

Zimbabwe - Country Reports on Human Rights Practices - 2003

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Zimbabwe is a republic in which President Robert Mugabe and his Zimbabwe African National Union-Patriotic Front (ZANU-PF) have dominated the executive and legislative branches of the Government since independence in 1980. President Mugabe was reelected in March 2002 in elections that were deemed not free and fair, and which were preceded and followed by a government-sanctioned campaign of violence. Although the Constitution allows for multiple parties, opposition parties and their supporters were subjected to significant intimidation and violence by the ruling party and security forces, especially after successful opposition sponsored general strikes. In 1999, the Movement for Democratic Change (MDC) emerged as the country's only viable opposition party and holds 53 out of 120 parliamentary seats. During local and parliamentary by-elections held during the year the voting process itself generally was peaceful; however, there were reports of violence in the pre-election periods and other irregularities, and the election processes overall had serious flaws. Political corruption was systemic. The Constitution provides for an independent judiciary; however, the Government installed judges sympathetic to government policies, sanctioned intimidation against sitting judges, and ignored or overturned judgments with which it did not agree.

The Zimbabwe Republic Police (ZRP) is responsible for maintaining law and order. Although the ZRP officially is under the authority of the Ministry of Home Affairs, in practice some roles and missions were controlled by the President's Office. The Zimbabwe National Army and Air Force under the Defense Ministry are responsible for external security; however, they occasionally were called upon for domestic operations during the year. The Central Intelligence Organization (CIO), under the Minister of State for National Security in the President's Office, is responsible for internal and external security and has powers of arrest. While supposedly a youth service training program, National Youth Service (youth militia) graduates were used for many security-related activities. Senior government and ruling party members tightly controlled the security forces and the youth militias. Members of the security forces and youth militias committed numerous, serious human rights abuses.

An estimated 60 percent of the population of approximately 12 million survived on subsistence agriculture, and approximately 75 percent relied directly or indirectly on agriculture for their livelihood; however, there were significant mining, manufacturing, and service sectors. The political crisis, a drought, excessive government spending, manipulation of interest rates, money supply growth in excess of 100 percent, and government-sanctioned land occupations led to inflation; diminished agricultural harvests; reduced foreign investment and tourism; acute foreign exchange, fuel, and food shortages; accelerating unemployment; and shrinking real incomes. During the year, the country's gross domestic product (GDP) dropped 14 percent from \$4.2 billion to an estimated \$3.6 billion. Wages continually lagged behind the hyperinflation, which fluctuated during the year but was 599 percent at year's end. According to authoritative estimates, more than 70 percent of the population lived below the poverty line. International experts estimated that half the population required food assistance by year's end to avert starvation.

The Government's human rights record remained very poor, and it continued to commit numerous, serious abuses. President Mugabe and his ZANU-PF party used intimidation and violence to maintain political power. A systematic government-sanctioned, campaign of violence targeting supporters and potential supporters of the opposition continued during the year. Security forces committed extrajudicial killings. Ruling party supporters and war veterans (an extralegal militia), with material support from the Government, expanded their occupation of commercial farms, and in some cases killed, abducted, tortured, beat, abused, raped, and threatened farm owners, their workers, opposition party members, and other persons believed to be sympathetic to the opposition. There were reports of politically motivated disappearances. Security forces and government youth militias tortured, beat, raped, and otherwise abused persons; some persons died from their injuries. Prison conditions remained harsh and life threatening. Official impunity for ruling party supporters who committed abuses was a problem. Arbitrary arrest and detention and lengthy pre-trial detention remained problems. Infringements on citizens' privacy continued. The Government continued its far-reaching "fast-track" resettlement program under which nearly all large-scale commercial farms owned by whites were designated for seizure without fair compensation.

The Government continued to restrict freedom of speech and of the press; closed down the only independent daily newspaper; beat, intimidated, arrested, and prosecuted journalists who published

antigovernment articles. Many journalists also practiced self-censorship. The Government continued to restrict academic freedom. The Government restricted freedom of assembly and used force on numerous occasions to disperse nonviolent public meetings and demonstrations. The Government restricted the right of association for political organizations. The Government at times restricted freedom of movement. Hundreds of thousands of farm workers were displaced internally due to the ongoing land resettlement policies, and opposition supporters were displaced by threats of violence. The Government's Grain Marketing Board (GMB) routinely and publicly denied handouts of maize meal to suspected MDC supporters and provided it only to ruling party supporters. The Government attacked and arrested members of civil society and human rights nongovernmental organizations (NGOs) and accused the NGOs of sponsoring opposition political activity. Societal violence against women remained widespread, and discrimination against women and persons with disabilities, abuse of children, and child prostitution remained problems. The President and his Government promoted widespread resentment against the white minority. The Government violated worker rights. Child labor, and impressment into the National Youth Service were problems. There were occasional reports of trafficking in persons.

Respect for Human Rights

Section 1

Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were reports of political killings by security forces during the year. Security forces and pro-government militias committed several extrajudicial killings, and in numerous other cases, army and police units participated or provided transportation and other logistical support to perpetrators of political violence and knowingly permitted their activities.

The Zimbabwe Human Rights NGO Forum, reported that nine persons were confirmed killed as a result of political violence during the year, mostly perpetrated by supporters of the ruling party. The majority of those killed in political violence were MDC activists or supporters. Unlike in the previous year, there were no reports that farm workers were killed in political violence.

In response to the MDC organized stayaway in March, the Government arrested, beat, raped, and tortured MDC supporters. For example, on March 18, suspected CIO officers abducted Steven Toner and two other workers from MDC Chimanimani M.P. Roy Bennet's farm in Epworth. The officers beat Toner severely with batons, sjamboks, and wire, and accused him of burning a Zimbabwe United Passenger Company Bus in Hatfield. Toner died outside the police station in Epworth. No official action was taken by year's end.

On March 18, police assaulted Richard Tonderayi Machiridza, an MDC supporter from Chitungwiza, during the MDC-led stayaways. On April 18, he died from the injuries sustained. No official action was taken by year's end.

In May, four ZANU-PF youths reportedly raided the home of David Matinyarare, MDC Secretary for Information and Publicity for Mufakose, beat him with iron bars, and stabbed him in the stomach. Matinyarare was admitted to Parirenyatwa Hospital, where he died of his injuries 3 days later. No official action was taken by year's end.

On June 3, MDC member Tichaona Kaguru died at Chikurubi Police Camp hospital near Harare from wounds inflicted by ruling party supporters in army and police uniforms. Earlier that day, the uniformed personnel abducted and severely assaulted Sydney Mazaranhanga, an MDC Harare City councilor, and Kaguru with sjamboks and batons, and forced them to roll in sewage, allegedly for attempting to organize MDC demonstrations. At the Chikurubi Police Camp hospital, an ambulance crew pronounced Kaguru dead. No official action was taken by year's end.

During the year, several persons died as a result of injuries sustained in previous years' attacks. For example, on January 20, Samson Shawano Kombo, the MDC Chairman for Makoni East (Manicaland) died of injuries after suspected war veterans and ZANU-PF supporters abducted and tortured Kombo with 15 other MDC supporters in November 2002 following the alleged MDC gasoline-bombing of war veterans' offices and the homes of ZANU-PF activists in Rusape. Results of an autopsy were not made public, and there were no reports of an investigation into the abduction or death. Edison Mukwasi, an MDC activist, died on February 2 because of injuries sustained during police torture in January 2001 and November 2002.

There were no further developments in the following 2002 killings by security forces or pro-government militias: The January killing of MDC member Tichaona Katsamudangu in Harare; the February abduction, torture, and killing of MDC activist Tembendi Ndebele; the March killing of Amos Museva in Masvingo; the September killing of MDC supporter Nikoniari Chibvamudeve in Hurungwe West.

There were no new developments in the reported 2001 cases of killings by security forces or pro-government militias.

In March 2002, police arrested several suspects in the killing of commercial farmer Terrence Ford during that same month in Norton; however, there was no further action by year's end.

The trial of eight MDC members, including MDC M.P. and Treasurer Fletcher Dulini-Ncube, accused in the 2001 killing of Bulawayo War Veterans Chairman, Cain Nkala, was ongoing at year's end. Several of the accused and other witnesses alleged in court that the police used torture to extract confessions and desired testimonies.

Harsh prison conditions and a high incidence of HIV/AIDS were acknowledged widely to have contributed to a large number of deaths in prison; however, some deaths in custody and prison may have been due to abuse or other causes (see Section 1.c.).

There were several reports of inter-party violence during the year. On January 20, Tonderai Mangwiro, a ZANU-PF member, died from burns and severe head injuries he sustained when suspected MDC supporters gasoline-bombed a ZANU-PF base in Kuwadzana (near Harare) in the run-up to parliamentary by-elections. Police and CIO officials arrested 16 MDC activists, and abducted, detained and tortured approximately 30 MDC members in connection with the bombing. No trial dates had been set by year's end.

There were no new developments into the May 2002 killing of MDC polling agent Tipason Madhobha in Gokwe by unknown persons.

There were no new developments in the following 2001 killings by government supporters: The killing of 72-year-old commercial farmer Gloria Olds, and the killing of Kwekwe farmer Ralph Fenwick Corbett.

b. Disappearance

During the year, there were 4 reports of politically motivated disappearances mostly committed by ZANU-PF supporters. Domestic human rights organizations believed that there were disappearances in rural areas that were not reported due to fear of retribution by pro-government factions. Abductees often were beaten or tortured.

On March 8, several men abducted Mthulisi Mloyi, an MDC member, while he was putting up posters in the Nkayi area (Matabeleland North) for an MDC rally. He was released later that day and reported that war veterans assaulted him, forced him to chew MDC regalia, and stripped him naked. Although Mloyi reported the incident to police, no official action was taken by year's end.

There was no action taken in the following 2002 cases of disappearance: the March abduction of Thomas Manyika, the MDC polling agent for Mt. Darwin; the July abduction of Musande Matsveta, the MDC treasurer for Buhera South, and Kudzai Magama, a MDC member. Their whereabouts were unknown at year's end.

There was no action taken in disappearances during the pre-election period prior to the September 2002 rural district council elections, including the abduction of Meynard Mashapa.

There were no further developments or action taken in the reported 2001 cases of disappearance.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, security forces tortured, beat, and otherwise abused persons. The ZRP showed poor training in criminal apprehension and interrogation, and there were unconfirmed reports of human rights abuses by the CIO. There continued to be reports that police used excessive force in apprehending and detaining criminal suspects. Government supporters continued to beat and torture suspected opposition members and farm laborers, and some persons died from torture

during the year (see Section 1.a.). Unlike in the previous year, there were no reports that government supporters beat commercial farmers during the year.

Security forces were involved in incidents of political violence, including instances of soldiers and persons in military uniforms beating civilians, particularly in areas where persons voted for the opposition (see Section 3).

Human rights groups reported systematic mass physical and psychological torture perpetrated by government supporters throughout the country, and that war veterans and other ruling party supporters set up torture chambers in government-funded offices, police stations, and schools, to brutalize opposition supporters primarily during election periods. National youth training camps were the source of government youth militia forces, which were deployed to harass, intimidate, and torture suspected MDC supporters. There were reports that the camps were used to teach paramilitary skills and expertise in political oppression and torture (see Section 6.d.). The Zimbabwe Human Rights NGO Forum reported 391 cases of torture during the year as part of a campaign of political violence.

On January 14, riot police arrested MDC M.P. for St. Mary's (near Harare) Job Sikhala, Gabriel Shumba, a human rights lawyer, and three other MDC members at Nyamutamba Hotel. The five were blindfolded and taken individually to undisclosed locations and tortured for 3 days by suspected CIO agents. The agents attached live electrodes to their fingers, toes, tongue and genitals; beat them with planks; strangled them with wire; and urinated on them. Charged with burning a Zimbabwe United Passenger Company (ZUPCO) bus and violating the Public Order and Security Act (POSA), the victims recounted their ordeal in the High Court. A court-ordered medical exam revealed that the five were tortured while in police custody. After the three were released on bail, there has been no further action on the charges against them. A police investigation of the torture had not made any progress by year's end.

On March 21, at 2 a.m. soldiers abducted Raphinos Madzokere, the MDC district secretary for Mashonaland East from his home and beat him with batons, wires, and sticks at an undisclosed location. The assailants put wires on his toes, tongue, and penis and shocked him until he lost consciousness. He was released by the roadside and subsequently taken to hospital with fractured vertebrae, head injuries, and wounds all over his body. No official action was taken by year's end.

