

# “WE ARE COMING AFTER THEM”

2024 STATE OF CIVIC SPACE REPORT

The State of Civic Space in Zimbabwe

EXPANDED VERSION



DECEMBER 2024



W/O 3/93

Campaigners for Human Rights



**THE OBSERVATORY**  
for the Protection of  
Human Rights Defenders

**OMCT**  
SOS-Torture Network

**fidh**



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Defenders (FIDH-OMCT)

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“

There are lots of registered NGOs in the country and through the home affairs and social welfare ministries, we are going to look at the mandate of each NGO. The ministers of home affairs and social welfare will depend on you war veterans, youths, and women party chairpersons to give them a list of NGOs operating in your areas. If we discover that an NGO is operating outside its mandate, it will be deregistered.

”

22 October 2020. President Emmerson Mnangagwa speaking at the official opening of the third session of the ninth parliament, vowing to crack down on Non-Governmental Organisations (NGOs).

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# LIST OF ACRONYMS

<b>ACDEG</b>	African Charter on Democracy, Elections and Governance
<b>ACHPR</b>	African Charter on Human and Peoples' Rights
<b>AU</b>	African Union
<b>CBO</b>	Community-Based Organisation
<b>CCC</b>	Citizens Coalition for Change
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>Crisis Coalition</b>	Crisis in Zimbabwe Coalition
<b>CSO</b>	Civil Society Organisation
<b>FATF</b>	Financial Action Task Force
<b>FIDH</b>	International Federation for Human Rights ( <i>Fédération Internationale pour les Droits Humains</i> )
<b>Forum</b>	Zimbabwe Human Rights NGO Forum
<b>HB</b>	House Bill
<b>HRD</b>	Human Rights Defender
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>LSZ</b>	Law Society of Zimbabwe
<b>ML</b>	Money Laundering
<b>MoU</b>	Memorandum of Understanding
<b>NGO</b>	Non-Governmental Organisation
<b>NPO</b>	Not-for-Profit Organisation
<b>NRA</b>	National Risk Assessment
<b>OMCT</b>	World Organisation Against Torture ( <i>Organisation Mondiale Contre la Torture</i> )
<b>OPC</b>	Office of the President and Cabinet
<b>PVO</b>	Private Voluntary Organisation
<b>PVO Bill</b>	Private Voluntary Organisations Amendment Bill
<b>SADC</b>	Southern African Development Community
<b>SDGs</b>	Sustainable Development Goals
<b>TF</b>	Terrorist Financing
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UN</b>	United Nations
<b>WFAT</b>	Women for Fairness and Accountability Trust
<b>ZANU-PF</b>	Zimbabwe African National Union-Patriotic Front
<b>ZHRC</b>	Zimbabwe Human Rights Commission
<b>ZimRights</b>	Zimbabwe Human Rights Association
<b>ZINASU</b>	Zimbabwe National Students Union
<b>ZLHR</b>	Zimbabwe Lawyers for Human Rights

# EXECUTIVE SUMMARY

Zimbabwe's civic space has increasingly faced significant challenges, characterised by restrictive legislation, aggressive government crackdowns, and a pervasive climate of fear that stifles free expression and civic engagement. Civil society organisations (CSOs) are vital in promoting human rights, accountability, and democratic governance, yet they operate in an environment fraught with challenges that threaten their very existence. This abridged report seeks to document the experiences of CSOs in Zimbabwe as they navigate these hurdles while advocating for fundamental rights and freedoms. It delves into the institutional experiences of these organisations, the operational restrictions they face, their engagement with regulatory authorities, and their perceptions of the shrinking civic space, drawing insights from both national and grassroots organisations.

The research surveyed 67 CSOs in Zimbabwe, analysing the operating conditions for national and grassroots-level entities, particularly in the context of the proposed Private Voluntary Organisations (PVO) Bill. The PVO Bill is a proposed law in Zimbabwe aimed at regulating the operations of civil society organisations, with provisions that could potentially restrict their activities. Only a small fraction of these organisations (16.4%) are registered under the PVO Act, with the majority (59.7%) operating as trusts under the Deeds Registries Act. If the PVO Bill is enacted, 83.6% of the surveyed organisations would face illegality, necessitating immediate registration, which raises significant concerns about administrative hurdles and political interference.

Among national-level CSOs, a mere 5.5% reported operating without restriction, with 94.4% facing surveillance, infiltration by state agents, material destruction, and intimidation of participants. Despite a high willingness (93.75%) to comply with the PVO Bill, confidence in a smooth registration process is low due to existing challenges in dealing with regulatory authorities and fears of intensified control under the proposed legislation. Community-based organisations face similar constraints, with only 8% registered as PVOs. An overwhelming 84% experience challenges, including demands for bribes, intimidation by local authorities, and barriers to free community engagement. These constraints foster an atmosphere of fear that limits grassroots activism and community involvement.

In terms of civic space, most respondents classified the environment as either “obstructed” (34%) or “repressed” (23.9%), with only 14.9% feeling that the space remains “open.” Relationships with regulatory authorities vary, with 53.7% describing them as neutral, 22.4% as hostile, and a minority (19.4%) as friendly. The vast majority (92.5%) of CSOs anticipate a negative impact from the PVO Bill, fearing increased political interference, ambiguity in legal requirements, and potential funding withdrawal due to operational uncertainty. For many organisations, the Bill’s provisions risk restricting their work, heightening fears that the regulatory environment could stifle civic engagement. The report provides evidence of the lived reality of the noted concerns through case studies from different organisations and individuals who have been directly impacted by shrinking civic space in Zimbabwe.

The key findings of the report highlight several critical issues:

- **Civic Space Under Threat:** Increasing harassment, intimidation, and censorship of CSOs have created a climate of fear, undermining the fundamental rights of citizens.
- **Restrictive Legislation:** Restrictive laws pose significant threats to civic space by granting excessive powers to law enforcement and criminalising legitimate activities.
- **Lack of Transparency and Accountability:** Public institutions lack transparency, hindering citizens’ ability to hold officials accountable, exacerbated by political interference and resource constraints.
- **Human Rights Concerns:** There is a disturbing trend of arbitrary arrests and excessive use of force against peaceful protesters, civil society leaders, and human rights defenders, raising serious human rights issues.



### **BASED ON THE FINDINGS, THE REPORT PRESENTS SEVERAL KEY RECOMMENDATIONS:**

#### **1.**

#### **Abandon the PVO Bill:**

President Mnangagwa should refuse to sign the PVO Bill into law as it poses significant risks to the operations of civil society organisations in a manner that violates the fundamental rights provided for by the Constitution.

**2.**

**Establish a Civic Space Roundtable:**

The government should create an inclusive roundtable to collaboratively explore CSO regulation, reflecting recommendations from experts and stakeholders.

**3.**

**Strengthen CSO Capacity:**

CSOs should focus on enhancing their strategic planning, advocacy, and community engagement capabilities through targeted training and partnerships.

**4.**

**Promote Transparency and Accountability:**

The government must implement access-to-information laws and strengthen whistle-blowers protection, ensuring institutional independence and collaboration with CSOs.

**5.**

**Investigate Human Rights Violations:**

The government should investigate all human rights violations against human rights defenders and ensure accountability to restore public confidence.

**6.**

**Protect Community Organising Platforms:**

The government should provide support and flexibility for small community organisations to comply with legal requirements, ensuring their operational continuity.

**7.**

**Advance a Nation-Building Approach to Civic Space:**

Public media should be used constructively to promote civic engagement rather than spreading propaganda. Policies governing media operations should align with nation-building goals.

The urgent need to safeguard Zimbabwe’s civic space requires transparency, accountability, and respect for human rights through collaborative actions and legal reforms to foster civic engagement and democratic governance.



## 1.0 | Introduction

The recent trend of shrinking civic space in Zimbabwe and the broader African region has sparked public outcry from human rights groups.<sup>1</sup> This trajectory in Zimbabwe must be viewed within the country's broader political and economic context following President Robert Mugabe's resignation in 2017. While the post-Mugabe era initially inspired hopes for democratic reforms, these aspirations have been undermined by persistent challenges.

President Mnangagwa's administration has been marked by a restrictive environment that stifles civic and political participation, as exemplified by limitations surrounding key regional platforms like the August 2024 Southern African Development Community (SADC) Summit. Additionally, Zimbabwe continues to face economic instability, deep-seated inequality, and governance challenges, all of which exacerbate vulnerabilities and hinder the ability of civil society organisations (CSOs) to function effectively.

Most concerns have been related to the Private Voluntary Organisations (PVO) Amendment Bill [House Bill (HB) 2 of 2024]<sup>2</sup> and its predecessor, the Private Voluntary Organisations (PVO) Amendment Bill [HB 10 of 2021],<sup>3</sup>

1. New Zimbabwe, "Civic society decries Zimbabwe's shrinking democratic space, likens situation with a war zone," 19 August 2024, <https://www.newzimbabwe.com/civic-society-decries-zimbabwes-shrinking-democratic-space-likens-situation-with-a-war-zone/>.

2. Available here <https://www.jsc.org.zw/upload/Gazette/H.B.%202.%202024%20Private%20Voluntary%20Organisations%20Amendment%20Bill,%202024.pdf>.

3. Available here <https://www.jsc.org.zw/upload/Gazette/H.B.%2010,%202021%20Private%20Voluntary%20Organisations%20Amendment%20Bill.pdf>

particularly with regard to its implications for CSOs. This concerning development underscores the vital role of grassroots and community-based organisations (CBOs) in promoting civic engagement and advocating for human rights. CBOs play a crucial role in promoting civic engagement, advocating for human rights, and building resilient communities. They encourage citizen participation in governance and decision-making processes, protect the rights of marginalised communities, and provide essential services and support to vulnerable populations.

Although the Private Voluntary Organisations (PVO) Bill stands out as the most critical proposed legislation likely to significantly hinder CSO operations, it is part of a broader trend of legal reforms and enactments that collectively constrict civic space in Zimbabwe. In recent years, restrictive laws in Zimbabwe have been amended or enacted, posing significant threats to civic space. Notably, the Maintenance of Peace and Order Act [Chapter 11:23] (formerly POSA) imposes stringent regulations on public gatherings, requiring prior police approval for demonstrations, which can lead to arbitrary denials and suppress dissent.

The Private Voluntary Organisations (PVO) Bill further threatens civic space by imposing strict registration requirements on CSOs and granting authorities the power to suspend or deregister organisations that do not comply with the Bill's provisions, severely limiting their ability to operate. Additionally, the Criminal Law (Codification and Reform) Act [Chapter 9:23] was amended to criminalise any actions or speech deemed to undermine the dignity and sovereignty of Zimbabwe, creating an environment where dissent and criticism of the government can be prosecuted. The Cyber and Data Protection Act [Chapter 12:07] raises concerns regarding potential surveillance of online activities, which could target activists and curtail digital dissent. Collectively, these laws foster an environment of fear and repression, making it increasingly difficult for civil society, human rights organisations, and citizens to engage in political discourse, protest, and advocacy for democratic rights and freedoms.

The Zimbabwe Human Rights Association (ZimRights) and the Observatory for the Protection of Human Rights Defenders (a partnership of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT)) continue to note that human rights are at the centre of Zimbabwe's continuing nation building agenda which seeks to address the political, social, and economic disparities that persist decades after independence.

The challenges facing CSOs and CBOs are multifaceted. The existing regulatory environment already poses significant challenges to their operations, while the PVO Amendment Bill and other factors further contribute to the shrinking of civic space, hindering their effectiveness. Furthermore, grassroots movements often face resource constraints, making it difficult to sustain their operations. To address the challenges facing CSOs and CBOs, it is essential to strengthen their capacities by building their technical and financial abilities. Fostering partnerships between CSOs, CBOs, and other stakeholders is also vital. To be able to design any capacity-building, and sustainability strategies and advocate for the protection of civic space, one must be able to have a clear understanding of the state of civic space in Zimbabwe, beyond the chorus. This report gives an in-depth appraisal of the state of civic space in Zimbabwe. The report makes use of feedback from over 67 human rights groups and a detailed analysis of the existing legal framework. It is hoped that human rights advocates and policy-makers will benefit from the recommendations shared in this report.

## 1.1

### Methodology

This report was developed using a mixed-methods approach, combining qualitative and quantitative research techniques to provide a comprehensive analysis of the state of civic space in Zimbabwe. The qualitative approach aligned international frameworks, such as the United Nations' definition of civic space, with the Zimbabwean constitutional context, establishing a legal and theoretical foundation. Case studies, including the displacement of the Siakobvu community, were used to illustrate real-world implications and ground the discussion in local experiences. Insights from civic engagement literature were synthesised to explore the intersections between civic space, democracy, and national development in Zimbabwe's socio-political landscape.

