



ZIMBABWE

CIVICUS MONITOR WATCHLIST

OVERVIEW OF RECENT RESTRICTIONS TO CIVIC FREEDOMS



Photo: Zinyange Auntony / AFP



INTRODUCTION

Zimbabwe is retained on the CIVICUS Monitor Watchlist as attacks on civic space continue ahead of the scheduled 2023 elections. Civic space continues to face escalating attacks and restrictions as the government and supporters of the ruling party double down on tactics to muzzle the opposition and civil society.

Since the previous Watchlist [brief](#) on Zimbabwe, over 290 CSOs have been arbitrarily [deregistered](#) in a mass deregistration exercise. The Criminal Law (Codification and Reform) Amendment [Bill](#), 2022 and the Private Voluntary Organisations (PVO) Amendment [Bill](#) which are in their final stages of the legislation process raise concern over their impact on the future of civil society if passed.

Opposition members and their supporters continue to face systematic [attacks](#) from supporters of the ruling party, while citizens holding gatherings, including non-political gatherings, also face [arbitrary arrests](#) as the government clamps down on the freedom of peaceful assembly altogether.

NEW AMENDMENTS CAUSE HEIGHTENED CONCERN FOR FUTURE OF CIVIL SOCIETY

In November 2022, the cabinet [approved](#) the Criminal Law (Codification and Reform) Amendment Bill, 2022, which will be known as the Patriotic Act. The proposed law seeks to [create](#) the offence of “willfully damaging the sovereignty and national interest of Zimbabwe” and will essentially criminalise the lobbying of foreign governments to extend or implement sanctions against Zimbabwe or its officials. This concerning development, which has been [interpreted](#) by some as a malicious attempt to muzzle the work of CSOs, carries with it dire consequences for those found guilty, including a punishment of revocation of citizenship. The Bill is awaiting approval by the country’s Senate and President Emmerson Mnangagwa.

Similarly, in keeping with the sustained attacks on CSOs, the Private Voluntary Organisations (PVO) Amendment Bill is awaiting presidential assent after it was [passed](#) by the parliament and the senate, despite backlash and outcry from civil society. If passed, the Bill will see CSOs subjected to [tighter restrictions](#) and may lead to the

ABOUT THE CIVICUS MONITOR

The [CIVICUS Monitor](#), an online platform that tracks threats to civil society in countries across the globe, rates civic space – the space for civil society – in Zimbabwe as “**Repressed**”.

The data provides the basis for civic space ratings, which are based on up-to-date information and indicators on the state of freedom of association, peaceful assembly and expression. Countries can be rated as:

CLOSED

REPRESSED

OBSTRUCTED

NARROWED

OPEN



undue targeting and/or closure of some prominent CSOs such as Zimbabwe Lawyers for Human Rights (ZLHR) and many others not previously required to register under the PVO Act. The Bill seeks, amongst other things, to provide the government with unfettered discretionary powers to overregulate and interfere in non-government organisations' governance and operations. For example, the provisions of the Bill provide the government with unchecked power to designate any PVO as "high risk" or "vulnerable" to terrorism abuse, thereby allowing them to revoke a PVO's registration and remove or replace its leadership. The Bill also seeks to include a provision which will prevent PVOs from supporting or opposing any political party or candidate in a presidential, parliamentary or local government election.

The Bill represents one of the greatest threats to freedom of association in Zimbabwe and is an attempt by the authorities to target civil society groups that have often raised concerns about violence related to elections.

CSOS FACE MASS DEREGISTRATION, SUSPENSION OF REGISTRATION

Even before the passing of the PVO Bill into law, government has unlawfully begun implementing the Bill, in what seems to be an orchestrated attempt to shut out CSOs from participation in the democratic space. On 22nd January 2023, Zimbabwean authorities [announced](#) that they had revoked the registration of 291 non-governmental and civil society organisations for "noncompliance with the provisions of Private Voluntary Organization Act", throwing into question the ability of civil society to participate in monitoring the upcoming 2023 electoral process. Previously, in March 2022, registration agencies reported that they had [suspended](#) the registration of trusts and PVOs until further notice, [citing](#) "orders from above", and raising fears that the