On March 22, at 1 a.m. soldiers invaded the home of Margaret Kulinji, secretary of the MDC's women's league, beat Kulinji with their fists and rifle butts, and kicked and whipped her. They also beat her mother. Kulinji reported that they sexually abused her mother with the barrel of an AK-47 rifle. The men carried a list of MDC officials who were their targets. No official action was taken by year's end.

On June 6, during the funeral wake of Tichaona Kaguru--an MDC official killed by government security agents (see Section 1.a.)--in Harare's Mbare suburb, suspected ruling ZANU-PF supporters attacked the mourners with bricks, stones, and sticks. No official action was taken by year's end.

On October 17, hundreds of MDC supporters assaulted a senior ZANU-PF local official in Redcliff ostensibly in response to ZANU-PF attacks on the homes of four MDC supporters the previous day. ZANU-PF youths responded with attacks on four more MDC houses on October 18. Eleven MDC youths and two ZANU-PF youths were arrested and detained for several days before posting bail. The ZANU-PF official who was assaulted was hospitalized for a few days and released. There was no further action on the case by year's end.

Many persons perceived as supporting the opposition, including teachers, civil servants, health workers, and laborers, were singled out for assault or intimidation by ruling party supporters (see Sections 1.e. and 6.a.). After the March and June MDC-led stayaways, suspected youth militia members in military uniforms arrived at MDC members' houses at night with lists of names, singling out, assaulting, and intimidating specific persons perceived to be threatening to the Government. In most cases, the national police did not halt acts of political intimidation or violence, arrest the perpetrators, or investigate political crimes.

There was no action in the following 2002 cases: The February riot police beating of MDC polling agents, including Philip Jani, in Harare; the February abduction and torture by war veterans and a suspected CIO officer of MDC activists Venny Dube and Newman Bhebhe; the March attack on 50 polling agents in Mount Darwin; the April abduction and beating by suspected CIO officers of Robbie Siyanai, MDC Provincial Secretary for Information and Publicity for Midlands; the August arrest and torture of MDC security officer Solomon Chikowero and Harare councilor Linos Mushonga; the August assault and beating of Tapera Dzingai, opposition Chairman for Mbare East, by suspected ZANU-PF youths; the

police torture of MDC youth activist Tom Spicer; the December arrest and torture by police of Wellington Chibebe, the Secretary General of the Zimbabwe Confederation of Trade Unions (ZCTU). During the year, youth militias tortured, beat, raped, and otherwise abused persons. On January 14, youth militia members abducted Combined Harare Residents Association (CHRA) committee members Barnabas Mangodza, Jameson Gadzirai, and Joseph Rose, together with Richard Mudekwe, a Kuwadzana resident, and severely beat them for 4 hours. Police subsequently arrested and detained them overnight on allegations of engaging in conduct "likely to cause a breach of the peace." No further official action was taken by year's end.

No action was taken against the ruling party supporters responsible for the abuses committed in an organized campaign of intimidation preceding and following the 2002 nationwide elections. In 2002, government militias also abducted more than 100 MDC supporters and took them to Gunduza School in Gunduza, 1 of the 3 sites ZANU-PF set up in Mashonaland Province, where the MDC supporters were pressured to defect to ZANU-PF, beaten or raped if they refused, and subsequently released. Unlike in the previous year, there were no reports that government militias abducted MDC supporters and took them sites in Mashonaland Province.

Unlike in previous years, there were no reports that torture camps at Kitsiyatota, Chiveso, Murembe, Mupandira, Maizeland, Foothill Farms, and Nyawa in Bindura established in 2001 were used during the year.

War veterans and ZANU-PF supporters continued to harass, intimidate, and abuse journalists considered to be sympathetic to the opposition during the year (see Section 2.a.). There was no action in the November 2002 detention of a foreign diplomat, a U.N. employee, local embassy employee, and a local citizen by war veterans.

Unlike in the previous year, there were no reports that ruling party supporters attacked teachers suspected of supporting the opposition.

Unlike in the previous year, there were no reports that war veterans and other ZANU-PF supporters conducted "pungwes" (forced nightly political gatherings) in rural areas. No further action was taken in the reported 2001 cases of torture and beatings by security forces, ZANU-PF supporters, and war veterans.

The Amani Trust and Musasa Project reported that at least six politically motivated rapes were committed during the year but noted that the figure likely was grossly underreported due to cultural taboos. The attacks targeted MDC supporters, their daughters, and their wives (see Section 5).

There continued to be reports that young girls were raped at national youth service training camps (see Section 5).

Security forces repeatedly used force, including tear gas, to disperse nonviolent gatherings, and demonstrations; security forces also beat participants and demonstrators, which resulted in injuries (see Section 2.b.).

Prison conditions remained harsh and life threatening. The Government's 42 prisons were designed for a capacity of 16,000 prisoners; however, they held approximately 20,000 at year's end. Overcrowding continued to be a problem, and shortages of clothing and poor sanitary conditions persisted, which aggravated outbreaks of cholera, diarrhea, and HIV/AIDS-related illnesses. Researchers reported that the HIV prevalence rate among prisoners is estimated to be 60 percent and that exposure to HIV/AIDS was a major cause of deaths in detention.

In January, overcrowding was alleviated slightly when President Mugabe issued an amnesty and released about 5,000 prisoners. The amnesty covered females sentenced before 1985; prisoners with unweaned children; women convicted of infanticide, abortion, or concealment of birth; and prisoners aged 60 and above with 1 year or less left of their sentence. Prisoners medically certified to be terminally ill or have physical disabilities who have 1 year or less to serve also qualified. Habitual criminals serving extended sentences, those awaiting death sentences, those serving sentences imposed by a court martial and escapees were among those who did not qualify. Unlike in previous years, there were no reports that prisoners were denied medication, although some detainees were denied medical attention (see Section 2.b.).

The estimated 2,000 female prisoners were held in separate cellblocks from male prisoners. Juveniles generally were held separately from adults; however, a local NGO reported that occasionally juveniles, particularly juveniles between the ages of 16 and 18 years, were held with adult prisoners for brief periods of time.

Pre-trial detainees generally were held in group cells until their bail hearings. If detainees were charged and held in custody, they routinely were held with the general prison population until trial.

The Government permitted international human rights monitors to visit prisons; however, government procedures and requirements made it very difficult to do so. Permission was required from the Commissioner of Prisons and the Minister of Justice, which sometimes took 1 month or longer to obtain or was not granted. A local NGO that deals with prisoners' issues was granted access on a number of occasions during the year.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, some laws effectively weakened this prohibition, and security forces arbitrarily arrested and detained persons repeatedly, including foreign diplomats.

The police are centrally controlled, with the command center in Harare. The police are further divided with provincial headquarters overseeing two to three district headquarters, each of which supervise up to seven stations. Police effectiveness was reduced over the year because of an increase in crime and a decrease in resources, both human and material. It has also become more difficult for police to remain impartial due to increased politicization within the force's upper echelons. Corruption, particularly within the traffic branch, has increased due, in part, to low salaries.

Musasa Project conducted training for police academy graduates in gender sensitivity. The police academy does not include a course on gender sensitivity in their regular curriculum.

The Government generally has not pursued actively past allegations of torture and has not prosecuted CIO or ZRP officers for such abuses. The 2000 amnesty protects nearly all the agents of the political violence campaign and effectively prevents any criminal prosecutions against them.

There was a continuing problem, particularly in rural areas, in which victims or witnesses of crimes who report to the police were charged themselves with the crimes of the perpetrators.

The law requires that police inform an arrested person of the charges before being taken into custody. Warrants of arrest issued by the courts were required except in cases of serious crimes or where there was the risk of evidence disappearing. Although a preliminary hearing before a magistrate is required within 48 hours of an arrest (or 96 hours over a weekend), the law often was disregarded if a person did not have legal representation. Police typically arrested individuals accused of political crimes on Fridays, presumably so that they could detain them legally until Monday. In several cases, police claimed not to know where they were holding a detained individual, which delayed a hearing on bail release.

Detainees often were not allowed prompt or regular access to their lawyers. Authorities often informed lawyers who attempted to visit their clients that detainees were "not available." Family members generally were denied access unless accompanied by an attorney. Detainees, particularly those from rural areas without legal representation, routinely were held incommunicado. Family members and attorneys often were not able to verify that a person had been detained until the detainee appeared in court.

The Criminal Procedures and Evidence Act substantially reduced the power of magistrates to grant bail without the consent of the Attorney General or his agents; however, in practice a circular issued by the Attorney General giving a general authority to grant bail lessened the negative effect of the law. High Court judges granted bail independently.

The Official Secrets Act and POSA grant the Government a wide range of legal powers, and give extensive powers to the police, the Minister of Home Affairs, and the President to prosecute persons for political and security crimes that are not defined clearly.

During the year, police arrested 17 out of the MDC's 53 Members of Parliament (M.P.s): Abedinico Bhebhe, Tendai Biti, Gabriel Chaibva, Milford Gwetu, Silas Mangono, Austin Mupandawana, Giles Mutsekwa, Paul Madzore, Paurina Mpariwa, David Mpala, Tichaona Munyanyi, Jealous Sansole, Gibson

Sibanda, Job Sikhala, Bennie Tumbare-Mutasa, Paul Themba-Nyathi, and Trudy Stevenson. Mangono, Sikhala, Madzore, Mpariwa, and Biti were arrested more than once. Paul Madzore, M.P. for Glenview (near Harare) was arrested four times during the year. Three M.P.s were released after paying a bail or a fine. Six M.P.s had charges dropped and were released. None of ZANU-PF's 63 M.P.s were arrested during the year.

In June, police arrested MDC president Morgan Tsvangirai twice in connection with work stayaways engineered by MDC that same month. He was released the same day of his first arrest, and held for 2 weeks following the second arrest. At year's end, he faced a charge of treason for his role in the stayaways, in addition to the treason charge for allegedly plotting the assassination of President Mugabe. Police arrested hundreds involved in the stayaways, including several other MDC leaders. All were released after brief detentions.

On February 17, police arrested Justice Benjamin Paradza, detained him overnight, and charged him with obstruction of justice. Paradza was accused of trying to influence a fellow judge to release the French passport of his friend and business partner, Russell Wayne Luschagne, who faced a murder charge. On September 16, the Supreme Court ruled that the arrest was unconstitutional--under the law investigations of judges are to be carried out by a tribunal of judges. In October, Paradza returned to work but had not been given any new cases. No tribunal of judges had been convened to investigate the case by year's end.

On May 31, plainclothes police arrested four students at the Harare Polytechnic College, including Tutsirayi Jonga, Zimbabwe National Student Union (ZINASU) Secretary for Projects and Investment. Another student, who was not arrested initially, retained a lawyer and went to Harare Central Police Station to investigate the detention. He was then taken into custody; the students were charged under POSA on accusations of distributing prohibited material and inciting student unrest. No further official action was taken by year's end.

Police continued to detain farmers in connection with seizing their land despite court orders confirming their title, although with redistribution under land reform largely complete by year's end, such incidents were less common.

There was no decision whether to try Law Society of Zimbabwe President Sternford Moyo and Executive Secretary Wilbert Mapombere on charges of planning mass action to overthrow the Government during the year.

There was no further action in the 2002 case of Roy Bennett, MDC M.P. for Chimanimani, along with bodyguard Menson Magwaza, and business partner Stuart Girvin, who were charged with violating the Electoral Act for videotaping food distribution to ZANU-PF supporters at a polling station during the rural district council elections, or the August 2002 arrest and detention of Mbare East M.P. Tichaona Jeffer Munyanyi. Joshua Rusere, who was arrested in August 2002 in connection with the ZANU-PF activist Manjengwa, was released and in self-imposed exile at year's end.

Police arrested several journalists during the year (see Section 2.a.).

Police arrested persons holding meetings and during the forcible dispersal of gatherings (see Section 2.b.).

Police arrested religious leaders during the year (see Section 2.c.).

Prolonged pretrial detention remained a problem. Detainees who did not attract significant public attention could spend an average of 6 months incarcerated before their trials because of a critical shortage of magistrates and court interpreters.

The Constitution prohibits forced exile; however, on May 16, the government extrajudicially deported American-born, and 18-year Zimbabwe permanent resident Andrew Meldrum, an independent journalist. Meldrum was challenging the constitutionality of his deportation order in the Supreme Court and a High Court had barred his deportation when the government deported him. In June, Meldrum's wife and a permanent resident, Dolores Maria Cortes-Meldrum, fled the country after being told the Department of Immigration wanted to serve her with a deportation order. Both were still outside the country at year's end. A number of other persons, including former government officials, left the country to escape repression and remained in self-imposed exile at year's end.