**An online nationwide survey targeting**  
**67** **civil society organisations**  
**provided quantitative and**  
**qualitative data on their**  
**operational experiences.**



The survey included diverse organisations, such as national-level NGOs, CBOs, faith-based entities, trade unions, and residents’ associations, ensuring broad geographic representation. Although many responses came from Harare-based organisations, efforts were made to capture diverse perspectives. Using the CIVICUS civic space classification system, respondents assessed the operational environment. Information for the case studies section was gathered through interviews with human rights defenders (HRDs) and CSO representatives, who were anonymised to protect them from potential reprisals. Data involving named CSOs and HRDs was obtained exclusively from publicly accessible records, including reports from credible institutions such as the United Nations and news articles from outlets like CITE, New Zimbabwe, and The Zimbabwean. To ensure security, no additional information was added to these public records, maintaining the integrity and safety of the named stakeholders.

An abridged version of the report was launched on the sidelines of the 81st Session of the African Commission on Human and Peoples’ Rights in Banjul during the Zimbabwe Solidarity Dinner. Convened by ZimRights, the International Federation for Human Rights (FIDH), Southern Defenders, and The Forum, this event aimed to unite human rights stakeholders worldwide in solidarity with Zimbabwe’s civic space struggles. The abridged report was validated by CSO leaders during a fireside chat held in Nyanga, Zimbabwe on 24 October 2024. The discussions emanating from the fireside chat are annexed to this report. Ahead of the launch in Banjul, Gambia, it became clear that the abridged version of the report would be a key advocacy tool that scratched the surface of the challenges experienced by CSOs in Zimbabwe. It was therefore necessary to produce this extended version of the report to be a comprehensive resource that delves deeper into the structural, legal, and operational challenges faced by CSOs in Zimbabwe.



This extended version aims to provide detailed analysis, actionable recommendations, and a robust evidence base to support advocacy, policy engagement, and strategic planning for stakeholders committed to protecting and expanding civic space in Zimbabwe.



## 2.0

# The State Of Civic Space In Zimbabwe: Why Civic Space Matters

Civic space is that space where ordinary citizens come together to defend the values that they care about. It is the space that citizens have to organise, outside the spaces controlled by the State. This is where accountability is exacted and where social movements form. Civil society is thus a community of citizens linked by common interests and collective activity. It is the lifeblood of democracy. When the people of Siakobvu in Kariba District in the Mashonaland West Province were displaced from their homes to make way for the construction of the Kariba Dam, the largest dam in Zimbabwe, and later resettled in an area where they were denied access to the electricity generated by the very dam for which they were relocated, abandoned by their own government, and defrauded by traditional leaders, they had and still have the right to create their own space and defend their livelihoods. They do not need permission to do so. It is the right to life. The right to human dignity is at stake.

According to the United Nations, “Civic space is the environment that enables people and groups or ‘civic space actors’, to participate meaningfully in the political, economic, social and cultural life of their

societies. States shape the legal and policy space within which people express views, assemble, associate, and engage in dialogue with one another and with authorities about issues that affect their lives, from the quality of basic services to better institutions and respect for fundamental freedoms. Civil society actors, including human rights defenders, women’s rights advocates, children, young people, members of minorities and indigenous people, trade unionists, and journalists, should be able to express themselves freely in full security, and effect change peacefully and effectively.”<sup>4</sup> Civic space is part of democratic space, as it exists or must exist to further democratic ideals, in accordance with the Zimbabwean constitutional order.

Traditionally, non-governmental organisations (NGOs), in different forms, have been the dominant players in the civic space, but the phrase CSOs denotes a whole range of organisations, unions, federations, associations, establishments, and entities that are simply non-state actors, and not-for-profit. Among these are CBOs, which are different from the national organisations by virtue of their operations being confined to particular communities, as well as faith-based establishments.



Among the key focus areas that CSOs in their various outlooks have taken a solid and consequential stance in national development, include:

- political rights (e.g. voter education and registration)
- election monitoring;
- civic engagement;
- civic education;
- advancing the interests of minority and vulnerable groups;
- driving for political and institutional reform;
- influencing policy and legislation through lobbying and advocacy; and
- advancing community-led development.

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4. United National Guidance Note, Protection and Promotion of Civic Space, September 2020, [https://www.ohchr.org/Documents/Issues/CivicSpace/UN\\_Guidance\\_Note.pdf](https://www.ohchr.org/Documents/Issues/CivicSpace/UN_Guidance_Note.pdf)



## 3.0 | Regulatory Framework

The regulatory framework for civic space is at two levels. The international and regional framework is regulated by international law and the domestic framework is regulated by domestic law.

### 3.1 International Law

Civic space is enabled or facilitated by what are known as the three (3) core rights:

- the rights to freedom of association,
- freedom of peaceful assembly, and
- freedom of expression.

Under international law, Zimbabwe is a State party to the International Covenant on Civil and Political Rights (ICCPR) (1966), which makes provision for the three core rights<sup>5</sup>. This is complemented by the development agenda, which includes Goal 16 of the UN Sustainable Development Goals (SDGs) which came into force on 1 January 2016 when United Nations (UN) member states agreed to “*promote just, peaceful and inclusive societies*”<sup>6</sup>. Zimbabwe

5. See Article 19 (conscience and expression); Article 21 (assembly); Article 22 (association) and Article 25 (participation and political rights).

6. United National Development Programme (UNDP), Sustainable Development Goals, (2015), [https://www.undp.org/content/dam/undp/library/corporate/brochure/SDGs\\_Booklet\\_Web\\_En.pdf](https://www.undp.org/content/dam/undp/library/corporate/brochure/SDGs_Booklet_Web_En.pdf)

also ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) on 13 May 1991. This Convention obligates all States Parties to take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, to ensure women’s participation in non-governmental organisations and associations concerned with the public and political life of the country.<sup>7</sup>

At the regional level, the African Union (AU) has established a strong normative basis for civic participation through several key legal instruments and policy frameworks, among them:

- the African Charter on Human and Peoples’ Rights (ACHPR) (1981)<sup>8</sup> and,
- the African Charter on Democracy, Elections and Governance (ACDEG) (2007).<sup>9</sup>

The ACHPR makes provision for the rights to freedom of association, peaceful assembly, and expression, as well as the circumstances under which they may be limited.<sup>10</sup>

The ACDEG makes specific provision for civil society as follows:



### **Article 12**

State Parties undertake to implement programmes and carry out activities designed to promote democratic principles and practices as well as consolidate a culture of democracy and peace.

To this end, State Parties shall:

[...]

3. Create conducive conditions for civil society organisations to exist and operate within the law ...”

### **Article 27**

In order to advance political, economic and social governance, State Parties shall commit themselves to:

[...]

2. Fostering popular participation and partnership with civil society organisations; ...

7. See article 7 (c).

8. African Union, African Charter on Human and Peoples’ Rights, (Adopted 27 June 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force 21 October 1986), <https://www.achpr.org/legalinstruments/detail?id=49>.

9. African Union, African Charter on Democracy, Elections and Governance, adopted by the Eighth Ordinary Session of the Assembly, Held in Addis Ababa, Ethiopia, 30 January 2007, Entry into force on 15 February 2012, <https://au.int/en/treaties/african-charter-democracy-elections-and-governance>.

10. See Article 10 (association), Article 11 (assembly) and Article 13 (participation).

### Article 28

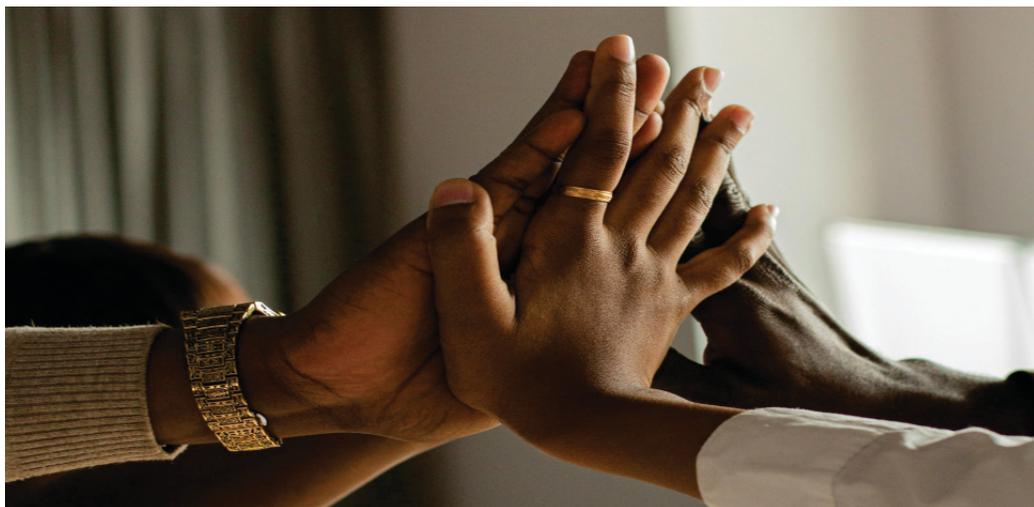
State Parties shall ensure and promote strong partnerships and dialogue between government, civil society and private sector.

## 3.2

### Domestic Law: The Constitution

Civic space in Zimbabwe is regulated under the Constitution of Zimbabwe (2013), and various national laws. The Constitution being the supreme law of the land, takes pride of place, and any law, practice, or conduct that derogates from the Constitution, is illegal and unlawful to the extent of that derogation.<sup>11</sup>

An entity can exist under the strength of the Constitution as a common law universitas.<sup>12</sup> Zimbabwe's common law recognises that constitutional freedoms can allow people to come and work together for causes that they care about. As long as their objectives are lawful and do not violate the rights of others, that entity is lawful. The practice is for the entity to put together a document that clearly lays out their purpose of existence and how they will govern themselves. This document is usually called a constitution. At community level, these groups come under different forms and shapes including burial societies, savings clubs, social sports. At national level there are also different clubs and associations. These associations may seek to pursue social or professional goals.



11. Section 2, Constitution of Zimbabwe (2013).

12. A common law universitas in Zimbabwe is a legal entity formed by a group of individuals coming together for a shared purpose, such as a business or organisation, allowing it to operate independently of its members and hold rights and responsibilities under the law.

A good example of this arrangement was the formation of ZimRights in 1992. Between 1992 and 1993, ZimRights existed as a common law universitas, under the strength of its constitution.

However, while an organisation can exist lawfully as a common law universitas, if it seeks to undertake or offer services that are linked to a particular profession, it may then be required to subject itself to the standards of such a profession.

Many professions are now regulated by professional bodies with their set of requirements. For example, if a common law universitas chooses to offer legal services, it finds itself in a professional area governed by the Law Society of Zimbabwe (LSZ). This means that, in practice, since the LSZ is established by statute and empowered to regulate the legal profession, any entity involved in providing legal services must comply with the law governing the legal profession to the extent of its involvement. For example, there are organisations, like the Zimbabwe Human Rights NGO Forum (the Forum) to which ZimRights is a member, that at the time of the compilation of this report, existed as a common law universitas, but its lawyers are required to obtain a practicing certificate from the LSZ.

The general principles governing a common law universitas are found in the Constitution and will be outlined below.

### 3.2.1

#### **All Power Derives from the People**

Addressing the Democracy in Central and Southern Africa Conference in Cape Town in 2019, as the key note speaker Graça Machel<sup>13</sup> said the quality of democracy today depends on the quality of our citizenry.<sup>14</sup> In her impassioned keynote address she said that societies today are paralysed because they are expecting too much from leaders who can deliver nothing. She said the concept of sovereignty residing in the people means the people must lead. Many times, people stand and swear at leaders for their failures and yet they (the people) absolve themselves of any responsibility. It is this attitude that is leaving societies in a state of paralysis. The quality of our leadership depends on the quality of the citizenry.

---

13. Graça Machel is a renowned Mozambican humanitarian, former First Lady of Mozambique, and prominent advocate for women's and children's rights, as well as a key figure in social justice and development across Africa.

14. The Democracy in Central and Southern Africa Conference was convened by the Mandela School and the Kofi Annan Foundation in Cape Town from 4 to 6 September 2019. Proceedings of the conference are available on [https://www.youtube.com/watch?v=ifEIXwc0yuc&fbclid=IwARODiDzAXy\\_X7dYwFvfc3VfrRY9dQooyjih\\_-7y7J4GkdFfruyQAs9kqOQ](https://www.youtube.com/watch?v=ifEIXwc0yuc&fbclid=IwARODiDzAXy_X7dYwFvfc3VfrRY9dQooyjih_-7y7J4GkdFfruyQAs9kqOQ)

“

Machel said, “We are going to be paralysed if we do not take responsibility as citizens who know how to organise. Citizens who know of that big principle in each one of our constitutions which says, ‘sovereignty resides in people. ...’ we have to internalise that it cannot be those few who are called leaders. It has to be us, as organised. We have in our veins that legacy of caring for one another.”

