

The LEGAL MONITOR

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COST-FREE

What independence?

HARARE-Uncertainty over the country's future shadowed this year's 30th independence anniversary with many a people yet to enjoy the freedoms which were fought for.

The 15 month-old shaky coalition government has failed to stop continuing rights abuses, resurgent clampdown on civil society work and a dire humanitarian situation that has left Zimbabweans more worried about their future than before.

Just last week, members of the Woman of Zimbabwe Arise (Woza) were arrested for simply expressing their displeasure with how the power utility Zimbabwe Electricity Authority (Zesa) has been giving citizens a raw deal.

Four Woza leaders Jenni Williams, Magodonga Mahlangu, Clara Manjengwa and Celina Madukani will remain in custody until Tuesday 20 April when they will be taken to court.

"The continued detention of the women is once again a clear indication that harassment of human rights defenders continues unchecked under the government of national unity and makes a mockery of the Independence celebrations that no doubt will be taking place across Zimbabwe this weekend. There is very little to celebrate in the cold, dark, filthy cells of Harare Central Police Station," said Woza in a statement on Friday.

London based human rights watchdog Amnesty International said it was concerned about the failure of the coalition government to end the harassment and intimidation of human rights defenders.

"This year's Independence Day should be a time of reflection for the people of Zimbabwe, especially those who are in power. Many Zimbabweans are not enjoying the freedom and dignity that should have come with independence."

"One of the expectations of independence from colonial rule was that human rights will be enjoyed by all. It was expected that mob rule would not be tolerated and yet we see those implicated in torture, political killings, and many awful forms of inhuman and degrading treatment enjoying total impunity," said Simeon Mawanza, the Amnesty International's Africa researcher, to *The Legal Monitor*.

An Amnesty International delegation was in the country last month when Okay Machisa, the director of the ZimRights was briefly detained by police at Harare Central police station. Police confiscated photographs which were part of an exhibition on the 2008 human rights violations which Machisa was coordinating. It was only after the intervention of ZLHR lawyers who applied for and got a High Court order that the photographs were released by the police. In an almost similar case, Bulawayo-based artist, Owen Maseko, was arrested and detained after he organised an art exhibition on the Gukurahundi atrocities that took place in the 1980s.

It seems the government continues to follow the paths of the colonial regime led by Ian Smith which used to suppress citizens, according to rights groups.

In February, the secretary general of the General Agriculture and Plantation Workers Union of Zimbabwe (GAPWUZ), Getrude Hambira was forced to flee the country after publishing a report on ongoing violence on farms.

The perpetrators of the post March 2008 are yet to face the wrath of law.

It seems it is not only on the political front that many Zimbabweans would not celebrate this year's 30th anniversary from Great Britain colonial rule. Last week, the United Nations announced that the country's humanitarian crisis would continue because of yet another poor yield from the 2009/2010 agricultural season and donor fatigue.

UN humanitarian coordinator in Zimbabwe Elizabeth Lwanga appealed to the international world to assist the troubled country. She said last year's appeal for \$722 million for humanitarian aid – most of which was for food assistance – had received "relatively successful response".

"Unfortunately, in 2010 we have so far been confronted with serious cuts in funding. As of today, the CAP (Consolidated Appeal Process) is funded at 26 percent, an all-time low in the history of CAP in Zimbabwe," she said, adding; "It is clear that humanitarian assistance is still urgently required."

For many Zimbabweans, starvation has become part of their lives over the past decade as the economy collapsed after President Robert Mugabe sanctioned land grabbing from white commercial farmers.

Thus, for many, the anniversary will be just another day.

Last year, Mugabe formed a power-sharing government with his foe Prime Minister Morgan Tsvangirai, after a disputed election. The fragile coalition has stabilised the economy but has failed to attract foreign funding to support economic recovery due to power-sharing disputes between the two leaders, with Mugabe being accused of resisting full implementation of the global political agreement that gave birth to the unity administration.

A joint government and United Nations' Food and Agriculture Organisation (FAO) crop assessment report released last month urged Harare to start emergency food relief programmes to areas that have been affected by drought, while 500 000 metric tonnes (MT) of maize should be set aside annually to mitigate any food deficits.