On January 29, five visiting Lutheran church workers were deported for violating AIPPA by allegedly working as journalists without accreditation. The five were reporting for a Lutheran church newsletter. Captain Ernest Chuma, who fled the country in 2002 after a violent interrogation by members of the army's counterintelligence branch, remained in Botswana at year's end.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, since 2001 the judiciary has been under intense pressure to conform to government policies, and the Government repeatedly refused to abide by judicial decisions. In a July 2002 speech, President Mugabe said, "if judges are not objective, don't blame us when we defy them."

The law provides for a unitary court system, consisting of headmen's courts, chiefs' courts, magistrates' courts, the High Court, and the Supreme Court. Civil and customary law cases may be heard at all levels of the judiciary, including the Supreme Court.

Judges are appointed to serve until the age of 65 and may extend their terms until the age of 70 if they remain in good physical and mental health. The Constitution provides that they may be removed from the bench only for gross misconduct, and that they cannot be discharged or transferred for political reasons; however, since 2002 the Government has arrested and coerced judges into resigning. For example, in February, Justice Benjamin Paradza was arrested after making an unfavorable ruling against the Government (see Section 1.d.). In July, the prosecutor withdrew charges of obstructing justice against Judge Fergus Blackie. Before he was pressured into retiring in July 2002, Blackie sentenced Justice Minister Patrick Chinamasa to a 3-month jail sentence for contempt of court.

Magistrates, who are part of the civil service rather than the judiciary, hear the vast majority of cases and continued to come under intense political pressure after some of their decisions were interpreted as running counter to government interests.

During the year, the Ministry of Justice, Legal, and Parliamentary Affairs and local police officers failed to take action against the militants who beat Walter Chikwanha, a presiding magistrate, in August 2002, despite the fact that Chikwanha had identified the perpetrators. Local attorneys have appealed to the Minister and to the Commissioner of Police, Augustine Chinhuri to take action. The Government did not take any action on the case by year's end.

Police arrested and subsequently released one of the assailants allegedly responsible the August 2002 stabbing of Zaka district resident magistrate, Godfrey Gwaka. Observers intimated that Gwaka was attacked for judgments in favor of MDC supporters during and after the March 2002 election period.

Other judicial officers such as prosecutors and private attorneys also faced similar pressure. On April 8, war veterans attacked Levison Chikafu, a senior public prosecutor at the Magistrate's court in Mutare, after they forced their way into his office and demanded to know why "he had granted bail to MDC supporters."

Several attorneys were denied access to their clients during the course of the year. On February 14, Perpetua Dube, Ndabezihle Mazibuko, Thembelani Mkhwananzi, and Kucaca Phulu were denied access to their detained clients at the Central police station in Buluwayo. They complained that the police officers were obstructive and verbally and physically abusive. The attorneys were physically pushed out of the police station by approximately 20 riot policemen.

In March, Gugulethu Moyo, a legal representative for Associated Newspapers of Zimbabwe, was denied access to her clients and subsequently arrested and detained for an afternoon while attempting to represent her client.

Military courts dealt with court-martials disciplinary proceedings for military personnel. Police courts, which can sentence a police officer to confinement in a camp or demotion, handle disciplinary and misconduct cases. Defendants in these courts have the right to appeal to the Supreme Court.

On January 6 and August 27, a military court charged four army officers with participating in politics. The officers were represented by local attorneys during the proceedings. Two of these officers, Colonel Peter Shoko and Private Biggie Chikanya, were discharged from the army reportedly because they were judged politically unsuitable.

The Constitution provides for the right to a fair trial; however, this right was frequently not enforced due to political pressures. Every defendant has the right to a lawyer of his choosing; however, well over 90 percent of defendants in magistrates' courts did not have legal representation. In criminal cases, an indigent defendant may apply to have the Government provide an attorney, but this was rarely granted. However, in capital cases, the Government provided an attorney for all defendants unable to afford one. Litigants in civil cases can request legal assistance from the NGO Legal Resources Foundation. All litigants were represented in the High Court.

The right to appeal exists in all cases and is automatic in cases in which the death penalty is imposed. Trials were open to the public except in certain security cases. At the start of the treason trial of MDC President Morgan Tsvangirai, police officials denied members of the public entrance into the courtroom. The Presiding Judge, Justice Paddington Garwe, directed that the public be allowed access to the courtroom. Defendants enjoy a presumption of innocence, the right to present witnesses, and the right to question witnesses against them, and defendants and their attorneys generally had access to government-held evidence relevant to their cases; however, some defendants were denied the right to wear civilian attire to court. MDC President Morgan Tsvangirai was initially brought to court in a prison uniform and in shackles and leg irons in what appeared to be an attempt to humiliate him. The defendants in the Nkala trial were denied the right to wear warm clothing to court. The courts eventually recognized the rights of the defendants and permitted them to wear civilian attire.

The Zimbabwe Women's Lawyers Association (ZWLA) claimed that most magistrates in the country were not aware of some of the contents of the Sexual Offenses Act (SOA) or that the law was in effect. ZWLA's research illustrated that many magistrates continued to make judgments based on old laws. During the year, ZWLA conducted training courses for local magistrates.

The Government and police routinely failed to abide by court decisions ordering the removal of war veterans and other squatters residing on commercial farms, and the Government routinely continued to delay payment of court costs or judgments awarded against it.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions; however, security forces searched homes and offices without warrants, and the Government was believed to monitor some private correspondence and telephones, particularly international communications.

During the year, soldiers, police, war veterans and other ruling party supporters led by a CIO officer repeatedly entered the Chimamanimani farm of MDC M.P. Roy Bennett in violation of a High Court order against them doing so. The ruling party supporters beat and abducted farm workers, killed cattle and wildlife, and threatened and harassed Bennett himself.

Police periodically conducted house-to-house searches in the suburbs of Harare and Bulawayo during the year.

ZANU-PF supporters and war veterans attacked and damaged or destroyed the homes of more than a hundred opposition supporters and commercial farmers. On December 1, ZANU-PF supporters attacked the home of Solomon Jegedeshe in Rural Zaka. The perpetrators accused him of being an MDC supporter and destroyed his home and his crops. Jegedeshe was forced to seek refuge at a shelter in Harare.

There was no action taken, nor was any likely, in the reported 2002 or 2001 cases of arbitrary interference with citizens' homes.

The law permits the Government to monitor and intercept e-mails entering and leaving the country, and security services reportedly have used this authority to monitor e-mail communication, although the extent of this monitoring was unknown.

In 2001, President Mugabe amended the Land Act by decree to permit the immediate government seizure of all commercial farming land, and the ZANU-PF dominated Parliament formalized this decree. The law requires all farm owners who have received a Section 8, final compulsory acquisition, notice to halt farming activities within 45 days of receipt of the order and leave their homes within 90 days. In June 2002, the Government ordered all white commercial farmers who had received Section 8 notices to cease

farming operations, despite widespread food shortages. By August 2002, approximately 97 percent of the 4,500 remaining commercial farmers had received Section 8 notices.

In August 2002, the Government began arresting farmers en masse after the time period expired for the first batch of Section 8 notices. Most farmers who were arrested were detained for a few days and released on bail; some were allowed to return to their farms, and some ordered to abandon their standing crops and livestock. Many farmers filed legal challenges, arguing that the acquisition orders were not legitimate since they did not follow the Government's own procedural laws. The new Section 8 orders issued in August superceded almost all of the legal challenges filed in 2002. At year's end, nearly all of the remaining 400 commercial farms owned by whites were designated for compulsory acquisition and few of the original farmers remained on the properties.

Even on farms that did not receive Section 8 orders or those that received reprieves from the High Court, farmers were evicted with as little as 2 hours notice. "Settlers," war veterans, or government youth militia members enforced evictions often in full view of police who declined to intervene stating that it was a "political matter." Hundreds had relocated themselves and their families to the soil-poor Dande area in the north and across the border into the neighboring Tete Province of Mozambique. Estimates were that more than 500,000 farm laborers and their families were left evicted or unemployed.

Although the Government's land reform program was supposed to have ended in 2002, the Government continued to designate farms and ranches for resettlement late in the year. There were numerous reports that government officials had acquired multiple farms and evicted previously resettled small-scale farmers from the land. The government-issued Utete Land Audit Report (the "Utete Report") recommended remedying situations where multiple new farms had been acquired and some cases were corrected; however, the Government continued taking additional land without regard to earlier commitments to allow farmers to keep one property.

Section 2

Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of expression; however, legislation limits this freedom in the "interest of defense, public safety, public order, state economic interests, public morality, and public health," and the Government restricted this right in practice. The Media and Information Commission (MIC) closed the only independent daily newspaper, the Daily News. Police, CIO agents, and ruling party supporters harassed, intimidated, and beat journalists. Security forces arbitrarily detained journalists and refused to investigate or punish security force members who tortured journalists. Journalists practiced self-censorship.

The Government continued to restrict freedom of speech, particularly by independent sources or those making or publicizing comments critical of President Mugabe. Foreign Embassies were not allowed to give speeches at celebrations of national days.

Several major daily newspapers and one local-language tabloid belonged to the Mass Media Trust (MMT), a holding company heavily influenced by the ZANU-PF. The Government, through the MMT, controlled two daily newspapers, the Chronicle and the Herald. The news coverage in these newspapers generally focused on the activities of government officials, neglected opposition parties and other antigovernment groups, and also downplayed events or information that reflected adversely on the Government. The government-controlled media always portrayed President Mugabe and the Government favorably. The Minister for Information and Publicity controlled the Zimbabwe Inter-Africa News Agency wire service.

In addition to the Daily News, which had the nation's largest circulation until its Government closing, there were three independent major weeklies (the Financial Gazette, the Independent, and the Standard), and three monthlies that continued to operate despite threats and pressure from the Government. The major independent newspapers continued to monitor government policies and publish opposition critics, but most of them also continued to exercise self-censorship in reporting due to growing government intimidation and the continuing prospect of prosecution under criminal libel and security laws.

Radio remained the most important medium of public communication, particularly for the majority of the population living in rural areas. The Government continued to control all domestic radio broadcasting stations through the state-owned Zimbabwe Broadcasting Corporation (ZBC), supervised by the Minister for Information and Publicity in the President's Office. There were credible reports that the Minister

routinely reviewed ZBC news and repeatedly excised reports on the activities of groups and organizations opposed to or critical of the Government. There were only two independent short wave radio broadcasts in the country during the year; however, it was unclear how many citizens could actually listen to short wave broadcasts. Voice of America (VOA) broadcast a 1-hour program five times a week on short wave and AM featuring interviews with local opinion makers on a range of topics in English, Shona, and Ndebele. Short Wave Radio Africa broadcast daily from the United Kingdom, using local sources and reporters.

The Government controlled all domestic television broadcasting stations, and the ZBC owned and operated television broadcasting facilities. During the year, ZBC aired fewer international programs. Regular broadcasts of CNN and call-in talk shows continued to be cancelled. Throughout the year, ruling party music videos were aired regularly during the day, promoting the fast-track land redistribution program.

At year's end, the Government continued to refuse to lease broadcast time to Joy TV, the only privately licensed television station, and it remained off the air.

International television broadcasts were available freely through private satellite firms; however, the requirement that payment must be made exclusively in foreign currency made it unavailable for most citizens.

During the year, security forces and pro-government militias harassed and abused journalists. The following journalists were detained and beaten during the year: On March 19, police detained for 5 days and beat Stanely Karombo, VOA correspondent. On June 3, war veterans and ruling party supporters detained and beat Shorai Katiwa, Martin Chimanya, and John Masuku, of Voice of the People (VOP). On June 30, police arrested and beat Gugulethu Moyo, the Daily News Legal Advisor. No official action on these cases was taken by year's end.

Numerous journalists were arrested during the year. The Government arrested and prosecuted editors and journalists who contributed to published stories critical of government policies or security force operations.

On January 28, police in Bulawayo arrested and detained briefly Tsvangirai Mukwazhi, Daily News chief photographer; Dina Kraft from the Associated Press; Jason Beaubien, African correspondent for National Public Radio; and Bulawayo MDC councilor Charles Mpofu while they were investigating the food crisis. They were reportedly denied access to a lawyer. No further official action was taken by year's end.