”

She went on to say, “We cannot afford to be complacent. History teaches us that when citizens abdicate their responsibilities to remain engaged and demand social justice from their leaders and institutions, a deterioration of democracy and peace and security follows. This is why the threat to democratic freedoms and universal human rights needs to be challenged, loud and clear.”<sup>15</sup>

There is no doubt that the current threats against civic space are a threat to democratic freedoms.

Under Zimbabwe’s constitutional architecture, all power derives from the people. This means the people have the constitutional authority to self-organise and pursue legal and constitutional objectives. Sections 88, 117, and 162 of the Constitution indicate that the legislative, executive, and judicial authority in Zimbabwe comes from the people. This means that all branches of government are accountable to the citizens and must operate with their consent.<sup>16</sup> The Constitution itself is enacted by “We the People”.<sup>17</sup>

### 3.2.2

#### **Freedoms of Assembly and of Association**

The people have freedom of association and the freedom to assemble. These are the hallmarks of civic space, without which, there is no civic space. The people are thus entitled to self-organise outside of the State. Section 58 of the Constitution provides as follows:

---

15. Find the whole keynote address here <https://gracamacheltrust.org/2019/09/13/graca-machel-keynote-democracy-in-central-and-southern-africa-conference/>

16. “88. Executive authority

1. Executive authority derives from the people of Zimbabwe and must be exercised in accordance with this Constitution”.

“117. Nature and extent of legislative authority

1. The legislative authority of Zimbabwe is derived from the people and is vested in and exercised in accordance with this Constitution by the Legislature.”

“162. Judicial authority

Judicial authority derives from the people of Zimbabwe and is vested in the courts...”

17. See Preamble to the Constitution of Zimbabwe (2013).



### 58. Freedom of Assembly and Association

- Every person has the right to freedom of assembly and association, and the right not to assemble or associate with others.
- No person may be compelled to belong to an association or to attend a meeting or gathering.

The right to freely associate includes the right of every person without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, sexual orientation or other status, to “*establish a civil society organisation and also to freely join one or choosing not to participate*”.<sup>18</sup> Thus individuals may operate civil society organisations and participate in their activities without fear or unwarranted interference.<sup>19</sup> This includes the right to set up institutions and do all that is necessary for their functioning, and to affiliate and cooperate with other organisations locally, nationally or internationally.

### 3.2.3

#### Freedom of Expression

The right to freedom of expression entails, according to the Universal Declaration of Human Rights, the “freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”<sup>20</sup>

The right is fundamental to the existence of civil society. It includes:

- the right to access information,
- critically evaluate and,
- speak out against

The policies and actions of state and non-state actors, as well as publicly draw attention to and carry out advocacy actions to promote shared concerns, without fear of retribution from any quarter. CSOs are also assured the freedom to carry out investigations and document their findings under this right.<sup>21</sup>

18. CIVICUS: World Alliance for Citizen Participation, Compendium of International Legal Instruments and other Inter-Governmental Commitments Concerning Core Civil Society Rights, January 2014, [http://www.civicus.org/images/stories/Compendium\\_International\\_Legal%20Instruments\\_Et\\_AL\\_2014.pdf](http://www.civicus.org/images/stories/Compendium_International_Legal%20Instruments_Et_AL_2014.pdf).

19. Ibid.

20. United Nations General Assembly, Universal Declaration of Human Rights (UDHR), Paris, 10 December 1948 (General Assembly resolution 217 A) <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

21. CIVICUS, Civic Space Monitor, <https://monitor.civicus.org/whatis-civicspace/>.



Section 61 of the Constitution of Zimbabwe makes provision for freedom of expression and it is aligned with Article 19 of the Universal Declaration of Human Rights (UDHR) which affirms the right of individuals to freely express their opinions and seek, receive, and impart information through any media, regardless of frontiers. Section 61 specifically provides as follows:



### **61. Freedom of Expression and Freedom of the Media**

(1) Every person has the right to freedom of expression, which includes:

- (a) freedom to seek, receive and communicate ideas and other information;
- (b) freedom of artistic expression and scientific research and creativity; and
- (c) academic freedom.

(2) Every person is entitled to freedom of the media, which freedom includes protection of the confidentiality of journalists' sources of information.

(3) Broadcasting and other electronic media of communication have freedom of establishment, subject only to State licensing procedures that:

- (a) are necessary to regulate the airwaves and other forms of signal distribution; and
- (b) are independent of control by government or by political or commercial interests.

(4) All State-owned media of communication must:

- (a) be free to determine independently the editorial content of their broadcasts or other communications;

(b) be impartial; and  
(c) afford fair opportunity for the presentation of divergent views and dissenting opinions.

(5) Freedom of expression and freedom of the media exclude:  
(a) incitement to violence;  
(b) advocacy of hatred or hate speech;  
(c) malicious injury to a person's reputation or dignity; or  
(d) malicious or unwarranted breach of a person's right to privacy.

### 3.2.4

#### Political Rights

Civic space includes the rights to participate in political process, alone or in associations. Section 67 of the Constitution states as follows:



#### 67. Political Rights

[...]

2. Subject to this Constitution, every Zimbabwean citizen has the right:

- a. to form, to join and to participate in the activities of a political party or organisation of their choice;
- b. to campaign freely and peacefully for a political party or cause;
- c. to participate in peaceful political activity; and
- d. to participate, individually or collectively, in gatherings or groups or in any other manner, in peaceful activities to influence, challenge or support the policies of the Government or any political or whatever cause.

These provisions illustrate that civic space is fundamentally about the ability of individuals to exercise their political rights. By guaranteeing citizens the right to participate in political activities and organisations, the Constitution ensures a robust civic space where people can engage, advocate, and collaborate to influence governance and public policy. In essence, the political rights enshrined in Section 67 serve as a cornerstone for a dynamic civic space, enabling citizens to actively shape their political landscape.

### 3.3

#### Domestic Law: The Statutes

As legal entities, CSOs are also regulated by statutes. Outside the mentioned common law *universitas* entities, the other dominant legal vehicles through which civil society organisations exist and operate in Zimbabwe, are private voluntary organisations (PVOs) and trusts. PVOs are regulated by the Private Voluntary Organisations (PVO) Act.<sup>22</sup>

#### 3.3.1

##### The Private Voluntary Organisations Act

Under section 6 of the Act, PVOs are required to register if they meet a certain criterion. The Act states that a “private voluntary organisation” means anybody or association of persons, corporate or unincorporated, or any institutions, the objects of which includes or are one or more of the following:

- (a) the provision of all or any of the material, mental, physical or social needs of persons or families;
- (b) the rendering of charity to persons or families in distress;
- (c) the prevention of social distress or destitution of persons or families;
- (d) the provision of assistance in, or promotion of, activities aimed at uplifting the standard of living of persons or families;
- (e) the provision of funds for legal aid;
- (f) the prevention of cruelty to, or the promotion of the welfare of, animals;
- (g) such other objects as may be prescribed; and
- (h) the collection of contributions for any of the foregoing.

However, not all organisations are considered to be PVOs that are required to be registered in terms of Act. The definition in the Act has a provision which exempts certain organisations from being deemed PVOs and therefore in need of registration. The Act specifically exempts, among others:

- any trust established directly by any enactment or registered with the High Court; or
- anybody or association of persons, corporate or unincorporated, the benefits from which are exclusively for its own members.

In all there are ten (10) types of organisations that are exempt from registration requirements.<sup>23</sup>

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22. Private Voluntary Organisations Act [Chapter 17:05], (1966), <http://www.veritaszim.net/node/259>

23. Ibid.

### 3.3.2

#### **The Deeds Registries Act**

The operations of a trust on the other hand, are governed by the common law and the trust deed, in terms of the Deeds Registries Act [Chapter 20:05] as amended 2005.<sup>24</sup>

Trusts in Zimbabwe do not have to register under the Private Voluntary Organisations (PVO) Act. A trust can receive money, goods, and services from various sources, including individuals and organisations, as long as these actions align with its deed. Contrary to some arguments, it is incorrect to suggest that a trust must have its own funds and cannot seek resources from local or international funding organisations or the government. For a trust to exist, it requires a settlor to establish it through a trust deed. While a trust may seek donations to fulfil its purpose, it can exist legally even without immediate contributions.

### 3.4

#### **Proposed Amendments to the Current Legislation**

##### 3.4.1

#### **A Law Built on Hate Legacy**

The legacy of hate informing the push for the PVO Bill can be traced as far back as 2004 when the Non-Governmental Organisations Bill (HB 13), 2004 (the NGO Bill) was gazetted. According to its memorandum, the NGO Bill intended to 'provide for an enabling environment for the operations, monitoring, and regulation of all non-governmental organisations.' Despite this intended purpose, the NGO Bill was in reality more repressive than the PVO Act. This is because among other things it denied NGOs involved in issues of governance to access foreign funding per clause 17. Furthermore, it bared foreign NGOs whose work revolved around issues of governance from registering in Zimbabwe according to clause 19.<sup>25</sup>

The NGO Bill was gazetted after the African Commission on Human and Peoples' Rights published an adverse report on Zimbabwe after a fact-finding mission.<sup>26</sup> The report was not well received by the GoZ as evidenced by an article published by the state-controlled Herald newspaper on 6 July 2004 in which it stated that 'the report was similar to reports produced by

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24. Deeds Registries Act [Chapter 20:05] as amended 2005, <https://www.veritaszim.net/node/199>.

25. Issues of governance as defined in the Bill included the promotion and protection of human rights and political governance issues.

26. African Commission on Human and Peoples' Rights. Zimbabwe Report on the Fact Finding Mission (2002) available at [https://www.achpr.org/public/Document/file/English/achpr34\\_misrep\\_zimbabwe\\_2002\\_eng.pdf](https://www.achpr.org/public/Document/file/English/achpr34_misrep_zimbabwe_2002_eng.pdf).

the British-funded Amani Trust, which is well known for its anti-Zimbabwe stance and falsifying the situation in the country.’<sup>27</sup> It is on this contextual basis that Kagoro postulated that the NGO Bill was not a legitimate attempt to regulate civil society but rather a ‘*vindictive and punitive*’ response to the African Commission’s adverse report.<sup>28</sup> Although the NGO Bill underwent all the Parliamentary processes required to pass it into law when it was submitted to President (as he then was) Robert Mugabe, he did not sign it into law and no explanation was ever provided, consequently, the NGO Bill was abandoned. The reprieve that the abandonment of the NGO Bill gave civil society was short-lived. In 2019 there was a resurgence in the desire to repressively regulate civil society by amending the PVO Act.

On 22 October 2020, President Mnangagwa, speaking at the official opening of the third session of the ninth parliament, vowed to crack down on NGOs.

“There are lots of registered NGOs in the country,” he said, “and through the home affairs and social welfare ministries we are going to look at the mandate of each NGO. The ministers of home affairs and social welfare will depend on you war veterans, youths and women party chairpersons to give them a list of NGOs operating in your areas. If we discover that an NGO is operating outside its mandate, it will be deregistered.”<sup>29</sup> Despite the outcry pointing out that CSOs do not simply work on humanitarian issues but also human rights, women’s rights and governance among others, on 5 November 2021, the Government of Zimbabwe gazetted the Private Voluntary Organisations Amendment Bill (PVO Bill 1).

### 3.4.2

#### **The Government Justification**

According to the Government of Zimbabwe, the proposed law sought to amend the PVO Act for reasons including:

- to comply with the recommendations of the Financial Action Task Force (FATF);
- to facilitate the easier registration and operation of PVOs; and
- to prevent PVOs from engaging in political activities.

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27. Kagoro K . The Prisoners Of Hope: Civil Society And The Opposition In Zimbabwe, (2005) African Security Studies, 14:3, 19-29, available at <https://doi.org/10.1080/10246029.2005.9627367>.

28. Ibid.

29. “Zimbabwe: Mnangagwa Threatens to Crack Whip On NGOs”, Zimbabwe Independent, 23 October 2020, <https://allafrica.com/stories/202010240005.html>



The FATF is a multilateral body created to ensure that measures are in place to fight money laundering and terrorist financing (ML/TF). FATF has developed 40 standards and these include recommendation 8, which focuses on non-profit organisations (including PVOs). Under recommendation 8, Zimbabwe is required to apply ML/TF measures:

- only to non-profit organisations/PVOs that have been identified to be at risk (not the whole non-profit/PVO sector);
- to consult with non-profit organisations / PVOs in the process; and
- to apply equal, fair, balanced and focused measures.

