Investment Promotion and Protection Agreement      |
| CCZ     | Consumer Council of Zimbabwe                                 |
| CFU     | Commercial Farmers Union                                     |
| CIO     | Central Intelligence Organisation                            |
| CISCOM  | Civil Society Monitoring Mechanism                           |
| CSO's   | Civil Society Organisations                                  |
| CSRO    | Committee of Standing Rules and Orders                       |
| DRC     | Democratic Republic of the Congo                             |
| EU      | European Commission                                          |
| FEWSNET | Famine Early Warning System                                  |
| GAPWUZ  | General Agriculture and Plantation Workers Union of Zimbabwe |
| GNU     | Government of National Unity                                 |
| GPA     | Global Political Agreement                                   |
| IG      | IG                                                           |
| IMF     | International Monetary Fund                                  |
| IOM     | International Organisation for Migration                     |
| 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                                         |
| NANGO   | National Association of NGO's in Zimbabwe                    |
| NCA     | National Constitutional Assembly                             |
| NGO     | Non Government Organisation                                  |
| NSC     | National Security Council                                    |
| OSISA   | Open Society Initiative for Southern Africa                  |
| PAP     | Pan African Parliament                                       |
| PLC     | Parliamentary Legal Committee                                |
| PSC     | Parliamentary Select Committee                               |
| POSA    | Public Order and Security Act                                |
| RBZ     | Reserve Bank of Zimbabwe                                     |
| SADC    | Southern African Development Community                       |
| UN      | United Nations                                               |
| UNICEF  | United Nations Children's Fund                               |
| WB      | World Bank                                                   |
| WHO     | World Health Organisation                                    |
| WOZA    | Women Of Zimbabwe Arise                                      |
| Zanu PF | Zimbabwe African National Union – Patriotic Front            |
| 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                            |
| ZNA     | Zimbabwe National Army                                       |
| ZMC     | Zimbabwe Media Commission                                    |
| ZSE     | Zimbabwe Stock Exchange                                      |



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