On September 22, police arrested and charged the Daily News parent company Associated Newspapers of Zimbabwe (ANZ) CEO Samuel Sipepa Nkomo, and ANZ Directors Brian Mutsawu, Michael Mattison, Pfungwa Kupara, and Washington Sansole for operating a media business without MIC registration. Sixteen Daily News reporters were also arrested and charged for allegedly breaching the AIPPA for practicing journalism without accreditation from the MIC. No further official action was taken by year's end, and the case had not been brought before the courts by year's end.

Other journalists were also arrested and released during the year, including: Moreblessings Mpofu, Daily News Chief Executive Officer and Advertising Executive; Ngobile Nyathi, Editor of the Daily News, and former Editor-in-Chief of The Financial Gazette; Francis Mdlongwa, then Editor-in-Chief of ANZ; Norma Edwards, Editor of The Mirror; Bill Saidi, Editor of the Daily News; Fanuel Jongwe, Daily News senior reporter; Jason Beaubien, National Public Radio; Brian Hungwe, SABC correspondent; Raymond Bouuman, Dutch journalist; Pim Hauinkels, Dutch TV Journal IFL5. Only some of those arrested were charged under the Access to Information and Protection of Privacy Act (AIPPA) or POSA. No further official action was taken by year's end.

Peta Thornycroft, the Zimbabwean correspondent for Britain's Daily Telegraph and for South Africa's Mail and Guardian, in Chimanimani who was charged under the AIPPA, for "posing as a journalist" since she had not registered with the Media Commission was challenging in the Supreme Court the constitutionality of the charges against her at year's end.

Geoff Nyarota, the editor-in-chief of the Daily News, and Daily News reporters Lloyd Mudiwa and Collin Chivanza successfully challenged charges under the AIPPA of abusing journalistic privilege for publishing a false story, and on May 7, the Supreme Court struck down that section of AIPPA as unconstitutional.

There was no action in the 2002 cases in which war veterans and government youth brigades regularly threatened the Daily News staff; at least once burned a Daily News delivery truck; frequently intimidated and assaulted the vendors of independent newspapers in Bindura, Masvingo, Kariba, and Karoi; and on numerous occasions, destroyed the sale copies of the Daily News, Financial Gazette, Zimbabwe Independent, and The Standard.

There were no new developments in the reported 2001 cases of harassment, abuse, and detention of journalists.

The Government was increasingly intolerant, especially of reports perceived to be critical of the security forces. Clause 15 of POSA, enacted in January 2002 makes it an offense to publish or communicate false statements prejudicial to the state. Legal experts have criticized this section saying that it imposes limits on freedom of expression beyond those permitted by the Constitution. Clause 16 of POSA also makes it an offense to make statements that will engender feelings of hostility towards the President. An extremely broad Official Secrets Act makes it a crime to divulge any information acquired in the course of official duties. In addition, anti-defamation laws criminalize libel of both public and private persons.

In March 2002, the Parliament enacted AIPPA, which was strongly criticized by journalists, media analysts, and human rights organizations. Section 81 of the Act also makes it an offense for journalists to submit a story that already was published by another mass media service without the permission of the owner of that service. Journalists also were prohibited from falsifying or fabricating information, publishing rumors or falsehoods, and collecting and disseminating information for another person without the permission of their employer. Under the AIPPA, mass media companies must pay prohibitively expensive application fees.

One of the AIPPA clauses prohibits foreign correspondents from applying for greater than 30-day accreditation. The MIC declared October 31, 2002 as the deadline for the submission of applications for the registration of media companies and accreditation of journalists. Many journalists applied for accreditation; however, some received letters from the Commission requiring them to pay the application fees in U.S. dollars, and provide proof of their qualifications and examples of their work. The MIC denied many journalists' applications.

On September 12, the Government closed the Daily News following a Supreme Court ruling dismissing a Daily News challenge to the AIPPA filed in January. The Supreme Court ruled that The Daily News must register with the government-controlled MIC before it could challenge the constitutionality of AIPPA. Also on September 12, riot police raided Daily News offices without a court order or warrant, seized computer equipment, and forcibly closed the paper. On September 18, a High Court ordered the police to vacate the premises immediately, to return the seized equipment, and to allow ANZ to publish while MIC considers its application; however, the Government ignored the court's orders and the MIC denied a subsequent Daily News application to register. Despite a December 19 ruling that authorized the Daily News to resume operations, police continued to prevent the Daily News from doing so at year's end. The 2001 Broadcasting Services Act--passed despite the fact that Parliament's legal committee found the bill to be unconstitutional--gives the Minister of Information final authority in issuing and revoking broadcasting licenses. The Act allows for one independent radio broadcaster and one independent television broadcaster but requires them to broadcast with a government-controlled signal carrier. Legal rights groups criticized the Act for limiting free speech.

In September, Radio Dialogue, a would-be broadcaster in Bulawayo, embarked on a public relations campaign to convince the Government to issue it a broadcast license; however, a broadcast license had not been approved by year's end.

In October, Capitol Radio won a Supreme Court case to have the exclusive power of the Minister of Information to grant broadcast licenses struck down. Since late 2002, the management and staff of Capitol Radio in the country have operated as Short Wave Radio Africa which was broadcast from the United Kingdom. Although the Broadcasting Authority was made responsible for broadcast licenses, the Minister and MIC did not comply with the court's ruling; at year's end, Capitol Radio did not have a broadcasting license in the country.

No arrests were made in the August 2002 bombing of VOP's offices by year's end.

Several of the journalists reportedly banned from entering the country were citizens. The Government expelled a foreign journalist it perceived to be portraying the country negatively. Independent journalist Andrew Meldrum was deported during the year (see Section 2.d.). Foreign correspondents were regularly denied visas during the year.

Books and films were subject to review by the Zimbabwe Board of Censors. The Board banned at least 10 films and an unknown number of books in recent years.

The Government did not restrict access to the Internet, and there were many privately owned domestic Internet service providers (ISPs); however, the law permits the Government to monitor all international e-mail messages entering and leaving the country (see Section 1.f.). The 2002 arrests of journalist Andrew Meldrum and human rights activist Frances Lovemore (see Section 4) were because of articles published on the Internet.

The Government restricted academic freedom. The University of Zimbabwe (UZ) Amendment Act and the National Council for Higher Education Act restricted the independence of universities, making them subject to government influence, and extends the disciplinary powers of the university authorities against staff and students. The Ministry of Higher Education and Technology controlled the UZ and appointed its Chancellor and Vice Chancellors; the Ministry also appoints the Dean of Faculty, and most members of the University Council.

Unlike in previous years, there were no reports that students were brought before a disciplinary committee for allegedly being MDC members, and faculty members reportedly were denied promotions allegedly for supporting the MDC.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the Government restricted this right in practice through laws such as the POSA. Many legal experts believed that the restrictions imposed by POSA on an individual's right to freedom of assembly were unconstitutional. The police repeatedly used force to break up nonviolent demonstrations by its critics and erect roadblocks in urban areas to prevent public gatherings from taking place. Although permits were not required for meetings or processions, the POSA requires organizers to notify the police of their intentions to hold a public gathering 7 days in advance. Failure to do so would result in criminal prosecution as well as civil liability. Although most groups that conducted meetings did not seek permits, some groups informed the police of their planned events and were denied permission, or their requests went unanswered. Police insisted that their permission was required to hold public gatherings, and they disrupted many events whether or not permission had been sought.

Police frequently refused to permit campaign rallies and meetings by the MDC during the periods preceding local and parliamentary by-elections, and during MDC-led work stoppages. Police prevented a public meeting of religious members during the year (see Section 2.c.).

On March 2, after an MDC rally in Hatcliffe, presidential guard members forced 26 opposition members onto the grounds of State House, and kicked and beat them with rifle-butts and sticks. The guardsmen accused the MDC members of wearing MDC t-shirts and singing party songs while walking past State House. On the same day, police assaulted and arrested 70 MDC members after a rally in Mufakose. Police had authorized both the Hatcliffe and Mufakose rallies.

In June, during the MDC-led general strike, soldiers fired tear gas from a military helicopter at students who were gathering to march from the UZ campus. Riot police on the ground assisted in preventing a demonstration and confined students to their dormitories. At several prospective gathering locations in Harare and Bulawayo, police beat, threatened, and chased away would-be demonstrators and passers-by. Security forces patrolled parts of the city for several days ahead of the planned marches.

Police arrested numerous demonstrators during the year. In early March, police arrested, detained (some for up to 6 days), and charged 80 persons under POSA for displaying posters critical of President Mugabe during three World Cup cricket matches in Bulawayo. Those arrested included a 15-year-old girl. Many of those detained reported that police beat them with batons and kicked them. Some reported they were denied food, water, and medical attention. Among the 80 arrested, 32 said they were put in a cell measuring 9x12 feet, while a larger cell nearby was empty. No further action was taken by year's end. On May 12, police arrested 46 female members of Women of Zimbabwe Arise! (WOZA) in Bulawayo alleging they had staged a public demonstration against a High Court order that barred them from doing so. They were reportedly denied access to lawyers, and relatives were prevented from seeing them. All

46 women were released; however, many were coerced to pay "admission of guilt" fines. No further official action was taken by year's end.

On October 22, police arrested up to 180 demonstrators from the National Constitution Assembly (NCA), a conglomerate of human rights organizations, including its Chairman Lovemore Madhuku. Approximately 200 NCA members were staging a protest in Harare calling for a new democratic constitution. Among those detained, approximately 100 were released the same day without charge, and approximately 70 were released on October 23 after paying an admission of guilt fine under the Miscellaneous Offenses Act. Although Madhuku refused to pay the admission of guilt fine, he was also released on October 23. Police reportedly beat some of the detainees.

On October 27 and 28, police used tear gas to disperse crowds of students at the University of Zimbabwe (UZ). After the Vice-Chancellor refused to meet with student leaders to discuss the non-payment of the students' stipends, an estimated 1,000 students attacked the Vice-Chancellor's car with sticks and rocks breaking all the windows. The students also damaged campus buildings before riot police arrived and dispersed them. Some students were injured and treated at the university clinic. On October 28, police arrested 18 student activists and held some of them in police custody for up to 2 days.

There was no action in the June 2002 police assault and arrest of approximately 70 MDC supporters and 3 independent journalists at the MDC's International Youth Day rally in Harare and the July 2002 arrest of MDC M.P. Austin Mupandawana and other senior members of the Kadoma branch of the MDC following clashes between ZANU-PF youth and MDC supporters. The MDC officials were detained for a few days and released without charges.

On June 10, a Harare magistrate cleared 14 NCA members and the MDC former M.P. for Highfield Munyaradzi Gwisai of POSA charges for having marched in February 2002 in support of a new constitution and to demand a free and fair presidential election. There were no new developments at year's end on Gwisai's constitutional challenge to his arrest.

There was no action taken, nor was any likely, against police who used excessive force to disperse a number of demonstrations or rallies in 2001.

The Constitution provides for freedom of association for political and nonpolitical organizations, including a broad spectrum of economic, social, and professional groups; however, the Government restricted this right in practice for political organizations. Organizations generally were free of governmental interference as long as their activities were viewed as nonpolitical. ZANU-PF supporters, supplied with government vehicles and money, killed, tortured, beat, and otherwise abused persons perceived to be associated with the opposition (see Sections 1.a., 1.c., 1.d., and 1.f.). Beginning in 2002, the Government required all NGOs, many of which were membership organizations, to register with the Ministry of Public Service, Labor and Social Welfare, and closed down, threatened, and arrested key officers of some NGOs it felt were opposed to government policies.

The formation of political parties and unions was not restricted; however, the Government interfered with activities of political parties and unions during the year (see Sections 6.a. and 6.b.).

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, a law that criminalizes both purporting to practice witchcraft and accusing persons of practicing witchcraft reportedly was viewed as restrictive by some practitioners of indigenous religions. Church leaders and members who criticized the Government continued to face intimidation, arrest, detention, and possible deportation, in the case of foreigners.

For example, on February 13, police prevented a public meeting at the Northside Community Church in Harare, which was supposed to address churches' role in the country's political crisis. Police arrested the president of the Evangelical Fellowship of Zimbabwe (EFZ), Bishop Trevor Manhanga, along with seven other persons and detained them for several hours.

On February 28, police harassed, arrested, and detained 21 pastors as they attempted to deliver a petition against the misuse of police power to Police Commissioner Augustine Chihuri. During the year, Archbishop Pius Ncube of Bulawayo, an outspoken critic of the Government, reportedly received anonymous death threats, and intimidating visits by suspected officers from the CIO.

There was no new action in the February 2002 ZANU-PF supporters' beating of three Catholic priests, two Catholic nuns, and a Catholic brother in Zaka.