### 3.4.3

#### **Criticism of the Proposed Law**

While the Bill is ostensibly gazetted to fulfil FATF recommendation 8, the reality is that the Bill does little on the issue of ML/TF, but more on restricting the work of all PVOs, and not just those that are deemed to be at risk of ML/TF. Interestingly, Section 22(3) of the PVO Bill empowers the Minister to undertake a risk assessment of PVO every five years but it does not require the Minister to engage PVOs in the risk assessment process. This contravenes the FATF Recommendations which require that states work with NPOs 'to develop and refine best practices to address terrorist financing risks and vulnerabilities and thus protect them from terrorist financing abuse.'<sup>30</sup> This shows that the Bill prioritizes state control over PVO activities rather than genuinely addressing the risks of money laundering and terrorist

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30. Financial Action Task Force 'International Standards on Combating Money Laundering and the Financing of Terrorism and Proliferation' (2012) 60 available at <https://www.fatf-gafi.org/media/fatf/documents/recommendations/pdfs/fatf%20recommendations%202012.pdf>.

financing. This lack of engagement with PVOs undermines the principles of collaboration and transparency emphasized by FATF, potentially alienating PVOs and weakening their ability to operate effectively in addressing societal needs.

The Bill violates important human rights and affects communities that depend on the work of PVOs. The Bill opens up for greater regulation of NGOs, allowing for targeting of those NGOs that may be perceived as anti-government, for even greater regulations, scrutiny and oversight by the government, including interference with the internal governance of the NGOs. In pursuit of these political ends, the consequence of the Bill is that it limits the ability of citizens to access health, legal, humanitarian and other support that is offered by PVOs.

The Bill was received with widespread criticism in Zimbabwe and abroad. Civil society organisations produced a detailed analysis of the proposed law which concluded that the law would undermine civic space. An analysis by ZimRights concluded that the Bill was an attack on active citizenship.<sup>31</sup> Another analysis by Veritas found that the bill violated the Constitution in several aspects including the superpowers it gave to the Minister to bring organisations currently not falling under the ambit of the PVO Act to be governed by the Bill.<sup>32</sup> In another analysis, Zimbabwe Lawyers for Human Rights (ZLHR) criticised the bill saying that it amounted to an unreasonable violation of the rights of human rights defenders and civil society organisations.<sup>33</sup>

In March 2023, the Observatory for the Protection of Human Rights Defenders urged President Mnangagwa to refrain from signing this bill into law, as its implementation would seriously undermine freedom of association and expression in the country.<sup>34</sup> In December 2023, four Special Rapporteurs of the United Nations expressed serious concern over a proposed law designed to control the activities of non-profit entities in the country. In a letter addressed to President Emmerson Mnangagwa, the rapporteurs said, *“If adopted into law in its current version, this bill will have grave consequences for the exercise of civil and political rights, including the*

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31. See ZimRights, The Great Gift of Active Citizens, January 2022, <https://www.zimrights.org.zw/wp-content/uploads/2022/02/The-Great-Gift-of-Active-Citizens-Ir.pdf>

32. See the Veritas analysis here <https://www.veritaszim.net/node/5352>

33. Zimbabwe Lawyers for Human Rights, The Operating Space of Civil Society Organisations in Zimbabwe: A Critical Analysis of the Proposed Regulation of Civil Society, 2021, <https://www.zlhr.org.zw/wp-content/uploads/2022/07/The-Operating-Space-of-Civil-Society-Organisations-In-Zimbabwe-A-Critical-Analysis-of-the-Proposed-Regulation-of-Civil-Society.pdf>

34. See Observatory, Statement, “Zimbabwe: President Mnangagwa must reject Private Voluntary Organisations Amendment Bill restricting freedom of association”, 2 March 2023, <https://www.fidh.org/en/region/Africa/zimbabwe/zimbabwe-president-mnangagwa-must-reject-private-voluntary>

*right to freedom of association of PVOs in Zimbabwe*.<sup>35</sup> In March 2023, President Emmerson Mnangagwa met with civil society leaders in Harare who made a case about why the President was not supposed to sign the bill. In September 2023, the President refused to sign the bill and returned it to Parliament for reconsideration.<sup>36</sup>

#### 3.4.4.

### The PVO Bill Second Coming

The relief at this development was short-lived. In March 2024, a revised PVO Bill was gazetted with the government for reconsideration by Parliament and subsequently the President. The government alleged that the issues raised by stakeholders had been addressed. In practice, however, not much had changed.



**ZimRights together with other CSOs compiled a list of 10 things that were wrong with the revised PVO Bill.**<sup>37</sup>

After intensive debate and lobbying, the government was reported to have conceded to make some changes to the proposed law. The changes include a new preamble which it recognises the important role of PVOs in serving the public good and supporting development, and states the Government's desire to establish an enabling environment for PVOs; retaining the PVO Board which the initial Bill proposed to remove and giving the Registrar provisional powers in granting or denying registration with the final decision lying with the PVO Board among others.<sup>38</sup>

On 17 October 2024, Parliament passed the PVO Bill. At the time of the compilation of this report, the Bill was awaiting Presidential assent. Inevitably, the Bill, if signed into law, will affect the work of all non-profit organisations working in Zimbabwe, including those providing life-saving assistance, religious charities, educational services, food aid, water and sanitation assistance, care for vulnerable children and more. It limits rights like freedom of association, right to privacy, and political rights, which are provided for in Zimbabwe's Constitution. The Bill overall, will be disruptive of what CSOs can do, and will also re-arrange the way CSOs have traditionally worked in the country.

35. See report here <https://www.voazimbabwe.com/a/united-nations-special-rapporteurs-warn-mnangagwa-government-over-pvos-bill/6365720.html>

36. See report available here <https://www.zimlive.com/mnangagwa-refuses-to-sign-pvo-bill-sends-it-back-to-parliament/>

37. See ZimRights PVO Bill information pack available here <https://www.zimrights.org.zw/wp-content/uploads/2024/06/PVO-Bill-Information-Pack.pdf>.

38. See Veritas Bill Watch 30 of 2024 available at <https://www.veritaszim.net/node/7178>

### 3.4.5

#### Impact of the Current PVO Bill on Civic Space

Considering the expected changes, the Bill remains very harmful to civic space. Below are some of the Bill's problems.

##### **1. The Bill pretends to solve a problem that does not exist:**

In the accompanying note of the PVO Bill, Parliament says that the Bill is being introduced to comply with recommendations of the Financial Action Task Force (FATF) to combat the abuse of charity organisations in advancing terrorism and money laundering. In 2019, Zimbabwe undertook a risk assessment of the Not-for-Profit Organisations (NPO) sector for terrorism financing and money laundering and identified six NPOs that dealt with religion and vulnerable children as posing a high risk.<sup>39</sup> However, there was no evidence that charity organisations in Zimbabwe have in fact been used for money laundering or for funding terrorism. NGOs are not among the high-threat sectors in Zimbabwe. Secondly, since in March 2022, the Financial Action Task Force removed Zimbabwe from its grey list (designation of a country as at risk) meaning the said recommendation 8 by FATF no longer applies to Zimbabwe. Through several debates in Parliament, the Minister of Justice, Hon. Ziyambi Ziyambi, has conceded to this matter and agreed to make changes to the Bill to address this issue. There is a possibility that a new preamble will be inserted in the PVO Act which recognises the important role of PVOs in serving the public good and supporting development and states the Government's desire to establish an enabling environment for PVOs. In its analysis of this new change, the organisation Veritas has stated that however disingenuous the Minister may have been in allowing these sentiments to be expressed in the new Preamble, they will have to be taken at face value by courts when interpreting the Bill and may persuade judges and magistrates to ameliorate some of the Bill's harsher provisions.<sup>40</sup>

##### **2. Anti-Terrorism laws already exist:**

As stated above, there is no evidence from past risk assessments, that NGOs in Zimbabwe are used for terrorism financing. In any case,

39. Eastern and Southern Africa Anti-Money Laundering Group 'Zimbabwe: Mutual Evaluation Report' (2019) 11 available at <https://www.esaamlg.org/reports/FUR%20Zimbabwe-September%202019.pdf>

40. Ibid.

Zimbabwe already has a law called Suppression of Foreign and International Terrorism Act [Chapter 11:21], which covers all matters related to prevention and suppression of terrorism.

### **3. Sabotaging Community Organising:**

NGOs are platforms through which ordinary people organise around various issues they care about. Current legal frameworks allow many groups to legally operate on the strengths of their constitutions like associations. Others are registered as trusts with the Registrar of Deeds under the Deeds Registries Act. This situation gives different NGOs flexibility to allow them to work on their issues. The PVO Bill imposes rigid compliance rules that place diverse organisations into a single regulatory framework, creating significant challenges for community-based groups. These challenges include the financial burden of compliance, extensive registration requirements, and mandatory re-registration for material changes, requirements that community organizers may struggle to meet due to limited legal knowledge. The PVO Bill forces organisations that were operating as associations under common law or trusts under the Deeds Registries Act to now register as PVOs. If these organisations, which are already operating as trusts and common law universitas, are denied registration, communities that rely on them for services will be negatively affected.

### **4. Undue government interference with NGOs:**

The government has unfettered influence over the proposed registration of NGOs through the office of the Registrar of NGOs under the new law. Under the current PVO Act, organisations face obstacles such as bureaucratic delays, high costs, stringent requirements and lack of transparency in the approval process which disproportionately burden smaller and grassroots groups. This situation will only become worse with the new law, especially for NGOs that are seen as critical of the government. There is already evidence of government officials attempting to and threatening to 'ban' some NGOs. The PVO Bill, if it becomes law, will be easily abused by such government officials. The Minister has wide discretionary powers which could be used to interfere with the operations of NGOs. He can suspend the executive committee of an

organisation and replace it with a provisional trustee/s who can make far-reaching changes in the organisation. The Minister can also suspend and disqualify individuals from holding office without giving them an opportunity to be heard. Interference of this nature will affect the operations of the organisation and they will not be able to pursue with their missions and this will affect the communities they serve. In the debate which followed in Parliament, some members have raised this issue. It is not yet clear if there will be changes to this provision. At the time of the compilation of this report, the Bill still gave the Registrar of NGOs too much power to interfere with the registration and deregistration of NGOs. If the Registrar thinks that an unregistered trust is operating illegally, he or she will have power to order it to get registered within a fixed period – and there will be no appeal to the Board against the Registrar’s decision.

#### **5. Interference with human rights work:**

Human rights organisations the world over play an important role of holding governments into account and assisting victims of human rights violations. The language of the PVO Bill can be interpreted as an attempt to criminalise human rights work. Already, some politicians and politically aligned media groups have started hate speech against human rights groups falsely labelling them as regime change agents or enemies of the state. In that regard, the law will be used to violate civil and political rights. Punitive provisions exist in the Bill that will impose criminal liability for civil society leaders that will violate the proposed law. The law can also interfere with funding of human rights groups as it now includes in the principles a prohibition from receiving funds from vaguely termed *‘illegitimate sources.’*

#### **6. Interference with humanitarian work of non-state actors:**

Zimbabwe continues to depend on humanitarian support from different international and local non-state actors including churches and other groups especially in times of drought like the current season. The PVO Bill will make it difficult for many humanitarian actors to support communities in need. In 2008, Doctors Without Borders left Zimbabwe reporting difficulties in obtaining permits and facing restrictions on their activities, including interference with their medical work. This left many vulnerable groups without access to the



**Total  
foreign  
currency  
receipts  
(US\$ million)  
from NGOs  
rose by  
50.5%.**

much-needed humanitarian aid. The PVO Bill may likely result in a similar situation arising if it is passed.

### **7. Decline in foreign currency inflows:**

The NGO sector makes significant contribution to the economy of Zimbabwe. According to the 2022 Monetary Policy Statement, NGOs are the third biggest earners of foreign currency in the country after export proceeds and diaspora remittances. Total foreign currency receipts (US\$ million) from NGOs rose by 50.5% from US\$647.78 million in 2020 to US\$975.16 million in 2021.<sup>41</sup> Evidence in other countries shows that laws like the PVO Bill will lead to a significant reduction in foreign currency inflows causing economic instability which will make life difficult for many Zimbabweans. The reduction of foreign currency inflows has far-reaching consequences in various sectors including health, education, energy, and provision of social services.