The joint report follows projections that up to 11 percent or 200 000 hectares of this year's maize crop in the southern African country was a total write-off.

Churches warn of fresh xenophobic attacks

JOHANNESBURG-Millions of Zimbabweans living desperate lives as migrants in neighbouring South Africa are facing renewed violent xenophobic attacks, regional church leaders have warned.

In a 62-page report, the Solidarity Peace Trust (SPT), a non-governmental organisation formed by Southern Africa church leaders, said the soccer World Cup in June and local government elections due in 2011 posed a real danger of a repeat of the 2008 xenophobic attacks that targeted mainly Zimbabweans.

"Most Zimbabweans in South Africa lead desperate lives. Even though documentation is now easier, it is ad hoc and inappropriate and a partial, temporary solution. Where to live is a perpetual challenge, as is the misery of having to move from one place to another, in fear of eviction, chasing seasonal employment, in the face of xenophobia, which is often life and livelihood threatening," reads part of the recently released report.

The SPT estimates that 1.2 million Zimbabweans are in South Africa on a "more or less permanent basis".

The report noted that Zimbabweans were, however, reluctant to return home, even in the face of the grave danger posed by the situation in South Africa.



A Zimbabwean living in central Johannesburg ponders his future Pic courtesy of SPT

With 14 months in power, the transitional coalition government is yet to provide adequate economic and political safety nets, and this has worsened the situation of exiled Zimbabweans, notes the SPT report.

Exiled Zimbabweans eager to return home have been unnerved by President Robert Mugabe's calls for elections next year. A "substantial" number of exiled Zimbabweans who fled political violence feared renewed hostilities if elections were held

before the implementation of democratic and security sector reforms, according to the report.

The report noted that the South African government had a constitutional duty to respond to the crisis and to provide protection to all who lived within its borders. However, there was a need for the Zimbabwean government to deal more cohesively with the fact that so many of its citizens were in exile, ranging from the highly talented and competent, to the sadly vulnerable, ill and weak.

"There needs to be a comprehensive move to make it worthwhile for people to return (to Zimbabwe), and also a clear attempt to engage those in the Diaspora in processes such as national healing and devising a new constitution.

"People will not come home as long as there are no jobs for them, and as long as they do not feel safe from political violence," read the report, which described the flow of Zimbabweans into South Africa as the largest mass movement of people into South Africa in Pretoria's history.

According to the report, the largest number of Zimbabweans, between 600,000 to 650,000, lives miserably in Johannesburg.

The report describes the living conditions of Zimbabweans in central Johannesburg as thus:

To Page 3

Zimbabwe's Human Rights Development in the past 30 years

The decade that preceded Independence saw the fighting of a highly violent civil war, which cost thousands of lives and caused untold hardship and suffering. While the full number of casualties will never be known, it has been estimated that at least 30 000 people died countrywide, although the actual numbers could be more than double this figure.

Thus the historical governance model and culture of violence characterising the nation stems from a background of intolerance dating back to the struggle for Zimbabwean independence. The same culture was adopted by the ZANU PF government and has been the tone of Zimbabwe's democracy even to this day.

The most visible episodes of man-made human rights calamities can be traced back to the pacification campaign known as the *Gukurahundi* (the early rain which washes away the chaff before the spring rains).

In 1981 government security officials reported having discovered large caches of arms and ammunition on properties owned by PF ZAPU. Joshua Nkomo then leader of ZAPU and his followers were accused of plotting to overthrow Mugabe's government.

Nkomo and his closest aides were expelled from the Cabinet. Prime Minister Mugabe responded by deploying the North Korean trained Fifth Brigade to wipe out alleged dissidents in Matebeleland and Midlands provinces.

In the process unspeakable affronts on innocent peoples' rights were committed. Credible reports surfaced of widespread violence and disregard for human rights by the security forces during these operations and the level of political tension rose in the country as a result.

To date the actual figures of the violations ranging from loss of life, disability, destruction of homes, livelihoods, and property still remain unrecorded though some put the figure at as many as 20,000 civilian deaths. These violent acts in Matebeleland led to the signing of the Unity Accord in 1987 between ZANU-PF and PF-ZAPU.