The Government does not require religious institutions to be registered; however, religious organizations that run schools or medical facilities must register those specific institutions with the appropriate ministry involved in regulating those areas.

In an August 14 letter to the Education Ministry permanent secretary, the Islamic Convent of the Strict Observance said that the Lord's Prayer in the school curriculum contravened section 19 of the Constitution, which protects freedom of conscience. The group gave the Government 60 days to rectify the issue before it files an application in the Supreme Court for an order declaring the Lord's Prayer at public schools unconstitutional. There were no further developments by year's end.

Witchcraft--widely understood to encompass attempts to harm others not only by magic but also by covert means of established efficacy such as poisons--traditionally has been a common explanation for diseases of which the causes were unknown. Although traditional indigenous religions generally included or accommodated belief in the efficacy of witchcraft, they generally approved of harmful witchcraft only for defensive or retaliatory purposes and purported to offer protection against it.

The Witchcraft Suppression Act (WSA) criminalizes purporting to practice witchcraft, accusing persons of practicing witchcraft, hunting witches, and soliciting persons to name witches; penalties include imprisonment for up to 7 years. The law defines witchcraft as "the use of charms and any other means or devices adopted in the practice of sorcery," and provides punishments for intending to cause disease or injury to any person or animal through the use of witchcraft. Human rights groups also generally supported the existing WSA, which has been used particularly to protect persons, primarily women, who have been accused falsely of causing harm to persons or crops in rural areas where traditional religious practices were strong.

There was some tension between the Government and some of the indigenous African churches, and between mainstream Christian churches and practitioners of traditional indigenous religions, because of the latter's preference for prayer over medical practices that resulted in the reduction of avoidable childhood diseases and deaths. Some members of the indigenous churches believed in healing through prayer only and refused to have their children vaccinated or treated. Human rights activists also criticized these indigenous churches for their sanctioning of marriages for underage girls.

Muslims complained of discrimination by private employers who refuse to allow them sufficient time to worship at their mosques on Fridays. For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government at times restricted them in practice. During the year, police routinely erected armed roadblocks in and around cities and rural districts during election periods, and before opposition-planned work stoppages. Police claimed that they were looking for criminals and illegal weapons, but legal rights groups asserted that it was a measure designed to discourage or limit opposition organizing. In November and again in December, police and the Zimbabwe Revenue Authority (ZIMRA) established roadblocks along the main highways from South Africa and Botswana to search for foreign currency. Police used the POSA to erect roadblocks in urban areas to prevent public gatherings from taking place.

Several individuals who were perceived to be opposition supporters had difficulty obtaining passports or were visited and questioned by immigration officials during the year. For example, Amos Phiri, an official with the local NGO ZimRights, is a citizen whose parents are Malawian; he encountered significant difficulty obtaining a passport. Immigration officials questioned prominent human rights lawyer Beatrice Mtetwa, who is originally from Swaziland but is married to a citizen, about her immigration status.

During the year, travel bans and visa requirements on a variety of persons remained in effect. Among those affected were British government officials, members of the British Parliament, an American human rights activist, and journalists. Several of the journalists reportedly banned from entering the country were citizens. The Government expelled a foreign journalist it perceived to be portraying the country negatively (see Section 2.a.). Foreign correspondents were regularly denied visas during the year.

Among the top four MDC leaders--President Morgan Tsvangirai, Secretary-General Welshman Ncube, Treasurer Fletcher Dulini-Ncube, and shadow agricultural minister and M.P. Renson Gasela--all of whom

were charged with criminal offenses, only two received their passports back by year's end. Ncube and Gasela were acquitted and their passports were returned to them in November.

The Citizenship Act requires all citizens with a claim to dual citizenship to renounce their claim to foreign citizenship under the laws of the foreign country to retain their citizenship. Citizens who failed to abide by the regulations by January 7, 2002, would cease to be citizens, would be removed from the voter rolls, and would be unable to vote. The act also revokes the citizenship of persons who fail to return to the country in any 5-year period. Legal rights groups described the legislation and regulations as a government attempt to disenfranchise citizens, because of their perceived opposition leanings, as well as the country's more than 500,000 commercial farm workers, many of whom have origins in neighboring countries, and the approximately 30,000 mostly white dual nationals. Many persons with dual citizenship experienced difficulty complying with the regulations because many other countries do not provide procedures for repudiating citizenship. Conceding to regional pressure, during the year, Parliament amended the law to remove this requirement from citizens with origins in SADC countries.

According to the local U.N. Development Program office and other NGOs, up to 500,000 farm workers were internally displaced at year's end (see Section 1.f.). The majority of internally displaced persons (IDPs) were women and children. Some displaced farm workers reportedly were living on other farms or on previously unsettled land without reliable sources of food and water; others with relatives or friends in urban areas; some were arrested; and hundreds had moved into the Tete province of Mozambique. In most cases, ZANU-PF supporters who were farm squatters ordered the farm workers to leave so that they could plant their own crops on the property. Other IDPs were persons, often teachers and civil servants, forced to leave their homes by government supporters because of perceived support for the opposition.

According to the human rights NGOs, over 100 MDC supporters were displaced internally during the year; however, the number of unreported cases likely was higher. It was unknown how many of the approximately 70,000 displaced during the 2002 presidential elections remained displaced at year's end. Sometimes war veterans in local government positions applied pressure on local chiefs to order the expulsions of certain individuals. The Government has condoned and even encouraged an environment of lawlessness that permits war veterans and other ruling party supporters to force opposition members and supporters from their homes without consequences for the perpetrators (see Section 1.f.). In most cases, police did not intervene expeditiously. Unlike in the previous year, the Government did not harass IDPs living in NGO safe houses in the capital, and did not arrest workers and staff of humanitarian organizations attempting to house them at camps.

The law provides for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. In practice, the Government provided protection against refoulement and granted refugee status or asylum; it also generally provided temporary protection to certain individuals who did not qualify as refugees or asylees. The Government generally cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. According to UNHCR, approximately 100 asylum-seekers arrived each month during 2002, and there were 12,271 refugees and 556 asylum seekers in the country at year's end. Asylum seekers from more than 20 countries were granted refugee status; the largest groups of refugees consisted of 6,122 Congolese (DRC), 3,551 Rwandans, and 1,484 Burundians.

In 2002, the Director of operations of the Geneva-based International Catholic Migration Commission investigated allegations of rampant sexual exploitation of female refugees at the Tongagara camp it supervised. He found the allegations to be substantiated; two perpetrators were dismissed, arrested and charged under the Sexual Offenses Act. At year's end, the case was still pending in a Mutare court. UNHCR subsequently cancelled its contract with the implementing organization and hired a new partner to run the camp.

Some employers reportedly took advantage of illegal refugees for inexpensive labor (see Section 6.e.).

Section 3

Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully; however, in practice the political process continued to be tilted heavily in favor of President Mugabe and his ZANU-PF party, which have ruled continuously since independence in 1980. The Government manipulated the

electoral process to effectively disenfranchise voters and to skew elections in favor of ruling party candidates.

In the weeks leading up to March by-elections in the Harare high-density suburbs of Kuwadzana and Highfield, ruling party supporters and youth militia members undertook an aggressive campaign of violence and intimidation by arresting, beating, and detaining opposition campaign officials, opposition members, and members of civil society. In addition, according to MDC claims, approximately 19,000 names were added to the voters' rolls. Police also denied permission to the MDC to hold campaign rallies, prevented rallies for which permission had been granted, or disrupted with tear-gas campaign rallies in progress. Despite these tactics, the MDC retained both of these constituencies in the polls.

Leading up to August mayoral and urban council elections in about 20 cities across the country, ruling party supporters set up make-shift roadblocks and otherwise prevented approximately 30 MDC candidates from registering their candidacies through threats, harassment, and intimidation. For example, on July 21, ruling party supporters used intimidation to prevent at least 20 potential MDC candidates from registering their candidacies at nomination courts. Ruling party supporters harassed and intimidated opposition candidates and in some cases attacked or burnt the houses of opposition officials. During the week of August 11, ruling party members beat approximately 50 MDC supporters, including council and mayoral candidates in Mutare. The opposition nonetheless won six of seven contested mayoral contests and a majority of the contested urban council seats.

The Government failed to accredit, in an effective or timely fashion, international observers for elections during the year, preventing international observer teams from accessing selected polling areas. ZANU-PF youths and supporters threatened and harassed diplomatic observers at some polling stations.

In March 2002, President Mugabe was declared the winner of a presidential election after a campaign in which violence and intimidation were used nationwide against MDC supporters, and in which the electoral rules were manipulated to favor the ruling party. International observer missions from the Commonwealth, and the South African Development Community (SADC) Parliamentary Forum described the electoral process as fundamentally flawed, while a large mission from the European Union (EU) withdrew before the election when the Government refused to accredit the delegation leader.

In November, the trial began in the MDC lawsuit filed in April 2002 with the High Court, which calls for the nullification of the election results and a repeat of the election, claiming numerous electoral irregularities. The first phase of the trial was completed without decision, and the trial was ongoing at year's end. During the year, the Government's GMB routinely and publicly denied handouts of maize meal to suspected MDC supporters and provided it only to ruling party supporters. A common ZANU-PF tactic was to announce the distribution of food in the vicinity of, and at the precise time of, an MDC rally. Persons chose to attend the food distribution event rather than the rally, but often were turned away empty-handed. In many instances, GMB sold food only to those who produced ZANU-PF membership cards.

The General Laws Amendment Act, passed in January 2002, places restrictions on local and international monitors and observers, gives the pro-government Registrar General the authority to amend the voters roll at will and to issue absentee ballot papers, and effectively prohibits placing political posters in public areas. The Act also mandates that only the ESC can conduct voter education or delegate that responsibility to organizations that were registered with it (see Section 4). Media and civil society groups widely criticized the Act.

The population directly elects the President. The President may unilaterally declare a state of public emergency for a period of up to 14 days; has sole power to dissolve Parliament and to appoint or remove a vice president and any minister or deputy minister; and may appoint 20 of the 150 M.P.s, including 12 nonconstituency M.P.s and 8 provincial governors who sit in Parliament. The President also exerts great influence on the process by which the country's chiefs (traditional rulers) select 10 of their number to sit as M.P.s. All 30 of these M.P.s have been consistent ZANU-PF supporters.

The legislature, which traditionally has been subordinate to the executive branch, has a viable opposition that called on the Government to be accountable and transparent. Parliamentary question time was used to force debate and disclosure.

In 2001, the Supreme Court declared a 2000 President's decree prohibiting the nullification of the election of any M.P. unconstitutional, which allowed the High Court to hear parliamentary election challenges (see

Section 1.e.). In 2002, the High Court nullified the results in four constituencies, but upheld the results in four others. The respective parties appealed all eight cases to the Supreme Court, which had not heard the cases by year's end.

General parliamentary elections were held in 2000 amid widespread voter intimidation and violence by the Government and ZANU-PF supporters with reports of vote-rigging and other irregularities. Although the election day generally was peaceful, the process leading up to it was neither free nor fair. The MDC won 57 out of the 120 popularly elected seats. Thirty additional seats were reserved for presidential and tribal chief appointees, who were ZANU-PF supporters, which gave ZANU-PF a total of 92 seats; this total increased to 93 in 2001 after the ruling party won a parliamentary by-election for a seat previously held by the MDC.

There were institutional problems with the management and supervision of elections, and the ESC, the Elections Directorate, the Ministry of Justice, Legal and Parliamentary Affairs, and the Registrar-General's Office had overlapping mandates. Although the Ministry of Justice technically administered the Electoral Act, the Registrar General's Office fell under the Ministry of Home Affairs. With an insufficient budget and an overburdened staff seconded from the Ministry of Justice, the ESC lacked the independence, institutional capacity, and resources to oversee all of the country's polling stations. Commissioners also lacked authority to order the correction of irregularities. The voters' roll was computerized, but it contained a large number of redundancies and errors, including misspellings, multiple entries at single addresses, and names of deceased persons. The Government invested immense powers in the presidency through the Electoral Act, including full control of voters' rolls and registration, and the ability to change district lines without notice on the eve of an election. Electoral officers often did not operate in a fully open and transparent manner.

Although the Registrar General was required by law to provide a copy of the voters rolls used in the March presidential election, the MDC still was unable to obtain one by year's end.

During the year, the NCA, an umbrella organization encompassing most of the country's important civil society groups, continued to press for consideration of a new constitution that would reduce the power of the presidency and offer greater protection for civil liberties.