### **8. Violation of the Constitution of Zimbabwe:**

The Constitution of Zimbabwe guarantees freedom of association and expression. Forming associations that pursue lawful ends is a constitutional exercise of freedoms. Using those associations to advocate for certain issues is a form of expression that is protected by the Constitution. The PVO Bill will introduce obstacles to the exercise of these rights hence violating the Constitution and several other international laws. This will happen in many ways. Legal ambiguities in the bill create a continuing operational risk. Legal experts have noted that the Bill is poorly drafted, creating several unclear sections. For example, section 23 will be amended to criminalise “*supporting or opposing any political party or candidate in a presidential, parliamentary or local government election.*” The terms supporting or opposing are not defined and this creates room for the narrowing and widening of definitions depending on who the targeted CSOs are. This creates an ongoing risk of organisations unwillingly offending the law, or simply being deemed non-compliant, attracting the stated penalties or deregistration. Most of the penalties in the bill may be imposed against board members and

41. See the report, 'Punching Holes Into a Fragile Economy? - The Possible Economic Impact of the Private Voluntary Organisations Amendment Bill gazetted on 5 November 2021. Report is available here <https://southerndefenders.africa/2022/04/26/punching-holes-into-a-fragile-economy/>

employees of the organisations. This will discourage people from associating with NGOs as either members or employees of organisations and this will affect the ability of organisations to serve communities. Many organisations do not have the legal sophistication or resources that will be required to give meaning and compliance to this law.



**The Constitution of Zimbabwe guarantees freedom of association and expression. Forming associations that pursue lawful ends is a constitutional exercise of freedoms.**



**9. Top-down approach to law-making:**

The approach used to develop this Bill is top-down without meaningful consultation of the NGO sector. Consultation with NGOs has been just a ritual with recommendations from CSOs, the African Commission on Human and Peoples Rights (the African Commission) and United Nations being ignored. In the spirit of nation-building and social cohesion, the government must create an inclusive roundtable on CSO regulation and consider the suggestions made by NGOs through their representative bodies, the African Commission and the UN experts.



## 4.0

# Experiences of Civil Society Actors in Zimbabwe

### 4.1

#### **Institutional Experiences**

In this section of this chapter, we spoke to civil society organisations operating in Zimbabwe about their experiences of the operating space in Zimbabwe. A survey was carried out nationwide from 25 September 2024 to 25 October 2024. 67 organisations responded to the survey.

### 4.2

#### **Nature and Location of the Organisations**

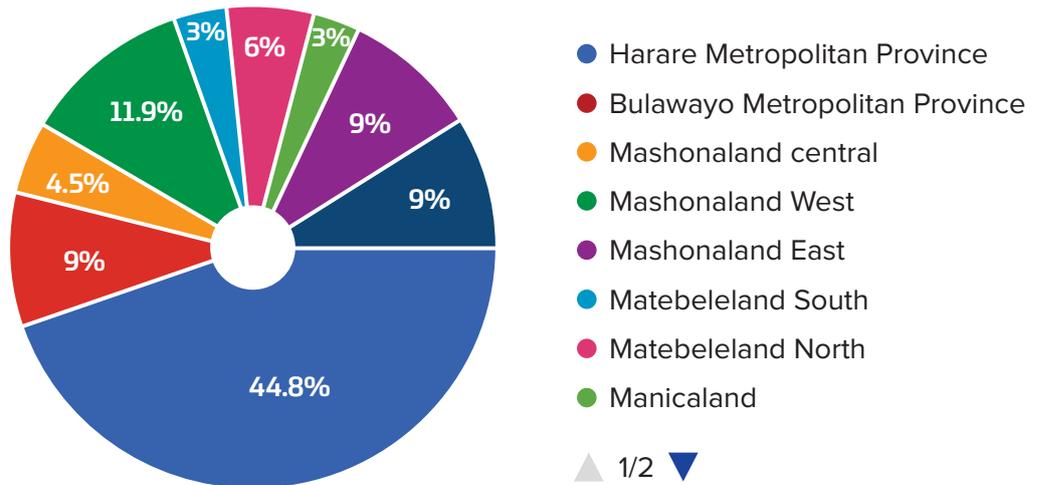
Out of the 67 organisations surveyed, 50.7% operate at national level, 31.35% identify as community-based organisations, 10.5% identify as faith-based organisations, while the rest identify as residents' associations, trade unions and youth and special interest groups that include youth and persons with disabilities.

In terms of geography, the organisations covered the whole of Zimbabwe. The provincial distribution is given below. The survey tried to ensure that

participation includes organisations out of Harare. Still the same, 44.8% of the organisations that responded are headquartered in Harare. This is followed by Masvingo, Midlands and Bulawayo.

### Which province of Zimbabwe is your organisation headquartered?

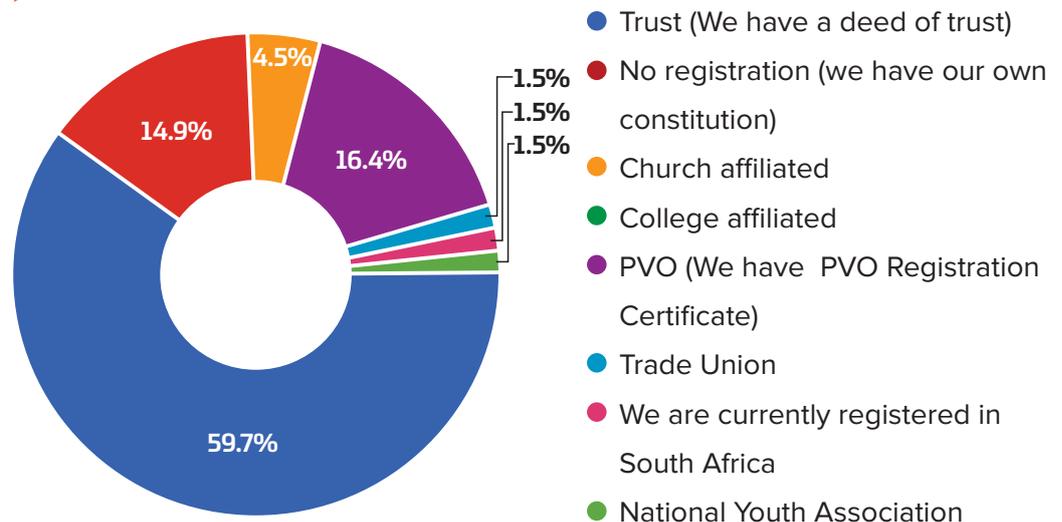
 67 Responses



**59.7%** of the organisations are registered as Trusts under the Deeds Registries Act. Out of the **67** organisations surveyed, only **16.4%** are registered under the PVO Act. This means if the PVO Bill becomes law, **83.6%** of the organisations will become unlawful overnight, and will require to begin the process of registration.

### What form of registration does your organisation have?

 67 Responses



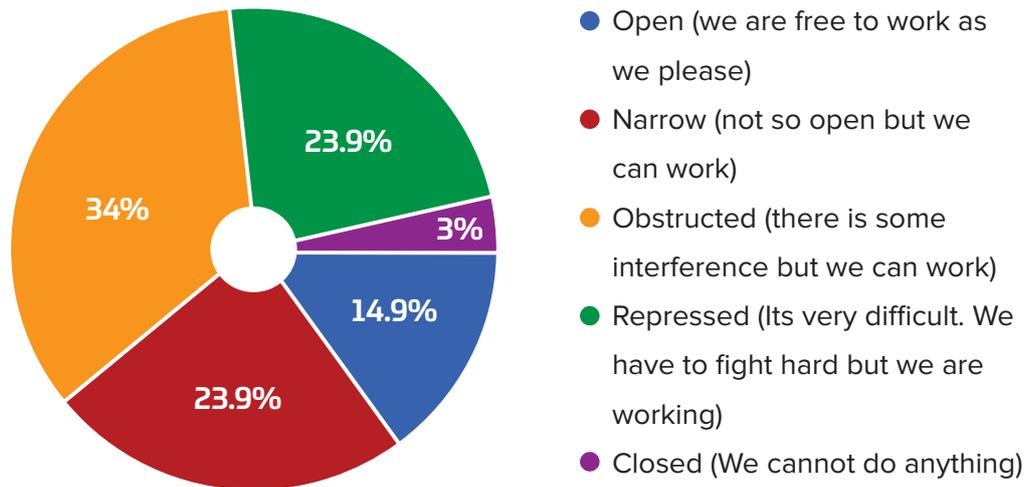
### 4.3

## Experiences of the Operating Space in Zimbabwe

The survey used the classification of civic space used by CIVICUS, to inquire into organisations' perceptions on their operating space. The rating ranges from open to closed passing through narrow, obstructed, and repressed. **34%** of the respondents feel that the space is obstructed, which is second last position before closure. **23.9%** feel that the space is repressed which is the last stage before closure. Another **23.9%** feel that the space is narrow, while **14.9%** feel that the space is open.

### How would you describe your operating space in Zimbabwe in the 1 year of your existence?

 67 Responses



In explaining the choice of the above, participants highlighted an atmosphere of fear that pervades community meetings:

“

**Meetings can be done  
but there is increased state  
sanctioned surveillance and  
monitoring of civic actors.**

”

Civic actors reported that official requests are demanding that organisations must have Memorandum of Understanding (MoU) with local councils. While MOUs are not a legal requirement for CSO operation in Zimbabwe, local authorities have been enforcing this practice. The MoUs are issued by District Development Coordinators (DDC), who many times are political appointees that tend to take a hostile attitude towards NGOs, especially those that operate in the human rights and governance sectors.

At the 2022 ZimRights Leadership Retreat, a government representative advised ZimRights that its registration certificate as a PVO was adequate to work in communities. He stated that should the association face any challenge; they must approach the local Social Welfare Officer. Several times, this approach has worked for ZimRights but not all the time. In October 2024, ZimRights tried to hold a roundtable on transparency and accountability in Beitbridge. The meeting was stopped as the Beitbridge Town Council went on to demand an MoU. This experience is the experience of many civic actors who participated in this investigation.

One participant had the following to say:

*“We have been implementing in Goromonzi for a long time, but starting our new project, we were referred back to Provincial Office which is in Marondera to renew our MoU, only to hit a brick wall. This has delayed the start of the project.”*

## 4.4

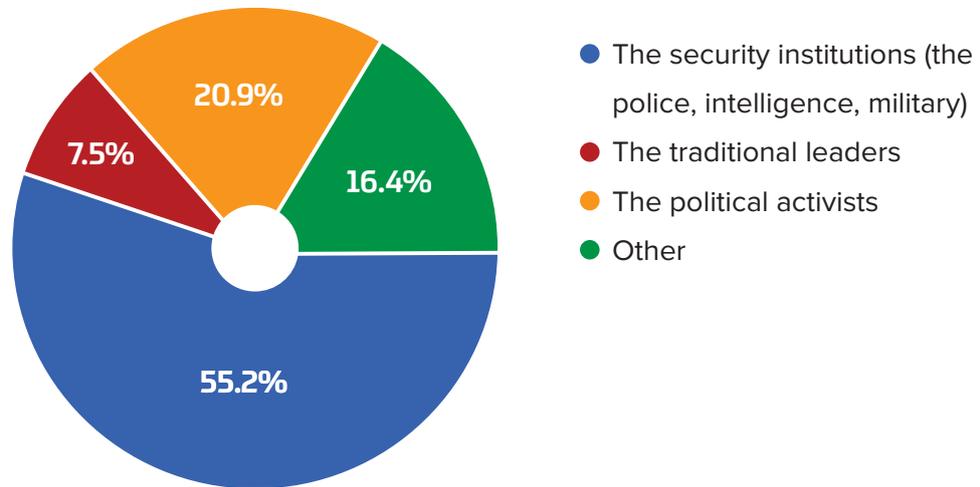
### Nature of Interference with Civic Activities

We further inquired on what was the main source of interference with their work, and **52.2%** of the respondents said it was the security institutions with the police topping the list. **29.9%** blamed political activists for interfering with their work. **7.5%** said interference came from traditional leaders.



## What are the main sources of interference with your work negatively?

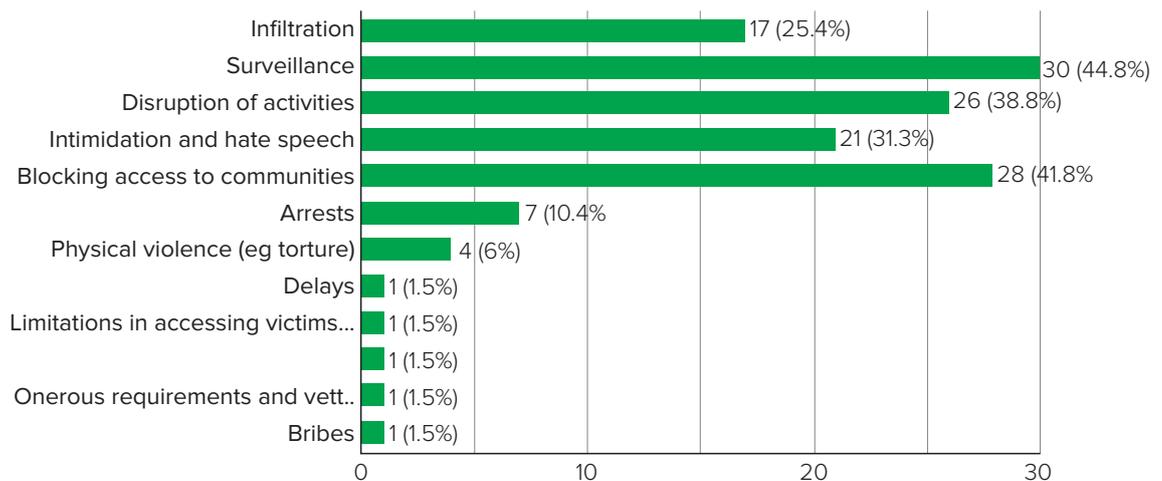
67 Responses



On the nature of interference, **44.8%** of the respondents said surveillance was the main form of interference. **41.8%** said they were blocked access to communities. This aligns with the issue of fear raised above as well as the demand for MoUs which is simply meant to place obstacles to communities intending to work in the communities.