State of emergency

Immediately after Independence, the government kept in force a "state of emergency," which was first declared before UDI as a result of the unsettled security situation and the continuing anti-government dissidence. This gave government authorities widespread powers under the Law and Order Maintenance Act of 1965, including the right to detain persons without charge.

These powers ended up being abused. In the 1990's, there was relative peace and stability in the country until 1998, when sporadic, nationwide disturbances took place over growing shortages of basic commodities. The heavy handedness with which the police force dealt with the rioting masses ushered in a new era of state sponsored political violence.

The food riots resulted in 8 deaths, countless injuries and the arrest of thousands of people. This happened despite the fact that Zimbabwe had ratified the following important human rights conventions: the International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of all forms of Racism.

This same culture of violence informed the war waged against commercial farm owners in what became known as the "Third Chimurenga" in 2000. The chaotic nature of the repossession of farms has been one of the major contributors to the economic collapse of Zimbabwe.

Violent farm invasions

Violent eviction of white commercial farmers and their farm workers accompanied the land reform exercise resulting in several lives being lost and the massive displacement of farm labourers. The legality and constitutionality of the land reform process has been challenged in the Zimbabwean courts.

Although a noble exercise, the process was aggravated by continuous droughts, lack of inputs and finance leading to a sharp decline in agricultural exports, traditionally the country's leading export producing sector. In 2002, Zimbabwe was suspended from the Commonwealth of Nations on charges of human rights violations during the land reform process.

In addition, the 2002 presidential elections were preceded and followed by a government-sanctioned campaign of violence targeted against perceived opposition.

This violence pioneered the role youths, war veterans and trained militia played in perpetrating violence, intimidation and rape in the name of defending the nation from Western influence thereby planting the seed of political polarization that the country is still grappling with today.

Operation Murambatsvina

Following the 2005 elections, the Government of Zimbabwe orchestrated "Operation Murambatsvina" (Restore order). This was a purported effort to crack down on illegal markets and homes that had seen slums emerge in towns and cities. The police and other security forces once again used excessive force to demolish houses.

The operation was carried out in an indiscriminate and unjustified manner, with indifference to human suffering and in repeated cases, with disregard to several provisions of national and international legal instruments.

Several key human rights, including the right to life, property and freedom of movement, which are all enshrined in the Universal Declaration of Human, and People's Rights, were violated in the process.

Anna Tibaijuka, the UN Special Envoy on Human Rights Settlement reported that some 700 000 people had lost their homes, their livelihoods or both, and that a further 2.4 million people had been affected in varying degrees.

Children, women and the disabled were the most affected. Although the government tried to cover up for its inhuman actions by coming up with Operation Garikai, only a few individuals benefited from this operation. The government has repeatedly hindered UN efforts to provide emergency shelter.

Thus for nearly a decade, the Government of Zimbabwe has pursued a campaign of repression aimed at eliminating opposition and silencing dissenting voices.

These acts of state-sponsored violence, intimidation, arbitrary arrest, torture, killings and attacks on supporters of the political opposition, human rights defenders and the independent media, are well documented. Over the years, as part of its clampdown on dissent, the government has introduced legislation to severely restrict the rights of the majority of Zimbabweans to freely associate, assemble and express themselves.

Laws criminalise freedoms

Restrictive laws like the Public Order and Security Act (POSA) and the Access to Information and Protection of Privacy Act (AIPPA) were enacted criminalizing the legitimate exercise of fundamental freedoms

These laws have been used to silence public debate and to shield the government from domestic and international scrutiny.

Human rights violations have taken place in a situation of severe economic decline and acute food shortages, including cases in which the government has manipulated the response to the food crisis for its own political gain and retribution.

In 2008, Zimbabwe experienced the worst humanitarian crisis since Independence.

The economy, social infrastructure and democratic processes virtually collapsed. Until the end of the 1990s, Zimbabwe was regarded as the breadbasket of Southern Africa and main-

tained one of the best educational systems in Africa, along with a vibrant political system, a free press, an independent judiciary and a rapidly growing economy.