The ruling party's candidates continued to benefit from the ZANU-PF's control of the state-owned firms that dominated the country's economy, from its control of the state-monopolized broadcast media (see Section 2.a.), and from its control over state funds granted to political parties. Under the Political Parties Finance Act (PPFA), the Government is required to allocate \$15,300 (Z\$100 million) among political parties in proportion to the parties' seats in the Parliament, provided the party has at least 15 seats. The PPFA prohibits foreign funding for political parties. Political rights groups declared that the act was designed to cut off funding for the opposition; ZANU-PF routinely ignored the PPFA's prohibitions without consequences. However, MDC received funding under the Act.

Many persons who were perceived by the Government as opposition supporters, were removed from the civil service and the military.

There were 17 women in the 150-seat Parliament, including the Deputy Speaker of Parliament, and there were 4 female ministers and 1 female deputy minister in the Cabinet. In addition, there was one woman governor. Women participated in politics without legal restriction; however, according to local women's groups, husbands, particularly in rural areas, commonly directed their wives to vote for the husband's preferred candidates. The ZANU-PF congress allotted women 1 out of every 3 party positions and reserved 50 positions for women on the party's 180-member Central Committee, which was one of the party's most powerful organs.

All major ethnic groups were represented in Parliament and in the Government. Most members of the Government and the Parliament, as well as most ZANU-PF officials, belong to the Shona ethnic group, which composed 82 percent of the population (see Section 5).

Section 4

Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups operated in the country with government restrictions, investigating and publishing their findings on human rights cases. The Government monitored

their activities closely, but was generally unresponsive to their concerns and rarely consulted with them during the year. National groups that promoted human rights included: The Amani Trust; the Catholic Commission for Justice and Peace (CCJP); the Legal Resources Foundation; the Media Institute of Southern Africa; the Musasa Project; National Alliance of Nongovernmental Organizations; the NCA; the; Transparency International-Zimbabwe; Women and Law in Southern Africa; Women in Law and Development in Africa; the Zimbabwe Elections Support Network; the Zimbabwe Human Rights NGO Forum; Zimbabwe Lawyers for Human Rights; the Zimbabwe Liberators Platform; the Zimbabwe Union of Journalists; the Zimbabwe Women Lawyers Association; Zimcet; and ZimRights. Domestic NGOs worked on human rights and democracy issues, including lobbying for revision of the POSA and AIPPA, increasing poor women's access to the courts, raising awareness of the abuse of children, conducting voter education, preserving the independence of the judiciary, and eliminating torture, arbitrary detention, and restrictions on freedom of the press and assembly. The Zimbabwe Human Rights NGO Forum continued to take the lead in coordinating reports on human rights violations and abuses.

During the year, suspected CIO officers targeted employees of ZimRights, a local NGO that investigates human rights abuses. In March, armed men searched and ransacked the home of one employee. In March and April, suspected CIO officers followed, threatened, and attempted to break into the home of another employee in Mutare. Fearing for his safety, he camped out for a few months without electricity or running water outside of town.

In September 2002, the Government ordered all nonregistered Private Voluntary Organizations (PVOs) to cease operations until they registered, a process that generally takes approximately 8 months, in accordance with a previously unenforced law. In July, the Amani Trust resumed operations after the Government declared it in breach of the PVO laws in November 2002. The Government did not take any further action to enforce the PVO Act during the year.

In February, police arrested and detained 15 members of WOZA in Bulawayo and 38 in Harare. WOZA had organized a march to protest against violence on St. Valentine's Day. Riot police arrested and beat Father Nigel Johnson, who marched with the group. The detainees were released after 6 hours without charge.

Unlike in the previous year, problems encountered by international donors and NGOs in food distribution were corrected expeditiously.

Amnesty International, Transparency International, and the International Committee of the Red Cross operated in the country. The Government hindered representatives of international human rights groups from visiting the country before, during, and immediately after the 2002 presidential elections. Representatives of some international human rights groups reportedly stopped issuing reports and statements critical of government in part to avoid problems with members of their organizations entering the country.

In December, the Commonwealth, during its heads of government meeting, decided to continue the country's suspension, whereupon the Government withdrew from the Commonwealth. The Government was suspended in March 2002 because of the government-sponsored violence and fraud during the nationwide elections.

Section 5

Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides that "every person in Zimbabwe" cannot be deprived of fundamental rights, such as right to life, liberty, and security of person, based on his race, tribe, place of origin, political opinions, color, creed, or sex; however, the Constitution allows for discrimination, primarily against women, on the grounds of "customary law." Domestic violence and discrimination against women, abuse of children, and discrimination against persons with disabilities were problems. The Government and ruling party discriminated against the white minority in areas of due process, foreign travel, and property ownership.

The Government has a national HIV/AIDS policy that prohibits discrimination against persons living with HIV/AIDS and the law aims to protect against discrimination of workers in the private sector and parastatals; however, societal discrimination against persons affected by HIV/AIDS remained a problem. Despite an active information campaign by international and local NGOs and the Government through its

Ministry of Health and the National AIDS Council to destigmatize HIV/AIDS, ostracism and condemnation of those affected by HIV/AIDS continued. Children who lost their parents as a result of AIDS were often ill treated by their guardians and other members of the community. The Ministry of Public Service, Labor, and Social Welfare operated a program called Basic Education Assistance Module (BEAM) to assist needy orphans and children affected by HIV/AIDS by paying their school fees.

Women

Domestic violence against women, especially wife beating, continued to be a serious problem and crossed all racial, ethnic, and economic lines. It occurred throughout the country and sometimes resulted in death. SOA makes nonconsensual sex among married partners a crime. The Act provides penalties for up to 10 years in prison for sexual crimes. It also defines sexual offenses as rape, sodomy, incest, indecent assault, or an immoral or indecent act with a child or person with mental disabilities. There was no legislation that specifically addresses domestic abuse.

The Musasa Project, a leading women's rights organization, reported that the number of incidents of domestic violence increased during the year due to the deteriorating economy and higher unemployment among men. The organization counseled 1,823 cases during the year. In 2002, Musasa reported that 54 percent of the women counseled for domestic violence had sexually transmitted diseases, and 29 percent had HIV/AIDS. Musasa Project and the Women's Coalition reported that wife killings remained a problem during the year.

There continued to be reports of rape, incest, and sexual abuse of women. Musasa handled 41 cases of rape or incest during the year; many cases were not reported because of the social stigma attached to the crime and wives' fear that husbands may disown them. Approximately 1,100 rapes were reported in Harare in 2002. Although the Government refused to supply figures for the year, the rate reportedly was higher than in 2002. Musasa and Amani Trust reported 6 cases of politically motivated rape during the year; human rights groups estimated that the actual number of politically motivated rapes may be much higher (see Section 1.c.). As reported by the Solidarity Peace Trust, growing evidence suggests the existence of systematic rape at National Youth Service Camps, where an estimated 1,000 women were interned as sexual servants for cadets and instructors. Musasa Project ran a shelter and a support group for abused women.

Women faced many obstacles in filing reports of rape; for example, many police stations were not prepared to properly handle the investigation of such cases. When cases go to court, lengthy sentences for rape and wife beating generally were imposed; however, a "binding over" order (an order to appear in court to respond to an accusation of violent behavior) was issued based only on actual physical abuse and not on threats of violence. Courts also did not have the power to oust an abusive spouse from a couple's home. Systemic problems and lack of education often meant that police did not respond to women's reports or requests for assistance.

There were reports of sexual abuse of female refugees (see Section 2.d.).

Unlike in previous years, there were no reports that female genital mutilation (FGM) was performed in the country.

There were occasional reports of the trafficking of women (see Section 6.f.).

There are laws aimed at enhancing women's rights and countering certain traditional practices that discriminate against women; however, women remained disadvantaged in society. Illiteracy, economic dependency, and prevailing social norms prevented rural women in particular from combating societal discrimination. Despite legal prohibitions, women still were vulnerable to entrenched customary practices, including the practice of pledging a young woman to marriage with a partner not of her choosing and the custom of forcing a widow to marry her late husband's brother.

The law recognizes women's right to own property independently of their husbands or fathers. Although unmarried women may own property in their own names, women married under customary law were not allowed to own property jointly with their husbands. The Administration of Estates Amendment Act makes inheritance laws more favorable to widows; however, the Constitution allows discrimination against women under customary law and provides that a man's claim to family inheritance takes precedence over a woman's, regardless of the woman's age or seniority in the family. For example, in the event of a man's death, the brother's claim to the inheritance takes precedence over the deceased's wife. Divorce and

maintenance laws were favorable to women, but women generally lacked awareness of their rights under the law.

Although labor legislation prohibits sexual harassment and discrimination in employment on the basis of gender, women were concentrated in the lower echelons of the work force and commonly faced sexual harassment in the workplace.

By July, according to a government land audit, approximately 17.2 percent of resettled land was allocated to women, although they comprised nearly 80 percent of the rural population. Married women who were allocated land were asked to register the land in their husband's names.

There is a Ministry of Youth Development, Gender, and Employment, but it did little to advance the cause of women. The Government gave qualified women access to training in the military and national service. Although there have been advances for women within the armed forces, they continued to occupy primarily administrative positions.

Several active women's rights groups, concentrated on improving women's knowledge of their legal rights, increasing their economic power, combating domestic violence, and protecting women against domestic violence and sexual transmission of HIV/AIDS.

Children

The Government's commitment to children's rights and welfare continued to deteriorate during the year. The Government focused primarily on political issues, to the detriment of pressing social needs, and the deteriorating economic situation eroded financial allocations to programs affecting children. Consequently, children, especially those in the rural areas, but also an increasing number of urban dwellers, suffered greatly. Although legislation was in place to protect children's rights, it was difficult to administer and enforce.

There was no compulsory education and schooling was not free; because of increased school fees in urban schools and rural secondary schools, enrollment has declined. School fees have risen sharply due to high inflation, resulting in the inability of many families to afford to send all of their children to school. According to the 2002 census data and age-specific population distributions, roughly 72 percent of school-age children attended school. The highest level achieved by most students was primary level education. The Government established a program of social welfare grants for needy children, including funds to assist them with their education; however, it was underfunded and corruption undermined the beneficiary selection process. The members of selection committees in some communities gave grants to their relatives and friends and denied them to the children of opposition supporters.

In most regions of the country, fewer girls than boys attend secondary schools. If a family was unable to pay tuition costs, it most often was female children who left school. The literacy rate for women and girls over the age of 15 was estimated to be 80 percent, while the male rate was approximately 90 percent. The Government ordered that students entering college, teacher training schools, or the civil service must present a diploma from one of the National Youth Service training camps (see Sections 1.c. and 6.d.). Unlike in the previous year, there were no reports that schools were shut down as a result of the torture of teachers who supported the MDC. Unlike in the previous year, there were no reports that schools were used as torture centers.

The SOA makes it a crime to infect anyone knowingly, including children, with HIV/AIDS. International experts estimated that HIV/AIDS infected one-quarter of the adult population and killed approximately 2,000 persons every week. According to an international NGO working with AIDS orphans, deaths from HIV/AIDS created 960,000 orphans during the year, up from 780,000 in 2002. Government-funded and private orphanages were filled to capacity, and the number of street children or those living in adoptive homes continued to rise dramatically and visibly during the year and was expected to put a tremendous strain on both formal and traditional social systems. At the household level, there was an increased burden on the extended family, which had traditional responsibility for caring for orphans. Many grandparents were left to care for the young, and in some cases, children or adolescents were heading families. Many orphans were sent to foster homes, where they often become victims of sexual abuse. At the provincial and national levels, the governments faced increasing demands for community orphan projects, orphanages, health care, and school fees. Monies from a universal AIDS levy automatically deducted from the paychecks of all formal-sector wage-earners have been allocated through the National Aids Council to District Action Committees for some specific programs, including: orphan assistance,

support for costs of schools (including food, shelter and clothing), income generating projects for children or orphans of AIDS patients, and research for identifying orphan needs and problems.

Child abuse, including incest (long a taboo), infanticide, child abandonment, and rape continued to be problems during the year. The Parents and Family Support Network, a local NGO, reported that one in three children in the country was at risk of physical or emotional abuse. There was a large volume of rape cases in the Harare victim-friendly courts, which consisted of individual magistrates designated to try family cases. These courts were understaffed because many magistrates sought more lucrative employment outside the country. The large volume led to calls by children's rights' advocates to establish additional courts in surrounding areas. The criminal justice system has special provisions for dealing with juvenile offenders.