## What is the nature of the interference that you are most concerned with?

67 Responses



## 4.5

### Relationship with Regulatory Authorities

The investigation inquired into the nature of the relationship between regulatory authorities and civic actors. **53.7%** of the respondents described their relationship with regulatory authorities as neutral while **22.4%** said it is hostile. **19.4%** said it is friendly. This co-relates with **14.9%** who said the space is open. The regulatory authorities referred to include the police and local government authorities such as District Administrators.

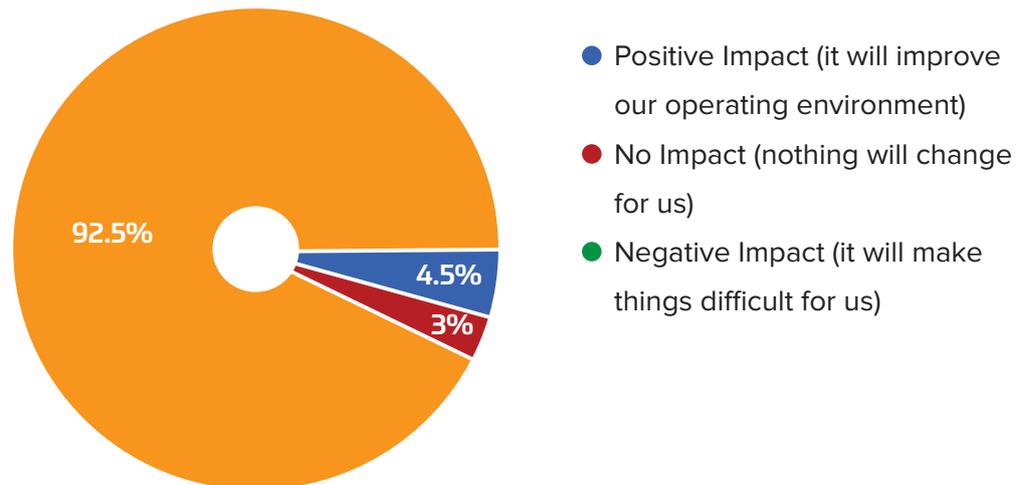
## 4.6

### On the Impact of the PVO Bill

On the impact of the PVO Bill on their operations, **92.5%** believe that the PVO Bill will have a negative impact on their work. Only **4.5%** feel the Bill will have a positive impact. **3%** think nothing will change.

### What impact do you think the PVO Bill proposed by Government will have on your operations

 **67 Responses**



Various reasons are proffered for this perception. Some feel that the registration process will have a lot of interference from the political actors especially for organisations that work in the sector that is deemed to be critical of the government and its policies.

Organisations such as the Zimbabwe Peace Project (ZPP) and the Zimbabwe Lawyers for Human Rights (ZLHR) have submitted their registration papers but by the time of publication of this report, ZPP has clocked more than 12 months without their registration being approved.

Other groups expressed concern that the proposed law has a lot of ambiguities which give the regulator power to interfere with operations. Others felt that there has already been premature implementation of the PVO Bill before it becomes law, further worsening the uncertainty.

*“You can almost feel that they cannot wait to close us down.”*

Said another.

There is fear that some funding partners will withdraw support because of the PVO Bill as it creates a lot of obstacles for implementing programmes effectively.



## 5.0

# Key Accounts of Civic Space Challenges

### 5.1

#### Introduction

As it has been shown throughout the report so far, civic space in Zimbabwe continues to shrink under the weight of systemic repression and hostility toward CSOs, activists, and grassroots movements. Despite constitutional guarantees of fundamental freedoms such as expression, assembly, and association, the operating environment for CSOs has become increasingly restrictive. Bureaucratic barriers, arbitrary arrests, violence, and surveillance have emerged as tools of suppression, creating a climate of fear that undermines democratic engagement and accountability.

These concerning developments have drawn international attention, with United Nations (UN) human rights experts calling on the Government of Zimbabwe to release detained human rights defenders and drop baseless charges against them. Following the arrest of Namatai Kwekweza, Robson Chere, and Samuel Gwenzi in July 2024, UN Special Rapporteurs on the situation of human rights defenders; the Right to Freedom of Opinion and Expression; the Rights to Freedom of Peaceful Assembly and of Association;

and the UN Working Group on Enforced or Involuntary Disappearances decried the “*enforced disappearance, incommunicado detention, and torture*” of these individuals as “*inexcusable*” and a violation of both international human rights law and Zimbabwe’s Constitution.<sup>42</sup> They urged the government to adhere to its human rights obligations, particularly as Zimbabwe prepared to host the Southern African Development Community (SADC) summit, an event premised on the values of democracy and accountability.



**At a time when Zimbabwe is preparing to host the SADC summit, whose values include institutions that are ‘democratic, legitimate, and effective,’ it is unconscionable that these human rights defenders remain arbitrarily detained.”**



**UN EXPERTS**

While earlier sections of this report explored the broader challenges faced by CSOs in Zimbabwe, this chapter shifts focus to the personal and organisational experiences that bring these challenges to life. By delving into specific incidents involving CSOs, their leaders, human rights defenders, and community activists, it offers a closer look at the realities of shrinking civic space and the human toll it exacts. The case studies provided in this chapter illuminate the lived experiences of those striving to uphold democracy, human rights, and social justice in an increasingly hostile environment.

## **5.2**

### **The Plight of a Community Human Rights Defender**

Mr. Tendai Moyo, a community human rights defender from Gokwe in Zimbabwe’s Midlands province, has advocated for human rights in his community since 2010 through his involvement with ZimRights.<sup>43</sup> Mr. Moyo’s work includes conducting human rights awareness campaigns, addressing extortion by traditional leaders, and participating in election monitoring.

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42. See <https://www.ohchr.org/en/press-releases/2024/08/zimbabwe-must-release-human-rights-defenders-ahead-sadc-summit-say-experts>.

43. The name provided is a pseudonym used to protect the identity of the individual. Any resemblance to real persons, living or dead, is purely coincidental.

However, his advocacy has subjected him to threats and intimidation by suspected state security agents exemplifying the vulnerabilities that community-based human rights defenders face amid Zimbabwe’s shrinking civic space.

Mr. Moyo’s advocacy has highlighted local governance issues and human rights concerns, often challenging influential figures and powerful structures in Gokwe. His key areas of activism include:

### **i. Campaign Against Extortion by Traditional Leaders**

Since 2021, Mr. Moyo has opposed extortion practices by local traditional leaders, who reportedly confiscate villagers’ livestock as punishment for alleged transgressions such as incest or outstanding dowry payments. Through ZimRights, he assisted victims in seeking justice, with some of the chiefs’ rulings overturned by local courts and confiscated livestock returned to rightful owners. His advocacy has not only supported victims but also exposed him to backlash from traditional leaders and other power-holders.

### **ii. Election Participation and Oversight**

Mr. Moyo has actively participated in election monitoring since 2012, upholding electoral transparency and citizens’ rights. In the 2023 elections, he served as a district supervisor for the Election Resource Centre (ERC) in Gokwe. However, his involvement in election monitoring exposed him to heightened risks, particularly following the arrest of 40 election observers in 2023.

After the arrest of election observers in August 2023, Mr. Moyo began receiving reports of unidentified men in unmarked vehicles searching for him. He went into hiding and re-emerged only after the election results were announced. However, in June 2024, he learned that the unidentified men had visited his home again, misrepresenting themselves as ZimRights colleagues and gathering information on his whereabouts. Fearing for his safety, Mr. Moyo went into hiding a second time. Reports from villagers indicated he was being targeted by suspected state agents or Zimbabwe African National Union - Patriotic Front (ZANU PF) activists, with accusations that he was:

- A “sell-out” for refusing to mobilise people for ZANU PF’s cell register in his area, where he serves as a village head;

- Disloyal to local traditional authorities by helping victims of extortion seek justice in court;
- A “regime change” agent due to his involvement in human rights campaigns.

The lack of clear identification by these men, along with escalating threats, raises serious concerns about Mr. Moyo’s safety. His isolation from his family, forced hiding, and disrupted livelihood underscore the challenges facing grassroots defenders in Zimbabwe today.



**There was a time I was too scared to even be at home with my family, worried that my presence might endanger them. Even now, that fear hasn't fully left me.**



**TENDAI MOYO**



### **Implications for Civic Space**

Mr. Moyo’s case highlights Zimbabwe’s shrinking civic space, exacerbated by the proposed PVO Bill, which poses new risks for human rights defenders and community activists. If enacted, the PVO Bill would empower authorities to label routine community mobilisation and advocacy as “political” activities, heightening the threat of surveillance, harassment, and criminal charges against human rights defenders like Mr. Moyo. The PVO Bill’s broad restrictions on civic organisations and foreign funding also threaten to weaken organisations like ZimRights, which support and protect at-risk human rights defenders. The unfounded accusations Mr. Moyo faces, such as being a “regime change” agent, reflect the stigmatisation and intimidation tactics already used against community human rights defenders, tactics that would likely worsen under the PVO Bill. The case underscores the need for protections that uphold Zimbabwe’s constitutional rights to freedom of association and expression, ensuring that defenders like Mr. Moyo can safely advocate for justice and accountability without fear of reprisal.

## 5.3

### Stalled Bureaucracy Threatening Civil Society Survival

Zimbabwe Human Rights Monitoring Group (ZHMG), a leading human rights organisation, specializing in human rights monitoring and documentation, has found itself operating in an increasingly precarious environment.<sup>44</sup> ZHMG, like many CSOs in Zimbabwe, exists in a climate of heightened anxiety over the anticipated passing of the PVO Bill. Fearing targeted reprisals, the ZHMG provided ZimRights with information for this case study on an anonymous basis to protect its staff and ongoing work.

In response to the PVO Bill's impending changes, ZHMG conducted a scenario mapping exercise to gauge potential impacts and opted to initiate the process of formal registration as a PVO. The decision to register was largely influenced by the severe consequences of non-registration under the anticipated legislation, which could include deregistration and other penalties. In 2023, ZHMG lodged its application for registration with the PVO Board and has since made multiple follow-ups. Despite these efforts, the registration remains in limbo; the most recent update in 2024 indicated that the application was still undergoing security checks, with no timeline for resolution.

ZHMG's experience mirrors the challenges faced by other CSOs operating within the human rights and governance sectors. Many of these organisations report protracted delays in the PVO registration process, with some waiting over a year without resolution. In certain cases, recommendations from authorities have suggested altering board compositions to improve the likelihood of passing security checks, placing undue influence on internal governance structures, and questioning the autonomy of these organisations.



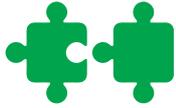
**After a year of waiting for registration, we are left wondering: will we ever be registered at all or is this delay a message that they do not intend to allow us to operate once the PVO Bill passes?**



**ZHMG DIRECTOR**

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44. The name of the organisation is a pseudonym used to protect its identity and ensure the safety of its members.



## Implications for Civic Space

The PVO Bill, if enacted, threatens to impose sweeping state control over civil society in Zimbabwe, effectively stifling organisations that work in human rights and governance. The indefinite delays and invasive security checks experienced by the anonymous human rights organisation illustrate how bureaucratic procedures are already being used to discourage independent civil society work. By recommending specific changes to board compositions, authorities are infringing on the organisational autonomy of CSOs, setting a troubling precedent that undermines self-governance and threatens mission integrity. The PVO Bill’s expansive language allows authorities to interpret human rights and advocacy work as political, posing risks of deregistration, surveillance, or harassment, as already evidenced by the ZHMG’s precautionary anonymity. Ultimately, this bill, coupled with these opaque registration practices, restricts the civic space and jeopardises the essential role of human rights defenders in Zimbabwe.