After 30 years, Zimbabweans are now poorer than they were at Independence. Moreover, Zimbabwe was the first country to hyperinflate in the 21st century.

Following the harmonized elections of March 2008, the government unleashed violence on defenseless citizens in retribution for the March 29 plebiscite that upset ZANU PF's majority in the House of Assembly for the first time since Independence.

Militarized election

The June 2008 Presidential election was basically a militarized election where the Joint Operation Command (JOC) adopted a warlike strategy in order to hold on to the Executive.

The militarization of the 27 June election was part of the militarization of the state as a whole that started during land reform. Reports indicate that the 2008 violence resulted in the death of over 200 opposition supporters children included; some went missing, and hundreds were injured, tortured and displaced simply because the ZANU PF party regarded Zimbabwe as exclusively reserved for their rule forever.

Today the nation is still to heal from the inter-party politically motivated violence. Following domestic and international protests of President Mugabe's inauguration after the June runoff Presidential election.

On July 21, 2008 the leaders of the two MDC factions and ZANU-PF signed a Memorandum of Understanding (MOU), which set terms for the forthcoming dialogue. On 15 September 2008, the parties signed the Global Political Agreement (GPA), which led to the formation of the Government of National Unity (GNU) in February 2009.

Although there have been slight improvements in the progressive realization of socioeconomic rights, a large portion of the population still lives below the poverty datum line and there are still violations of the rights to shelter, food, freedom of movement, freedom of assembly and the protection of the law.

Assault on media

There are also assaults on the media, the political opposition, civil society activists and human rights defenders. All these human rights violations have continued with impunity.

The bickering among the leaders of the GNU has also had a negative impact on the full implementation of the GPA, which is intended to usher in a new political dispensation in the country. Despite all this, there is still room for improvement on the human rights record in Zimbabwe.

What is needed is political will by the GoZ to fully implement domestic laws and regional and international instruments to which Zimbabwe is a signatory. The principals to the GPA recognized the multiple threats to the well-being of the people of Zimbabwe, the polarization, divisions, conflict and intolerance that characterised the socio-political environment in the past and undertook to take effective measures to stop, remedy and ensure non-recurrence of these violations.

The Universal Declaration of Human Rights and the African Charter on Human and Peoples Rights clearly outlines the basic human rights entitled to which every human being is entitled. However, there is no commitment from the government in fully implementing the provisions of these conventions.

It also has not yet signed the Convention against Torture or other Cruel, Inhuman, Degrading Treatment or Punishment. Given the commitment and determination shown by the parties to the GPA to reform the human right culture in the country, a first step towards this would be the signing and ratification of this Convention.



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While we do not guarantee response to every letter that we receive we will take into consideration your valued input.

Fostering a culture of human rights in Zimbabwe

Open media space – diplomat

HARARE-Swedish ambassador to Zimbabwe Sten Rylander has called on Harare to speed up the process of opening up airwaves so that citizens can have access to information as it appears that reforms to open up media are taking much longer despite a new press body being in place.

Rylander said vital information was necessary to fight poverty in the country. “Unfortunately Zimbabwe is now lagging behind most other African countries when it comes to promoting a free flow of information and communication in humanitarian and development work, vital instruments such as community based radios are still not allowed to operate freely. It is my strong hope that some quick and constructive catching up work can be done by the new media commission and the government of national unity. I thought I should make this point since it is so highly relevant to all humanitarian work

in Zimbabwe” said the diplomat last week at a function where his country donated US\$5.5 million for humanitarian assistance.

Members of the Zimbabwe Media Commission (ZMC), a constitutional body, were named last December and their names gazetted this year in February. The Godfrey Majonga-led commission said it would soon start licensing private newspapers. But it has not yet licensed any prospective publisher.

Rylander’s calls come at a time when Zimbabweans desperately need alternative newspapers and broadcasting stations as they have been forced to rely on one national state daily, The Herald and the ZBC. These two institutions have been accused of biased reportage. Many Zimbabweans now depend on foreign media as evidenced by the sprouting of satellite dishes on most households who capitalize on free-to-air channels.