Musasa Project worked closely with the Ministry of Youth Development, Gender, and Employment Creation to investigate allegations that young girls were raped at the Government's national youth service training camps (see Section 6.d.). Musasa believed that the girls who were subjected to abuse remained silent out of fear of retribution. Many young girls came to the camps because of the economic suffering in the country. In addition, members of government militias gang-raped adolescent girls some as young as 12.

There were infrequent reports of child prostitution (see Section 6.f.). The SOA provides for a maximum fine of \$5 (Z\$35,000) or imprisonment of up to 7 years for those convicted of prostituting children under 12 years of age. It also provides for a maximum fine of \$8 (Z\$50,000) and a maximum prison sentence of 10 years for "procuring another person to become a prostitute and have sex whether inside or outside Zimbabwe." The Act had little impact on the status of children.

Child labor was a problem (see Section 6.d.).

The traditional practice of offering a young girl as compensatory payment in interfamily disputes continued during the year. Arranged marriage of young girls also continued during the year. Several active children's rights groups concentrated on promoting the well-being of children, including protection against child abuse, and advocating for children's rights.

Persons with Disabilities

The law specifically prohibits discrimination against persons with disabilities in employment, admission to public places, or provision of services; however, in practice the lack of resources for training and education severely hampered the ability of persons with disabilities to compete for scarce jobs. The law stipulates that government buildings should be accessible to persons with disabilities; however, implementation of this policy has been slow. Local NGOs worked on auditing and implementing the law during the year. NGOs continued to lobby to include albinos in the definition of "disabled" under the law. Persons with disabilities face particularly harsh customary discrimination. According to traditional belief, persons with disabilities were considered bewitched, and reports of children with disabilities being hidden when visitors arrive were common.

National/Racial/Ethnic Minorities

According to government statistics, the Shona ethnic group makes up 82 percent of the population, Ndebele 15 percent, whites less than 1 percent, and other ethnic groups 2 percent. There were low-level tensions between the African majority and the white minority, between the Shona majority and the Ndebele minority, and among the various Shona subgroups.

Racial tensions have subsided since independence and remained relatively low despite the Government's ongoing attempts to blame whites for the country's economic and political problems. On many occasions, President Mugabe, members of his Government, and the state-controlled media attempted to reignite resentment of the white minority. President Mugabe accused the white minority of having too close ties to their ancestral countries. The Government's far-reaching fast-track resettlement program designated 97 percent of large-scale, white-owned commercial farms for seizure with no clear means for providing compensation, and government supporters and war veterans assaulted commercial farmers in their homes and forced hundreds from their property (see Sections 1.a., 1.c., and 1.f.). Ruling party supporters seldom were arrested or charged for infringing upon minority rights.

The disproportionate number of Shona speaking teachers and headmasters in Matabeleland schools remained a sensitive issue. Members of the Ndebele community continued to criticize the Government's unequal distribution of national resources and the Government's failure to compensate victims of the 1980s Matabeleland killings of an estimated 10,000 to 20,000 Ndebele civilians.

Incitement to Acts of Discrimination

Throughout the year, government-controlled newspapers, radio, and television stations continued to vilify selectively citizens of European ancestry and to blame them for the country's problems. Ruling party officials sometimes called for dispossessing those of European ancestry of their property, forcibly if necessary. Materials used at National Youth Service Camps identified enemies of the state in racist terms and demonized whites. During the cash shortage, the government-controlled newspapers often accused Asians of hoarding millions of dollars to the detriment of the economy.

Section 6

Worker Rights

a. The Right of Association

The new Labor Relations Amendment Act (LRAA), passed in December 2002, and brought into effect on March 7, provides private sector workers with freedom of association and the right to elect their own representatives, publish newsletters, set programs and policies that reflect the interests of labor, and form or join unions without prior authorization, and workers exercised these rights. There were serious objections to some of the bill's language from labor unions, and the parliamentary legal committee called many of its provisions unconstitutional. The LRAA allows for the existence of multiple unions per industry, provided that each is registered with the Ministry of Public Service, Labor, and Social Welfare (MPSLSW). While the Government can deregister individual unions, the High Court has ruled that the Minister does not have the authority to suspend or deregister the national umbrella labor confederation, the ZCTU.

At the end of 2002, approximately 25 percent of the formal sector work force (approximately 400,000 workers) belonged to the 31 unions that form the ZCTU; however, labor unions have suffered dramatic losses in membership due to the contraction of the economy over the past 3 years. During the year, approximately 65 percent of industries were unionized. ZCTU officers were elected by delegates of affiliated trade unions at congresses held every 5 years; the ZCTU elected a new leadership at its congress in 2001. According to the ZCTU leadership, approximately 30 percent of the ZCTU's constituency retains loyalty to ZANU-PF. Many MDC leaders began their public careers with the ZCTU and the Government and the ZCTU regularly clashed sharply over economic policy. The Government often did not consult either the ZCTU or employers before implementing policy decisions that affected the workplace, which disrupted labor relations.

The LRAA allows members of the Public Service, as well as other government employees (with the exception of members of the Disciplined Services) to form and join unions; however, the new Act also retains the prohibition of strikes by disciplined and "essential services" (see Section 6.b.).

The LRAA specifies that workers may establish independent worker committees side by side with unions in each plant. Worker committees also had to be registered with the MPSLSW, which may refuse registration. ZCTU officials believed that the formation of worker committees was an attempt to dilute union authority, because the worker committees comprised both union and nonunion workers.

There were multiple national labor federations. The ZCTU is the oldest and most powerful labor federation; however, during the year the Government openly targeted the ZCTU by announcing that the ZCTU was a political organization and declaring it aligned with the opposition MDC. The Government arrested and detained ZCTU leaders before and after ZCTU-called stayaways during the year.

There were no further developments in the February 2002 abduction, beating, and detention by government youth militia members of ZCTU council member Ephraim Tapa and his pregnant wife Faith. The Zimbabwe Federation of Trade Unions (ZFTU) continued to disrupt relations between workers and their union leadership. However, unlike in the previous year, its leader and vice president, Joseph Chinotimba, kept a much lower profile after his defeat in the parliamentary elections. Overall ZFTU greatly toned down its pro-ZANU-PF and anti-ZCTU tactics during the year and used less coercive measures to enforce membership. The ZFTU continued to work closely with ZANU-PF. ZANU-PF/ZFTU again sponsored May Day commemorations during the year to overshadow the traditional ZCTU workers' day celebrations. The attendance at the ZCTU's event was much higher than the previous year, partially due to the organization's ability to gather in its traditional stadium.

Unlike in the previous year, the ZFTU did not instigate confrontations involving the agricultural sector. Under Statutory Instrument 6 (SI6), commercial farmers whose farms were acquired compulsorily were required to pay all of their farm laborers terminal benefits or "retrenchment packages". Consistent with

SI6, many farmers who did not have the funds could pay half immediately and postpone the remainder until, or if, he received compensation for the improvements on the land from the Government, but only with the consent of their labor force. However, the agricultural workers virtually never gave permission to delay payments. The ZFTU, instigated hostile confrontations with farmers in 2002, in some instances barricading farmers inside their homes and demanding liquidation of any available asset to fund immediate payout of the retrenchment package. In most cases, the ZFTU officials who orchestrated these confrontations collected between 30 and 40 percent from each retrenchment package as their "fee." The LRAA prohibits discrimination by employers against union members. Complaints of such discrimination were handled by a Labor Court under the mechanism for resolving cases involving "unfair labor practices." The determining authority may direct that workers fired due to anti-union discrimination should be reinstated, although this was not utilized in practice. Although the High Court ruled in April 2002 that police could not monitor ZCTU meetings, the police did not respect that judgment and continued to monitor ZCTU meetings, despite complaints from ZCTU, during the year.

The ZCTU and its officials were free to associate with international labor organizations, and they did so actively. The ZCTU was formally affiliated with the International Labor Organization (ILO), the International Confederation of Free Trade Unions (ICFTU), and the Southern African Trade Union Coordinating Council. However, in December 2002, ICFTU-AFRO Director of Human and Trade Union Rights and Alfred Mudenda, Deputy Director Secretary of the Zambia Congress of Trade Unions, were denied entry to the country. In May, Anne Watson, a representative of the Commonwealth Trade Union Council, was also denied entry. The ZFTU had no known international affiliations.

The ILO continued to criticize the Government for ongoing interference with the unions' freedom of association, and included the country in an ILO negative report.

b. The Right to Organize and Bargain Collectively

The LRAA provides workers with the right to organize and, as amended, permits unions to bargain collectively over wages and conditions of employment. Worker Councils, comprised of management and workers' committees, which by law were not organizationally part of the unions or the ZCTU, were empowered to negotiate with the management of a particular plant on the conditions of work, collective agreements, and codes of conduct in the workplace, except for wages. Unions, employers, and individual workers had the right to take their grievances to special labor forums for final adjudication. In the December 2002 amendment of the LRA, the Labor Court replaced the Labor Tribunal, supplemented by labor officers who were given the mandate to mediate cases before proceeding with formal litigation. The Labor Court was the only court empowered to hear any dispute arising under the LRA, or any other matter (claims of unfair labor practices, statutory instrument, other legislation) affecting labor relations. Despite the establishment of dedicated Labor Courts, the grievance procedure continued to maintain a 2-year backlog of cases. Many cases took years to resolve. Appeals against a decision of the Labor Court were lodged directly with the Supreme Court.

Collective bargaining and wage negotiations took place on an industry-wide basis between the relevant union and employer organizations sitting on joint employment boards or councils. Collective bargaining agreements applied to all workers in an industry, not just union members. Traditionally, between April and July each year, workers and employees negotiated salary increases and other benefits in their respective National Employment Councils. These bodies submit their agreements to the Registrar in the MPSLSW for approval. The Minister of Labor retained the power to veto agreements that he believed would harm the economy; however, he did not involve himself directly in labor negotiations unless requested to do so by one of the parties. When no trade union represented a specific sector, representatives of the organized workers, such as the professional associations, meet with the employer associations, under the mediation of labor officers from the MPSLSW. Companies offered wage increases that did not keep up with inflation during the year, and most workers and unions accepted the increases offered because of the economic crisis, but some continued to press for higher wages. In practice, many employers moved to quarterly review of wages (and some to quarterly awards of "bonuses") to keep up with the hyper-inflationary environment.

Employees in positions designated as managerial were excluded from general union membership and thus from the collective bargaining process.

The Government is a participant in the ILO and a signatory to various ILO conventions; however, the ILO's COE stated that several pieces of labor legislation restricted workers' rights provided for by Convention 98. Although the 2002 changes in the LRAA have removed some of the contentious legislation, they have added others. The Government continues to use POSA as an excuse for limiting

unions' abilities to meet with and consult their constituencies. For example, unions were prevented sometimes with heavy police presence and under threat of arrest from holding meetings with their memberships.

The 2002 amendments to the LRAA make it more difficult to conduct legal collective job action. There is no right to strike in the Constitution. Although the LRAA explicitly recognizes this right, it has been circumscribed with procedural hurdles including advance notice of 14 days, attempt for conciliation for 30 days, and possible mandatory referral to binding arbitration. The new Act continues to prohibit "essential services" employees from striking on the grounds that it "endangers immediately the life, personal safety or health of the whole or any part of the public". The law defines essential services broadly and includes: The fire personnel; employees engaged in the supply and distribution of water; employees providing some veterinary services; revenue agents at ports of entry; persons in the health care field; transport and communications employees; railway engineers; licensed electricians; and broadcast personnel during a state of emergency. Many of these groups went on strike during 2002. The law also allows that "Any non-essential service may be declared an essential service by the Minister if a strike in a sector, service industry or enterprise persists to the point that the lives, personal safety or health of the whole or part of the population is endangered," and labor groups were concerned this could negatively impact them.

The ICFTU has criticized the labor laws for giving "wide scope to the authorities to declare that a given enterprise or industry constitutes an essential service, and then impose a ban (on strikes) on it." Government officials stressed that the Government reserved the right to impose these bans at its discretion, and widely exercised this right during the year.

Managers also were prohibited from striking, and in some industries, the Government defined most employees as managers. For the remaining nonessential employees legally to conduct a strike, more than 50 percent of the company's employees must vote in favor of the action. If a majority voted to strike, the dispute was referred to a labor officer, who was given the mandate to attempt mediation for at least 30 days. If mediation was unsuccessful, the dispute could be unilaterally referred to a government-appointed arbitrator if the employees were engaged in an "essential service," and the dispute was a dispute of right (e.g., interpretation of the collective bargaining agreement, not wages or conditions of work). If the employees were not engaged in an essential service, the labor officer could refer the case to arbitration if he or she obtained the permission of both parties, or if the dispute was a dispute of right. Employees could only strike after the arbitration process was concluded unsuccessfully, and a subsequent 14-day notification process of the intent to strike was concluded.