## 5.4

### Administrative Barriers Erode Civic Space for NGO

CSOs in Matabeleland have also felt the impact of state efforts to restrict civic space. On 17 January 2024, Mr. Z Jusa, the then Insiza District Development Coordinator (DDC), issued a directive to all CSOs operating in the district, mandating an “operational audit” by the local board.<sup>45</sup> The circular required CSOs to halt activities until they submitted credentials and compliance documentation to local authorities. The list of required submissions included 22 detailed items, such as bank account details, director profiles, sources of funding, partner information, administrative staff photos for police clearance, and needs and impact assessments. This unprecedented request posed an immediate operational halt for CSOs until the information was provided.

A day later, on 18 January 2024, Ms S Mafu, the Beitbridge DDC, followed suit with a similar circular, ordering NGOs in Beitbridge to cease operations until they submitted an extensive range of documents. This

45. Lulu Brenda Harris “Insiza NGOs abruptly suspended in documentation blitz” 18 January 2024. Available at <https://cite.org.zw/insiza-ngos-abruptly-suspended-in-documentation-blitz/>

included registration status, profiles of key personnel, details on implementing partners, funding sources, project proposals, account numbers, and authorized signatories. Ms Mafu further summoned all NGOs to a meeting with local authorities, including representatives from the Department of Social Development and the Rural District Council, to discuss the audit on 23 January 2024.

In response, the Forum wrote to the two DDCs formally challenging the legality of these directives in both districts.<sup>46</sup> The Forum contended that NGOs are governed by the Ministry of Public Service, Labour, and Social Welfare, not by local government authorities, which includes DDCs. This argument led to a concession in Beitbridge, where the DDC withdrew the circular.<sup>47</sup> However, DDC Jusa in Insiza maintained that his mandate to coordinate development in the district justified the audit and operational halt.

The apparent reprieve for CSOs was short-lived. On 19 August 2024, officials in Matabeleland South introduced new guidelines for NGOs, emphasising alignment with local development priorities.<sup>48</sup> Acting Provincial Director of Local Government Services, Mr. Jusa, instructed DDCs, Town Clerks, and Chief Executive Officers across the province to conduct ongoing assessments of NGO activities, suggesting that some NGOs had “*lost their relevance*” to local development, a sentiment often used to delegitimise civil society work.



**Each district must conduct a needs assessment to inform which areas are essential in evaluating the relevance and necessity of proposed NGO initiatives**



**MR. JUSA**

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46. Lulu Brenda Harris “NGO Forum gives Insiza DDC a week to reverse NGO ban” 24 January 2024. Available at <https://cite.org.zw/ngo-forum-gives-insiza-ddc-a-week-to-reverse-ngo-ban/>

47. Brent Shamu “Council withdraws order to ban NGOs after Forum intervention” Zimbabwe Independent, 6 February 2024. Available at <https://www.newspaper.co.zw/theindependent/local-news/article/200022777/council-withdraws-order-to-ban-ngos-after-forum-intervention>

48. Lulu Brenda Harris “Govt issues stricter guidelines for NGOs to align with local development goals” 29 August 2024. Available at <https://cite.org.zw/govt-issues-stricter-guidelines-for-ngos-to-align-with-local-development-goals/>.



## Implications for Civic Space

These actions reflect a growing trend of restrictive oversight and compliance measures on Zimbabwe's civil society, effectively shrinking civic space. The operational audits and extended list of compliance demands appear to exceed legal mandates, placing undue bureaucratic and administrative strain on CSOs. Requirements for sensitive data, such as banking information, photos for police clearance, and profiles of partners, raise concerns about the potential misuse of this information and the increased risk of surveillance and intimidation.

The strategic delays and directives for CSOs to align their activities with local government objectives signal an attempt to control and potentially weaken independent human rights work, particularly those challenging local governance or advocating for accountability. These compliance requirements, along with the withdrawal and reissuance of demands, are symptomatic of an increasingly hostile environment for NGOs, which could lead to a chilling effect on human rights advocacy. Such operational barriers undermine CSOs' ability to fulfil their missions and may discourage grassroots organisations from engaging in critical civic and social issues, thereby depriving communities of vital services and advocacy on fundamental rights.

## 5.5

### Navigating State Surveillance and Profiling

The Information Development Trust (IDT), a local CSO committed to empowering rural communities, has faced increasing scrutiny from state actors, illustrating the evolving challenges for CSOs in the country. As a non-partisan entity, IDT focuses on sustainable development, education, and public health initiatives. However, since Zimbabwe's 2023 elections, it has become a target for intensified government surveillance and control measures, particularly by entities such as the Central Intelligence Office (CIO), Police Internal Security Intelligence (PISI), and the Ministry of Local Government.

This heightened state oversight is occurring within the context of the PVO Bill. In recent months, local security officials have requested sensitive

information from IDT including detailed organisational financial records, lists of donors, and personal information on employees and volunteers. Although IDT initially complied with general requests, the pressure has escalated. For example, in August 2024, the Central Intelligence Organisation requested an exhaustive account of DTI’s donor funding sources, asking for specific donor identities and financial details.<sup>49</sup> IDT provided basic donor information without breaching confidentiality agreements but refrained from disclosing exact funding amounts. Despite this, IDT’s director was later summoned by security agents and pressured to disclose additional sensitive information under implied threats of operational disruption.

These encounters have become frequent, with state agents making unannounced visits to IDT’s offices and questioning staff about their roles in monitoring government activities. IDT has since sought legal guidance to protect its team and operations, turning to the Forum for assistance. Nevertheless, the looming threat of a shutdown, a tactic increasingly used by the state to enforce compliance, has created a sense of operational precarity for the organisation.



**They asked for our proof of registration,  
which we gave them before ending our engagement.  
The PISI details indicated that they had done thorough  
background checks on me and IDT.**



**TAWANDA MAJONI, DTI DIRECTOR**



### **Implications for Civic Space**

IDT’s experience reflects significant implications for civic space in Zimbabwe, highlighting the operational challenges faced by many CSOs. One notable consequence of the persistent scrutiny IDT has faced is the creation of a chilling effect within the organisation. Staff members and community partners are increasingly hesitant to discuss project-related concerns, fearing that any perceived dissent

49. Morris Bishi “Govt in new NGOs clampdown” 20 March 2024, News Hawks. Available at <https://thenewshawks.com/govt-in-new-ngos-clampdown/>

may draw unwanted government attention. This wariness limits IDT's ability to advocate effectively for the communities it serves, undermining its mission of empowerment. Moreover, the heightened demands from government agencies place an increased administrative burden on IDT.

The need to comply with frequent and often invasive data requests diverts precious resources, both time and funding, from essential community development programs. This situation exacerbates funding risks, as potential donors may become reluctant to support an organisation under heavy state surveillance, fearing repercussions for their own interests and reputations.

The safety of IDT's staff has also become a pressing concern. The intrusive demands for personal information create a sense of vulnerability among employees, who worry about the potential for personal repercussions due to their association with the organisations. This climate of fear extends to the communities IDT serves, as beneficiaries become wary of engaging with an organisation that is under state scrutiny, thereby eroding the trust essential for effective grassroots work.

Additionally, the legal ambiguity surrounding government surveillance practices allows for arbitrary enforcement, with security agents wielding considerable discretion without accountability. Should the proposed PVO Amendment Bill be enacted, it would formalise and intensify these pressures, placing organisations like IDT at even greater risk of arbitrary shutdowns and operational restrictions.

Ultimately, IDT's situation exemplifies a broader trend in Zimbabwe, where the narrowing of civic space poses a serious threat to the role of CSOs as advocates for accountability and community welfare. This oppressive environment stifles democratic engagement, potentially depriving communities of essential services and the advocacy necessary to uphold their rights.

## 5.6

### Brutality Against Community Advocates

In July 2024, three staff members of the Zimbabwe Peace Project and community mobilisers were illegally detained, interrogated, and brutally assaulted in Mutasa District.<sup>50</sup> This incident came after the arrest of six members of the Community Voices Zimbabwe media organisation in Gokwe in the same month.<sup>51</sup> The Community Voices Zimbabwe members were released without charge which reflects the lack of merit of the arrest. These incidents serve as a stark illustration of the deteriorating conditions for civic engagement and the growing repression faced by CSOs in Zimbabwe.



#### Implications for Civic Space

The illegal detention and brutal assault of the peace activists underscore the perilous state of civic space in the country. Such acts of violence not only threaten the safety of individuals involved but also compromise the essential functions of civil society, which are critical for fostering democratic engagement and accountability. These incidents represent a calculated strategy by state actors to instil fear within communities, thereby deterring grassroots mobilisation and activism. In a context where civic space is already severely restricted, the assaults on the Zimbabwe Peace Project

50. Zimbabwe Peace Project "July Monthly Monitoring Report" July 2024. Available at <https://www.hrforumzim.org/wp-content/uploads/2024/08/JULY-2024-MMR.pdf>.

51. CIVICUS "Authorities embark on widespread crackdown ahead of SADC summit" available at <https://monitor.civicus.org/explore/authorities-embark-on-widespread-crackdown-ahead-of-sadc-summit/>

staff and the harassment of the Community Voices members further diminish public trust in state institutions and discourage citizens from engaging in civic life.

The normalisation of violence against these advocates highlights a troubling erosion of the rule of law and underscores the urgent need for protective measures for human rights defenders. In this hostile environment, where the risks of persecution are ever-present, fundamental rights such as free expression, assembly, and association are gravely endangered. The implications of these attacks are profound, as they stifle the potential for social change and sustainable peace within Zimbabwe, demonstrating how state-sanctioned violence undermines civic participation and erodes the spaces where citizens can voice their concerns and aspirations.

## 5.7

### **State Repression's Intended and Unintended Victims**

In July 2024, three prominent civil society leaders, Robson Chere of the Amalgamated Rural Teachers Union of Zimbabwe, youth and women's empowerment advocate Namatai Kwekweza from WeLead Trust, and Councillor Samuel Gwenzi, were arrested and forcibly removed from a flight at Robert Mugabe International Airport by state security agents.<sup>52</sup> They were arrested together with Vusumuzi Sibanda, a sound engineer who seemed to have been mistakenly bundled together with the CSO leaders. They were detained incommunicado for eight hours, during which Mr. Chere was reportedly subjected to severe torture. Ms. Kwekweza was also subjected to psychological torture as she was at one point given the impression that she had just witnessed Mr. Chere's murder after he was tortured. Their detention and subsequent arrest were linked to their alleged participation in a peaceful demonstration outside the Harare Magistrates Court, where 78 opposition Citizens Coalition for Change (CCC) members were appearing for a remand hearing. The CSO leaders are currently out of detention as they were granted bail 35 days after they were abducted.<sup>53</sup> As of 8 December 2024, the court proceedings against the CSO leaders were still ongoing.

52. The Observatory for the Protection of Human Rights Defenders, Urgent Appeal ZWE 001 / 0824 / OBS 037 available at <https://www.fidh.org/en/issues/human-rights-defenders/zimbabwe-arbitrary-detention-and-alleged-torture-of-namatai-kwekweza>

53. "Human rights defenders granted bail by High Court" New Zimbabwe, 4 September 2024. Available at <https://www.newzimbabwe.com/human-rights-defenders-granted-bail-by-high-court/>

This incident occurred within a broader context of increasing repression against civil society in Zimbabwe, particularly as the government prepared to host the 44th SADC Summit in Harare. The government imposed strict restrictions on civil society actors, limiting their ability to mobilise and protest during the Summit. The targeting of these leaders exemplifies the dangers faced by those who advocate for human rights and social justice in an environment characterised by state-sponsored violence and intimidation.

“

**The persons who interrogated us kept accusing us of planning demonstrations to humiliate the country and the President during the SADC summit and they stated that we were on our way to Victoria Falls to meet more people to plan with.**

”

**NAMATAI KWEKWEZA**



### **Implications for Civic Space**

The arrest and torture of civil society leaders in Zimbabwe carry significant implications for the state of civic space in the country. This incident illustrates a deliberate strategy of the government to suppress dissent and intimidate those who seek to promote human rights and social justice. The incommunicado detention of these leaders not only violates their rights but also serves as a broader warning to other activists and organisations considering civic engagement. The mistaken inclusion of Vusumuzi Sibanda, a sound engineer, highlights the risk faced even by those unrelated to activism, who can become collateral damage in the government’s crackdown. Such arbitrary targeting reinforces a culture of fear and discourages public participation in democratic processes.

Moreover, the timing of the arrests, prior to the SADC Summit, signals a concerted effort by state authorities to eliminate dissenting voices and create an illusion of stability to the international community. The crackdown on civil society actors during this period reflects the

government's anxiety about the potential for civil unrest and scrutiny from regional and global observers. As a result, CSOs face increased barriers to mobilisation, advocacy, and free expression. The normalisation of state violence against activists, regardless of their involvement in political matters, threatens to dismantle the social fabric necessary for a vibrant civil society, leading to a significant erosion of democratic values and human rights protections in Zimbabwe. In this environment, the fundamental rights to free expression, assembly, and association become precarious, stifling the potential for meaningful social change and accountability.