The ZMC is still to have offices of its own and is yet to be allocated funds from the Treasury.

On the other hand, the Broadcasting Authority of Zimbabwe (BAZ) is yet to issue a license to any radio or television station. ZBC has announced that it will launch a second television channel this month, thus strengthening its dominance of the airwaves.

The BAZ commissioners were controversially appointed last year only for Prime Minister Morgan Tsvangirai to say that the said the nominations were null and avoid.

But analysts say there is need to repeal stringent media laws such as Access to Information and Protection of Privacy Act which the government used to close newspapers such as The Daily News in 2004.



Sten Rylander

Youth service centres haven for human rights abuses

HARARE-Some civic organisations say the national youth service training centres are a haven for abuse of human rights especially for the girl-child who is exposed to rape.

The organisations called on the government to abandon the plan to re-introduce the exercise.

“We are worried that should it start again, the girl child will be exposed to rape by fellow male recruits and the trainers. We have had cases in which the girl-child has been raped in the past and we fear that will happen again,” said an official from the Women in Politics Support Unit, a feminist organisation focusing on women’s participation in politics.

The WIPSU official was at a press conference called by the Youth and Democracy in Zimbabwe (YIDEZ).

YIDEZ director Sydney Chisi said Saviour Kasukuwere, the Youth Affairs, Indigenisation and Empowerment Minister had informed him that the government would be re-introducing the national youth service by June this year.



Sydney Chisi

Chisi said there was need to postpone the implementation of the national youth service training programme until free and fair elections were held, adding that the programme would lead to “militarisation of the country.”

“We are thus calling for the government to temporarily postpone the re-introduction of the National Youth Service programme and instead utilise the transition period to put in place all mechanisms and frameworks to ensure that the programme does not carry the negative perception from the past,” said Chisi.

“As young people we have learnt from other national processes currently underway and we understand that such a sensitive programme cannot be effectively implemented by this fragile coalition government but only after a decisive free and fair election.”

The youth movement leader raised concern on the suitability of both training and residential facilities in the military barracks that are being used to train the “Green Bombers”.

“There is no special provision for our sisters whom we all know are delicate in terms of their lifestyles,” he said.

The national youth service has in the past been criticised for being partisan and used to train militia which has been championing violence and intimidation mainly in rural areas in the run-up to elections.

There have been reports of torture and violence in the training centres, according to rights groups.

Chisi said 80 000 youths had graduated from the programme by 2007 when it was officially suspended since its establishment in 2001.

“As young people this is a shocking figure thus, we are calling upon for a transparent audit and evaluation of the previous activities of the national youth service and the current location of these graduates,” said Chisi. “It is alleged that some of them are now in the civil service whilst some are employed dubiously as youth officers in different constituencies carrying out partisan work.”

Church leaders warn of fresh xenophobic attacks

From Page 2

“In the so-called ‘China Square’ building, which houses mainly Zimbabweans, hundreds of tenants crowd into floor after floor of tiny rooms, subdivided by blankets on ropes to give families or groups limited privacy from one another. The notice board downstairs is filled with scraps of paper advertising: ‘Girl wanted to share bed’, or ‘Guy wanted to share bed’. The going rate to quite literally share a 70 cm wide mattress on the floor is R200 per month. The lifts do not work, and youngsters who are clearly

of high school age, stare listlessly down stairwells, babies strapped to their backs.

“Across the block is another bleak building, which allegedly houses mainly Zimbabwean sex workers: garbage can be seen jammed into the edges of each storey, spewing out of every crack and orifice in the crumbling façade. And around the corner, the ‘Jah Crucial’ building, another Zimbabwean stronghold, shrieks of poverty and decay. Rags of washing hang on rusted, filthy balconies above mounds of obscure items.”



Blind Zimbabwean in the room he shares with other blind friends in Johannesburg Pic courtesy of SPT



First few days of displacement: 2,500 Zimbabweans in an open field in De Doorns: November 2009 Pic courtesy of SPT

Tsvangirai raises more dust than answers in Magunje

MAGUNJE-Prime Minister Morgan Tsvangirai last week received an angry response from Magunje villagers infuriated by the transitional government's failure to deliver on more freedoms and better lives.