PRESIDENT MNANGAGWA LEADS VILIFICATION CAMPAIGN AGAINST CIVIL SOCIETY

Related to the above developments, throughout 2022, the government also embarked on a systematic intimidation and vilification campaign against civil society and diplomatic missions which have been [supporting](#) civil society's efforts in calling for a review of the Bill. On 26th March 2022, President Mnangagwa [issued](#) a stern warning to civil society actors whom he claimed are "overstepping their boundaries" by interfering in the political affairs of the country. [According](#) to the President, many civil society organisations in Zimbabwe have been working closely with opposition political parties and Western embassies with the aim of encouraging a regime change. He [warned](#) civil society actors that they would be kicked out of the country for "destabilising the prevailing peace, unity and harmony through dabbling in politics" if they continue to act beyond their mandate. Similarly, on 17th July 2022, the president [stated](#) that he would deal with the "gross interference by rogue foreign missions in domestic matters including politics and the country's legislative agenda", and accused them of interfering with the country's electoral processes.



PROPAGANDA BY STATE-CONTROLLED MEDIA FOLLOWS CSO BACK-LASH AT NEW AMENDMENTS

In responding to vocal CSO concerns about the PVO amendment Bill, state-controlled media outlets embarked on a propaganda and smear campaign agenda, painting civil society as conduits of foreign agents and criminal activities, amongst other narratives. On 22nd May 2022, the state-controlled Sunday Mail newspaper published an [article](#) alleging that civil society under the umbrella 'Crisis in Zimbabwe Coalition' were receiving money through the neighbouring countries of Botswana, South Africa and Zambia in order to undertake anti-government activities, intended to destabilise the country. The article further accused the CSO of organising xenophobic demonstrations against Chinese investments in Zimbabwe. Another [article](#) published on 24th May 2022 by state-owned paper The Herald attempts to whitewash the PVO amendment Bill by emphasising that the bill only seeks to raise the administrative and financial standards of CSOs, in line with the Financial Action Taskforce (FATF), while conveniently leaving out the questionable timing of the Bill and its negative impact on CSO participation in the country's democratic space. A similar whitewashing approach was also taken by the Sunday Mail in a separate 22nd May 2022 [Article](#) which praised the Bill for aiming to ensure transparency, while emphasizing that opposition to the Bill is being led by foreign and vested groups who fund CSOs to undertake political activities that are against the country's interest. Another [Article](#) published by The Herald on 28th April 2022 accuses non-profit organisations of receiving foreign funding which is used for criminal activities.

INCREASING RAIDS ON CSO ACTIVITIES CLOSING SPACE FOR CSO PARTICIPATION

In the past few months, several cases of disruption of activities by CSOs followed by arrest and detention of CSO staff have been reported in what may appear to be deliberate efforts by government to prevent and shut out CSOs from participating in the democratic processes ahead of the upcoming elections.

On 26th May 2022, reports from a CIVICUS Monitor source indicated that members of the Central Intelligence Organisation [stormed](#) a women's empowerment meeting organised by Transparency International Zimbabwe (TIZ) and Shamwari yeMwanasikana, for alleged failure to notify the President and Provincial Development Co-ordinator. Three CSO staff members were arrested and charged with convening an unlawful gathering in contravention of the Maintenance of Peace and Order Act. Two of them - Benevolence Taguta and Tracy Mutowekuziva - were released that evening after intervention by ZLHR lawyers, while the third, Lisa Mataka, was released by the court the following day over a defective charge sheet which did not disclose an offence.



Similarly, on 29th June 2022, police officers separately raided several CSO meetings, arresting CSO staff members. In Bindura, officials [stormed](#) a meeting held by the Mash Central Youth School on Constitutionalism which was being held in a hotel. They confiscated the attendance registers and ordered everyone to write down their residential addresses, without giving a reason why they had stopped the meeting. Separately, on the same day, still in Bindura, riot police also [raided](#) a consultative meeting held by the Institute for Young Women Development (IYWD), arrested all participants and took them to the police station. The participants were later released, but three staff members of IYWD were [charged](#) with hosting a community meeting without a police clearance under the Maintenance of Peace and Order Act. The arrests were made despite the fact that consultative meetings do not fall under the category of public meetings requiring clearance under the Act.