These government-imposed delays prevented most employees and their unions from ever declaring legal strikes; however, during the year, illegal strikes or work stoppages have occurred within individual companies and in entire industries occasionally. There were a number of labor actions during the year, including strikes and at least three successful mass stayaways, two by the lead opposition party MDC, and one by the ZCTU.

In March, the MDC called for a mass stayaway, and for a second one in June. The June stayaway resulted in the closure of an estimated 80 to 95 percent of shops and businesses in the country's two largest urban centers.

In April, the ZCTU independently called for a mass stayaway in response to the heavily subsidized fuel price increasing 300 percent. The price for transport increased to the point that some workers were actually paying their full months' wages just for daily transport. The disproportionate pressure on the lowest-scale workers led to the call for the stayaway. Although the fuel prices were not reduced, the stayaway was successful; employers attempted to increase wages on a quarterly basis in order to counter the inflationary environment.

On October 8, police arrested more than 150 ZCTU members at protest gatherings in several cities throughout the country, including ZCTU Secretary General Wellington Chibebe, President Lovemore Matombo, and Progressive Teacher's Union of Zimbabwe President Raymond Majongwe. Most of those detained were released the same day; however, many were forced to sign admissions of guilt under POSA and fined \$.90 (Z\$5,000). At year's end, there was no further action on these cases.

There were several strikes during the year. For example, in January, the Government settled a strike of 140 Air Zimbabwe engineers, meeting most of their demands. Although Air Zimbabwe had suspended the 140 engineers without pay and benefits, the terms of the new agreement indicate that the Government acceded to or exceeded all of the engineers' demands: increases of the basic salary to \$135 to \$289

(Z\$200,000 to Z\$430,000) monthly, a 15 percent "critical allowance," and full back-pay of all wages and benefits while the engineers were on strike.

On May 20, public school teachers, on strike since May 8, lost a court ruling and, on instruction from the Zimbabwe Teachers' Association (ZIMTA), returned to work. They had demanded a salary increase from \$29 (Z\$60,000) to \$128 (Z\$268,000) per month.

On May 26, the Government ordered the workers at electricity parastatal Zimbabwe Electricity Supply Authority (ZESA), on strike since May 20 and asking for a 50 percent across-the-board salary increase, to return to work and declared the strike illegal.

On October 23, doctors in public hospitals went on strike demanding a significant increase in their salaries. This was reportedly at least the third strike by doctors during the year. On October 27, nurses joined the strike and demanded a review of their salaries. At the strike's outset, doctors earned less than \$100 (Z\$565,000) and nurses less than \$40 (Z\$226,000) per month. Although the nurses returned to work a few days later, many struck again in early December after the Government did not follow-through on its assurances that their grievances would be considered and their salaries would increase. On November 6, the labor court declared the strike in violation of the LRAA and ordered the medical professionals to return to work. When they refused to return to work within a week, the Public Services Commission ordered the police to arrest the doctors. On November 15, seven doctors were arrested, held in police custody briefly, and charged for violating the LRAA. There was no further action on the arrested doctors by year's end. Most public hospital doctors and nurses remained technically on strike at year's end; however, during the strike many left the country or found jobs in the private sector. As a result, public hospitals routinely turned away patients.

Stagnating wages, hyperinflation, and eroding value of income were the major concerns for all sectors of the labor force, and some sectors resorted to strikes to pressure their employers into raising wages. Youth militias attempted to keep some stores open during the mass stayaways.

No action was taken against security forces who tortured the Secretary General of the ZCTU in 2002, or against ZFTU members who beat persons during a strike in May 2002.

There were no further developments in the 2001 killing of 3 strikers and injury of 10 others during a strike at the Zimbabwe Iron and Steel Company (ZISCO) plant in Redcliff.

The Export Processing Zones Act states the LRA shall not apply to workers in export processing zones (EPZs). The ZCTU has negotiated directly with EPZ employers to allow some unions in the EPZ, although their number and level of activity remained low.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children; however, there were reports that such practices occurred (see Sections 6.d. and 6.f.). The traditional practice of offering a young girl as compensatory payment in interfamily disputes continued in rural areas (see Section 5).

The Government, war veterans, and the ZFTU have the power to force workers to perform labor, which they might not otherwise choose.

d. Status of Child Labor Practices and Minimum Age for Employment

Child labor was common. Under the amended LRAA, a child between the ages of 13 and 15 can work as an apprentice or if the work is an integral part of (or in conjunction with) "a course of training or technical or vocational education." The law further states that no person under 18 shall perform any work "likely to jeopardize that person's health, safety or morals." The status of children between 15 and 18 years of age is not directly addressed, but 15 years of age is still the minimum for light work, work other than apprenticeship, or work associated with vocational education.

According to the 2000 National Child Labor Survey (the most recent available), approximately 25 percent of children between the ages of 5 and 17 were involved in some form of labor. The unemployment rate continued to grow, with some estimates as high as 75 percent, decreasing the number of children employed in the formal sector; however, the incidence of children working in the informal sector continued to increase as more children worked to fill the income gap left by ill, unemployed, or deceased relatives. Children worked in the agricultural sector, and there were reports that children worked as domestics and as car-watchers. As a result of the land redistribution program, there were fewer instances of child labor on commercial farms. Many children sold simple wares on the streets; others worked in the booming

illegal gold panning industry. In addition, there were reports of an increasing number of girls under 17 years of age engaged in prostitution. Although child labor in the agricultural, domestic, and informal sectors increasingly was discussed, the Government and NGOs have been unable to gather concrete data on the number of cases.

The Child Adoption and Protection Amendment Act incorporates ILO Convention 182 on the Worst Forms of Child Labor; however, enforcement of the law was not effective during the year. Under the LRAA, child labor is punishable by a maximum fine of \$5 (Z\$30,000), 2 years imprisonment, or both. Forced labor is punishable by an undefined fine, 2 years imprisonment, or both.

Few new social initiatives to prevent child labor were implemented; however, with the imposition of a universal AIDS levy on all formal sector wage-earners, some programs to ease the burdens of HIV/AIDS affected children or child-headed households were created.

Forced child labor and child prostitution were a problem (see Section 6.f.). The Government enforced a youth service requirement under which young citizens were forced to undertake training at government-sponsored training camps such as the Border Gezi Youth Training Camp. The stated purpose of the training camps was to instill a sense of pride in the youths, highlight the history of the struggle for independence, and develop employment skills; however, they were reported to be training camps to instill ZANU-PF allegiance, paramilitary skills, and expertise in political oppression and torture, and were the source of the youth militia forces, popularly known as "Green Bombers." Conditions during training were poor, and there were many reports of youth deserting the camps.

e. Acceptable Conditions of Work

There is no national minimum wage, except for agricultural and domestic workers. Government regulations for each of the 22 industrial sectors continued to specify minimum wages, hours, holidays, and required safety measures. Due to an ineffective monitoring system, many agricultural and domestic workers were remunerated below the minimum wage.

Representatives of the Government, labor and employers met during the first quarter of the year in an attempt to negotiate increased minimum wages and other workable strategies under the New Economic Revitalization Program (NERP). The Tripartite Negotiation Forum (TNF) partners agreed on a broad range of necessary steps, including an 18-month wage freeze after new minimum wages were agreed, and freezes on prices. In May, the Government ignored these agreements, allowing companies to raise prices without securing an increase in the minimum wage. The ZCTU pulled out of the TNF, organized a mass stayaway in April in response to the Government's actions.

Minimum wages in the formal sector changed continuously as a result of multiple increases in salaries to offset the high inflation rate. Domestic worker minimum wages were specifically separated from others; in July, the following monthly minimum wages were published: gardener, \$1.85 (Z\$12,000); cook/housekeeper, \$2.01 (Z\$13,060); child- or disabled-minder, \$2.43 (Z\$15,800); child- or disabled-minder with Red Cross certification, \$2.92 (Z\$18,960); and agricultural worker, \$3.55 (Z\$23,070). The minimum wage did not provide a decent standard of living for a worker and family, and at least 70 to 80 percent of the population lived below the Government's poverty line.

The Salary Service Department of the MPSLSW determined public sector wages, subject to the approval of an independent Public Service Commission (PSC). Each year PSC officials meet with PSA representatives to review wages and benefits, and issue a recommendation to the MPSLSW. The Minister is not required by law to accept the recommendation and usually proposed a wages and benefits package that was less than the recommendation, resulting in yearly industrial protest actions by civil servants.

The maximum legal workweek is 54 hours, and the law prescribes a minimum of one 24-hour rest period per week. The Constitution provides the PSC with the authority to set conditions of employment in the public sector.

Many of the basic legal protections did not apply to the vast majority of farm, mine, and domestic workers. Health and safety standards were determined on an industry-specific basis. There were 112 persons killed in industrial accidents during the year. The National Social Security Authority (NSSA) reported an increase in the number of fatal accidents in the construction, electrical, and telecommunications industries and cited unskilled contract personnel performing jobs formerly done by professionals. In theory labor relations officers from the MPSLSW were assigned to monitor developments in each plant to ensure that government minimum wage policy and occupational health and safety regulations were observed;

however, in practice these offices were understaffed, could not afford to inspect routinely workplaces, and relied on voluntary compliance and reporting by employers.

The Government designated the Zimbabwe Occupational Safety Council (ZOSHC) to regulate safe work conditions. The ZOSHC was a quasi-governmental, advisory body comprised of six representatives each from the Government, employers, and trade unions. The National Director of the ZOSHC was responsible for enforcing worker safety regulations, and the director reported weekly to the MPSLSW on actions taken. Budgetary constraints and staffing shortages, as well as its status as an advisory council, made the council ineffective. The NSSA continued to experience difficulty monitoring the thousands of work sites across the country; however, it continued to enforce safety standards more vigorously by closing down shops and factories in noncompliance. Although workers have a legal right to remove themselves from dangerous work situations without jeopardy to continued employment, in practice they continued to risk the loss of their livelihood if they did so during the year.

Legal foreign workers, including those who were born in Zimbabwe but do not possess a residency document, were covered by ZOSHC's safety standards, but domestic workers were excluded because of the impracticality of enforcing standards in private homes. Government workers also were excluded. According to the ZCTU, some employers took advantage of illegal refugees for inexpensive labor. Because the job market traditionally was worse in neighboring countries such as Malawi and Mozambique, refugees were willing to risk arrest and work for wages below the legal minimums. However, there was a continuing tendency during the year for economic refugees to flee the country and seek work in countries such as South Africa and Botswana.

f. Trafficking in Persons

No laws specifically address trafficking in persons, and there continued to be infrequent reports that persons were trafficked, particularly women and children, from and through the country to South Africa for prostitution and forced labor. Common law prohibits abduction and forced labor, and the Sexual Offenses Act (SOA) makes it a crime to transport persons across the border for sex (see Section 5). Traffickers also can be prosecuted under other legislation, such as immigration and abduction laws. The primary government authority to combat trafficking was the ZRP; however, they relied on NGOs to alert them to any cases.

No NGO or law enforcement agency had any direct evidence of or statistics on either trafficking or child prostitution by year's end. A few NGOs, including South Africa-based Molo Songololo, Harare-based Save the Children Norway, and Connect had some reports of both trafficking and child prostitution. An international NGO compiled a qualitative report on the commercial sex industry in the country, and news reports suggested that minors were engaged in commercial sex work; however, no specific cases were identified and no report suggested the scope of the problem. After an initial investigation, the International Organization of Migration (IOM) cancelled a planned report on trafficking in Zimbabwe reportedly due to a lack of case evidence.

In February, an international NGO compiled approximately 20 reports, most of which were of Zimbabwean female teenagers whose families, in the economic decline, had accepted some form of payment in exchange for allowing them to work in brothels, notably in the border town of Beitbridge. Molo Songololo claimed that Zimbabwe was a transit point for children being trafficked from countries such as those in Asia and Malawi to South Africa; however, they could provide no specific examples or numbers of cases.

While it commonly was known that many Zimbabwean women worked in the hotel industry in South Africa, sometimes a euphemism for commercial sex work, and many Zimbabweans were low-wage agricultural workers in South Africa, there was no evidence of coercion or force in these areas. A trafficked person had the option to take his or her case before the victim-friendly courts; however, no cases were filed during the year.