What was supposed to be a Mashonaland West Province food security assessment tour for Tsvangirai turned into a damning barometer for the government he unwillingly entered into with President Robert Mugabe.

Matters of the constitution, elections, and transitional justice came to the fore during four meetings he addressed here. Villagers openly emphasised that rights issues were key bread and butter issues that the transitional government had ignored for long.

"Don't be shocked to hear that we have gone on the rampage seeking revenge, Prime Minister. We know the people who killed our relatives and are still intimidating us. Yet no action is being taken against them," Cloud Chiyambo, waving a hoe, said during a question and answer session with Tsvangirai at St Boniface Mission in Hurungwe.

Uncharacteristically, Tsvangirai's meetings were poorly attended, at most garnering 50 participants. ZANU PF governor, Faber Chidarikire's office,

which organised the meetings, informed villagers that these were only meant for a few officials, local councillors and traditional kraal heads.

But they were small crowds with big expectations. Uniform Chitenge had told *The Legal Monitor* before Tsvangirai's arrival that the expected answers from the Premier on issues pertaining to country's future governance.

The community's tobacco crop, their mainstay, had just been destroyed by a hailstorm and it was all gloom at this dusty shopping centre. Expecting some calm from the multi-party government delegation, the villagers found none.

The meeting at St Boniface, held in a football pitch, played out as one of an expectant, short-changed crowd watching the ruling elite defend its territory.

Chiedzo Makarute said he had waited since independence in 1980 for the government to provide an environment conducive for peace, the rule of law, government accountability and economy prosperity. "This government, with all its bickering doesn't seem to be the answer. But since you are here Prime Minister, tell us. Is this government going to deliver?"

Tsvangirai's answer, a metaphoric one: "To the gentleman who has been complaining since 1980; rimwe zuva kumba kwangu tisati tadya chikafu chemanheru, sekuru vakakumbira kunamata. Vagonamata vachikumbira chino, vakachema chema neizvo, vachingonamata chete. Kusvika takazoti, a, sekuru manamata nguva yarebesa, maguru ka aya. Anogwamba tichingonamata. Musarambe muchingochema chema. Pane ane umwe mubvunzo here? (The other day a relative had a long prayer ahead of a meal. He went on and on until we warned him that the relish were offals which should be eaten while still warm. So do not keep talking and complaining. Is there another question?)

"Uhm and what is that supposed to mean," grumbles a pipe smoking elderly looking chap, noting that he left his garden at the mercy of baboons to hear the leader of government speak.

None wiser, the gentleman who asked for assurances of a break from the status quo of government unaccountability shakes his head in a sign of confusion.

Another question from the floor: "We are sick and tired of delays affecting the constitution

making process. When are we going to have an opportunity to elect a government without fear?"

"For how long Mr Prime Minister shall we wait for the constitution when it is clear that the it is being delayed and may never be completed during the life of this government. Why should we continue to be held to ransom by the new constitution when we are suffering under that marriage of yours?"

Tsvangirai: "There will be no elections without a new constitution. There is no way we are going to accept elections under the current constitution. What this means is that no-one in this country knows when elections will be held. Once we complete the constitution, vote for it in a referendum then we can hold elections.

"No-one has an idea of the election date or time frame because all that depends on the completion of a new constitution and we have no idea how long the process will take."

As Tsvangirai's convoy raises the dust, on its way to Harare, the crowd disperses, but not without a mumble: "It's good that the Prime Minister is going round meeting the people and talking to us directly. But next time he should bring answers."

Aluta continua

HARARE-Zimbabwe women, more than any other group, continue with public demonstrations against government failures.

Women of Zimbabwe Arise (WOZA), a defiant group formed in 2003, has faced unabated repression, and still take to the streets regularly—defying arms and baton sticks pointed at them.

Four of the organisation's leaders spent last weekend in jail, for telling State power firm, Zimbabwe Electricity Supply Authority (ZESA), to increase electricity supply and deal with inflated bills.