CRACKDOWN ON OPPOSITION UNDERMINES DEMOCRATIC PARTICIPATION

The opposition has also not been spared in the ongoing crackdown, as the government embarks on a [severe crackdown](#) on opposition party members and their supporters, particularly of the newly formed Citizens Coalition for Change (CCC), who face constant arrests, attempts at banning their rallies and attacks from supporters of the ruling party. This trend was especially seen ahead of the March 2022 by-elections and could be a cause for concern as the general elections draw closer. This concern is particularly heightened by statements from political actors, including the president, against the country's opposition. At a political rally held by ruling political party Zanu-PF prior to by-elections, President Mnangagwa [told](#) thousands of his supporters that no opposition would rule the country any time soon.

The period leading up to the by-elections was marred by arrests and attacks against members and supporters of the CCC party. A few days before the March 2022 by-elections, on 21st March 2022, members of the Zimbabwe Republic Police [arrested](#) four supporters of the Citizens Coalition for Change (CCC) for conducting door-to-door campaigning in the Kadoma Municipality. A month earlier, in Masvingo on 19th February 2022, the police arrested 80 supporters of the CCC for holding door-to-door election campaigning.

Similarly, a political rally held by the CCC party in Kwekwe in late February 2022 [ended](#) tragically after more than 20 of its supporters were violently attacked and one killed after he was stabbed to death. According to reports, a group of armed men who were allegedly Zanu-PF supporters, invaded the rally and attacked the crowd of supporters with spears, machetes, iron bars and stones.

Opposition members and their supporters continue to face systematic [attacks](#) from supporters of the ruling party. In one instance, on 16th October 2022, violence broke out in [Matobo District](#) as several CCC supporters were assaulted and manhandled by alleged supporters of the ruling ZANU-PF during a community voter [mobil-](#)



[isation exercise](#) ahead of a Matobo Council by-election scheduled for 22nd October 2022. The supporters sustained injuries, while the women supporters were indecently abused and violated, as they were forced to undress in public. Authorities also frustrate activities organised by opposition leaders, as seen on 12th December 2022, when the [police invoked](#) the Maintenance of Peace & Order Act to ban a scheduled tree-planting event by leader of the main opposition political party, Nelson Chamisa in ward 4, Gutu, Masvingo. According to the notice submitted by the police, the event was banned on the basis that another political party had already notified them of its intention to hold a meeting in the same ward.

AUTHORITIES ESCALATE CLAMPDOWN TO INCLUDE NON-POLITICAL GATHERINGS

Citizens holding gatherings, including non-political gatherings, also face [arbitrary arrests](#) as the government clamps down on the freedom of peaceful assembly altogether. On 10th June 2022, Zimbabwean authorities arrested [Bishop Magaya](#) and more than 36 other people while he was in the middle of [leading prayers](#) for the country. Bishop Magaya was later released on the same day, but his congregants were detained with no access to lawyers, and were charged with [“unlawful gathering.”](#) In December 2022, police [arrested](#) three activists - Thamsanqa Ncube, Melusi Nyathi and Samkeliso Tshuma in Bulawayo at a Unity Day memorial held to remember the victims of the [Gukurahundi massacre](#). The three were charged with “participating in a public gathering” with the intent of promoting violence. They were later [released on bail](#).



RECOMMENDATIONS

To the government of Zimbabwe:

- Hold consultations with civil society in a bid to review and amend the PVO Amendment Bill and the Criminal Law (Codification and Reform) Amendment Bill, 2022 to ensure they are in line with international standards on freedom of association and international principles protecting civil society.
- Reinstate the registration of CSOs and allow them to continue their work.
- Reregister the CSOs affected by the mass deregistration exercise.
- Stop the unwarranted criminalisation, public vilification and designation of civil society actors as conduits of foreign interests.
- Stop the unwarranted disruption of CSO activities, and arbitrary arrests of their staff members.
- Immediately and unconditionally release all those who have been arbitrarily detained in relation to their political affiliation.
- Create an independent mechanism to investigate the violence against members and supporters of the political opposition, and hold perpetrators accountable for these acts.
- Create an enabling environment for civil society so they can operate without undue restrictions, in line with Zimbabwe's international human rights obligations.

To the international community:

- Call for urgent and immediate action to address fundamental rights violations, including the rights to association, peaceful assembly and expression, particularly ahead of the 2023 general elections.
- Hold Zimbabwe accountable for its human rights violations and ensure that it respects its national and international human rights obligations.