Zimbabweans, in both rich and poor suburbs spend most of their lives in the dark due to constant, haphazard power outages, yet are expected to pay huge bills that do not match consumption.

For embarking on street demonstrations to press for their right to fair treatment, Jenni Williams, Magodonga Mahlangu, Clara Manjengwa and Celina Madukani endured the weekend in appalling conditions at Harare Central Police Station, with officers taking their time to decide whether to charge them or not.

Timothy Katyora, a 23-year old member of Men of Zimbabwe Arise, a WOZA sister organisation was beaten in Harare Central Police Station yesterday by six uniformed officers for questioning the arrest of WOZA members.

Civil society organisations say the latest assault on women activists signals the intensification of State abuses against legitimate rights groups.

"The arrest and continued detention of the four women for exercising their constitutional right to demand a fair service for the electricity that they pay for makes a mockery of the Independence celebrations that no doubt will be taking place across Zimbabwe this weekend," said WOZA in a statement.

"Thirty years later, the majority of ordinary Zimbabweans still do not enjoy the fruits of freedom. The promises of the liberation war have not been delivered to Zimbabweans who struggle to survive every day, wondering how they will feed their children tomorrow.

Human rights are continually denied to women, men and children who wish that the great achievement of 30 years of independence from colonial rule was something that could be celebrated. There is very little to celebrate in the cold, dark cells of Harare Central Police Station," said the strong group, which says it has a membership of 75 000.

United States President, Barack Obama last year conferred the WOZA leaders Magodonga Mahlangu and Jenni Williams with the Robert F. Kennedy Human Rights Award for the groups' bold stance against tyranny.

"By her example, Magodonga has shown the women of WOZA and the people of Zimbabwe that they can undermine their oppressors' power with their own power -- that they can sap a dictator's strength with their own. Her courage has inspired others to summon theirs," said Obama of Magodonga.



WOZA members on one of their demonstrations

GNU cracks worry civil society

HARARE-Widening cracks within the transitional coalition government are threatening to break Prime Minister Morgan Tsvangirai and President Robert Mugabe's "moribund" union, according to the Zimbabwe Election Support Network (ZESN).

ZESN, an electoral watchdog comprised of over 30 civil society groups, said in its monthly "Ballot Update" that transitional coalition government partners were entrenching their political control instead of focusing on democratic reforms.

Zimbabweans are pinning hopes on the transitional government to lay the foundation for free and fair elections through reforms such as the constitution making process.

But, 14 months after formation, very little progress has been recorded. Civil society work is still hampered by harsh laws and repressive State security agents.

The group said cases of intimidation were still rife, rendering the delayed outreach programme to gather people's views on the new constitution futile.

"ZESN observers have reported that, in some areas people have been told that they are being recorded and they will face retribution like that which took place in the run up to the presidential runoff in June 2008. This has been noted in Mudzi North where specific people have been selected to speak during consultations, with explicit instructions on what to say. In other areas villagers have been instructed that only the Kraal head and headman will be allowed to speak on behalf of the people," reads part of the Ballot Update, which monitors political developments on a monthly basis.

ZESN noted that Zimbabweans remained at the mercy of coalition government partners haggling over how to implement political and economic reforms.

"While Zimbabwe welcomed the signing of the Global Political Agreement in



Rindai Chipfunde-Vhavha

2008 and its subsequent implementation, the agreement has been riddled by a number of problems, which threaten its implementation. Parties are still deadlocked over a number of issues, which include the appointment of Roy Bennett as the Deputy Minister of Agriculture, the issue of sanctions, the status of the Reserve Bank Governor and the Attorney General. These have dampened the hopes of many Zimbabweans on the workability of this agreement," reads the Ballot Update.

ZESN raised concern over premature calls for elections by President Mugabe, who has said elections should be held next year, with or without a new constitution.

"This has raised concern as the call for elections has the potential to change the nation's priorities from the constitution making process to elections. ZESN is concerned about the calls for elections without putting in place the necessary electoral reforms that would ensure the integrity of the ballot. Amongst these is the need for an election management body that is truly independent, with the human and material resources to conduct election."