## 5.8

### Civil Society Under Watch

The Women for Fairness and Accountability Trust (WFAT) is a non-profit organisation focused on combating corruption and raising awareness of its severe impacts on women and girls in Zimbabwe.<sup>54</sup> Operating primarily in Epworth and Harare, WFAT relies on community engagement to shed light on how corruption disproportionately affects marginalized groups, particularly women. However, like many CSOs in Zimbabwe, WFAT's mission has been hampered by administrative and bureaucratic barriers. The organisation is required to seek clearance for public gatherings, and this need for approval complicates its ability to hold essential community meetings and mobilizations. Additionally, WFAT faces restrictions in working within certain districts due to requirements that mandate a MoU with the district administration, a prerequisite that complicates their community engagement initiatives in areas without pre-established agreements.

In September 2024, WFAT received an invitation to attend an international anti-corruption conference. This invitation attracted the attention of the Office of the President and Cabinet (OPC), resulting in security officers visiting WFAT's offices to gather information about the organisation's leadership and its registration details. Officers also expressed an interest in interviewing WFAT's key personnel, though the engagement did not progress beyond these inquiries. This incident, however, highlights the mounting scrutiny that CSOs focused on governance and anti-corruption face in Zimbabwe. WFAT's experience is unfortunately not unique, ZimRights

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54. The name of the organisation is a pseudonym used to protect its identity and ensure the safety of its members.

has also faced similar hurdles. For example, in July and October 2024, its programming in Chitungwiza was hampered by the local authorities' requirement for an MoU which is not a legal requirement that CSOs are obligated to comply with. Furthermore, ZimRights has received reports from its community mobilisers in Buhera and Epworth that when they submitted letters to the local police notifying them of planning activities for September 2024, they were summoned by OPC officers for questioning. It is important to note that neither ZimRights nor WFAT have had any violent interactions with the OPC officers during the questioning about planned programs. However, the experiences alone were intimidating, particularly given that historically, civilian and CSO interactions with OPC officers were marred with violence and threats. Therefore, while there has been no physical violence thus far, being summoned in that manner has a chilling effect on CSO operations and may discourage community members from interacting with CSOs out of fear that this may endanger them or make them targets for reprisals.

While some CSOs have not been exposed to violence or the threat of it, others like the Crisis in Zimbabwe Coalition (Crisis Coalition) have not been as fortunate. Crisis Coalition is a key advocacy group that has experienced direct attempts to intimidate and disrupt its operations. On 7 August 2024, suspected state operatives attempted to forcefully enter the Coalition's offices in Belvedere, Harare.<sup>55</sup> They reportedly attempted to destroy CCTV cameras and gain entry into the premises just days before the Southern African Development Community (SADC) summit. The incident was indicative of a broader crackdown on civil society ahead of the summit. The surveillance, harassment, and intimidation tactics faced by the Crisis Coalition further underscore the growing challenge for CSOs in Zimbabwe to operate freely.



**It was our first interaction with security officials of this kind, and while they didn't harm or threaten us, it was still very intimidating. We've heard about the experiences of other CSO leaders, and that alone made the encounter unsettling.**



**WFAT REPRESENTATIVE**

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55. "Crisis in Zimbabwe Coalition Office under attack" The Zimbabwean, 7 August 2024. Available at <https://www.thezimbabwean.co/2024/08/news-alert-crisis-in-zimbabwe-coalition-office-under-attack/>.



## Implications for Civic Space

CSOs like WFAT, ZimRights, and Crisis Coalition face escalating bureaucratic barriers, surveillance measures, and sometimes threats of violence in Zimbabwe, particularly those engaged in human rights, governance, and anti-corruption work. These restrictions include mandated clearances for public gatherings and often legally unnecessary MoUs with district authorities, selectively enforced to limit CSO operations and invasion of offices. Heightened scrutiny, such as the questioning of community mobilisers by the OPC after routine community notifications reflects a growing climate of intimidation. Although some of these interactions have thus far avoided physical violence, the summoning and questioning serve as indirect intimidation tactics that create a chilling effect on both CSO operations and community participation. This environment stifles civic space by discouraging individuals from engaging with CSOs out of fear of government reprisals, undermining organisations' ability to advocate for transparency, human rights, and social justice. The pervasive surveillance and administrative restrictions urgently highlight the need for a protective framework that allows CSOs to operate freely and foster democratic engagement without intimidation or interference.

## 5.9

### Silencing the Future through Repression

On July 24, 2024, the Zimbabwe Republic Police detained 44 members of the Zimbabwe National Students Union (ZINASU) during a meeting at the ZESA Training Centre in Harare. The police, responding to alleged disorderly conduct and reports of violence, arrested the students and later fined them for “disorderly conduct.”<sup>56</sup> The students, however, disputed these claims, arguing through their legal representation from Zimbabwe Lawyers for Human Rights (ZLHR) that the meeting was peaceful and that the police intervention was unjustified. According to ZLHR, the students were subjected to intimidation and coercion, including threats of pre-trial detention and forced fingerprinting. Facing possible prolonged detention, many students opted to pay “admission of guilt” fines under protest to avoid lengthy pre-

56. “Police raid on ZINASU meeting leaves 10 injured, 44 arrested” CITE 24 July 2024. Available at <https://cite.org.zw/police-raid-on-zinasu-meeting-leaves-10-injured-44-arrested/>.



trial incarceration and they were subsequently released. ZLHR reported that police cited the upcoming SADC summit as justification for suppressing student activism, suggesting that the fines and detentions were part of a broader effort to quell any perceived public disturbances ahead of the summit.

“

**When they arrived, they appeared like people who wanted to understand our meeting. Little did we know that the indiscriminate brutal assault was about to begin. We started running in different directions, and amid the chaos, I was injured.**

”

**VITAL MARONJESE, ZINASU MEMBER**



## Implications for Civic Space

The arrest and treatment of the ZINASU members exemplify the indiscriminate nature of the state-imposed restrictions on civic space in Zimbabwe. With 62% of the population under 25, youth represent a significant and influential segment of Zimbabwean society.<sup>57</sup> Therefore, active participation is vital not only for expressing current needs but also for shaping policies that will influence Zimbabwe's future. However, incidents such as this highlight barriers that young people face in exercising their rights to free assembly and expression.

By targeting youth activists, the government sends a strong message that organised dissent is risky, creating an environment of fear that discourages young people from engaging in public dialogue. This weakens democratic engagement by silencing a population essential to discussions on national progress. Suppressing youth voices risks alienating them, stifling potential innovations and civic contributions that are key to Zimbabwe's social and economic growth.

To harness the benefits of this young population, laws, policies, and practices in place must protect, not restrict youth participation and guarantee constitutional rights to peaceful assembly and free expression. Balancing security concerns with youth engagement is crucial, allowing young Zimbabweans to be constructive contributors to the nation's future without compromising public order. This approach is necessary to enable Zimbabwe to fully leverage its demographic dividend and build a vibrant civic space that supports democratic values and sustainable growth.

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<sup>57</sup>. See <https://zimbabwe.unfpa.org/en/topics/young-people-2>.



## 6.0

## Findings and Recommendations



### 6.1

#### Key Findings

##### 6.1.1

#### Civic Space Under Threat

Zimbabwe's civic space is under severe threat, characterised by increasing harassment, intimidation, and censorship of media, human rights defenders and CSOs. The government's oppressive policies of using lawfare, harassment, intimidation, arbitrary arrests and abduction of CSO leaders have created a climate of fear, stifling free speech and freedom of assembly. Recent incidents involving human rights defenders Robson Chere, Namatai Kwekweza, and Samuel Gwenzi exemplify this repression; they were arbitrarily detained while traveling to the African Philanthropy Conference and reportedly tortured during their eight-hour incommunicado detention on 31 July 2024. Charged with "disorderly conduct" for participating in a peaceful protest, their situation reflects a broader crackdown on civil society ahead of the 44th Ordinary Summit Of the Southern Africa Development Community Heads Of State And Government hosted by Zimbabwe in August 2024.

The Observatory for the Protection of Human Rights Defenders highlighted in an urgent appeal that these actions form part of a troubling trend of repression against human rights activists, which undermines citizens' fundamental rights to participate in democratic processes and hold authorities accountable.<sup>58</sup>

### 6.1.2

#### **Restrictive Legislation**

Zimbabwe's civic space is being significantly eroded through the enactment and amendment of restrictive legislation. The PVO Bill epitomises this trend by imposing stringent registration requirements and granting authorities the power to suspend or deregister organisations that fail to comply. This measure restricts the operational capacity of CSOs and stifles their ability to advocate for human rights and democratic freedoms. Similarly, the Maintenance of Peace and Order Act (MOPA) curtails freedom of assembly by requiring prior police approval for public gatherings, often resulting in arbitrary denials and suppression of dissent. The Cyber and Data Protection Act exacerbates these restrictions by enabling state surveillance and targeting activists' online activities.

Additionally, the Criminal Law (Codification and Reform) Act has been amended to criminalise actions or speech perceived as undermining Zimbabwe's dignity and sovereignty, fostering an environment where dissent and government criticism are subject to prosecution. Collectively, these laws foster an environment of fear and repression, undermining the ability of citizens and CSOs to participate in democratic processes and advocate for accountability and justice.

### 6.1.3

#### **Lack of Transparency and Accountability**

Citizens are often denied access to essential information needed to hold their leaders accountable. The government's reluctance to disclose critical information, combined with inadequate whistle-blower protection mechanisms, perpetuates corruption and impunity. Institutions like the Zimbabwe Anti-Corruption Commission and the Office of the Auditor-General struggle with resource constraints and political interference, further complicating accountability efforts. Moreover, the general public's concerns about transparency, corruption, and impunity are being weaponised by

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58. See The Observatory urgent appeal here <https://www.fidh.org/en/issues/human-rights-defenders/zimbabwe-arbitrary-detention-and-alleged-torture-of-namatai-kwekweza>

politicians and authorities against CSOs and activists, particularly through the proposed PVO Bill. This strategy diverts attention from the actual targets of anti-corruption actions, undermining the crucial role that CSOs play in advocating for accountability and good governance. As a result, the capacity of citizens to participate meaningfully in governance processes is severely hampered.

#### 6.1.4

### Human Rights Concerns

Zimbabwe has witnessed a disturbing trend of arrests and detentions without formal charges or under questionable circumstances, raising significant human rights concerns.

The government's response to dissent has been heavy-handed, with security forces employing excessive force, including tear gas, batons, and live ammunition, to quell peaceful protests. Human rights defenders, journalists, and opposition activists have been specifically targeted, facing arbitrary arrests, torture, and enforced disappearances. These actions contravene Zimbabwe's constitutional guarantees of human dignity, liberty, and security, as well as international human rights obligations.

These findings highlight the urgent need for concerted efforts to protect Zimbabwe's civic space, ensure transparency and accountability, and uphold human rights.



## 6.2

### Key Recommendations for Safeguarding Civic Space in Zimbabwe

#### 6.2.1

#### Abandon the PVO Bill

President Mnangagwa should refuse to sign the PVO Bill into law as it poses significant risks to the operations of civil society organisations in a manner that violates the fundamental rights provided for by the Constitution.

The Bill imposes onerous registration requirements and grants authorities the power to suspend or deregister organisations, threatening the vital role CSOs play in promoting democracy, human rights, and social development in Zimbabwe.

## 6.2.2

### **Establish a Civic Space Roundtable**

The government should initiate the creation of an inclusive Civic Space Roundtable, bringing together civil society organisations, government representatives, and international experts to collaboratively explore effective CSO regulation. This platform would allow for reflection on best practices and recommendations from the United Nations and African Commission on Human and Peoples' Rights (ACHPR), helping develop a self-regulation framework that balances governance with the protection of civic space. Examples of such recommendations include the African Commission on Human and Peoples' Rights 2017 Guidelines on Freedom of Association and Assembly in Africa, the 2019 Financial Action Task Force Terrorist Financing Risk Assessment Guidance Note, the United Nations Human Rights Council *'Report of the Special Rapporteur on the Right to Freedom of Peaceful Assembly and Association'* (2012) UN DOC A/HRC/20/27, United Nations Human Rights Council *'Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association'* (2013) A/HRC/23/39 and the United Nations General Assembly *'Report on Rights to freedom of peaceful assembly and of association'* (2013) A/68/299.

## 6.2.3

### **Promote Transparency and Accountability**

The Government of Zimbabwe should implement access-to-information laws, strengthen whistle-blower protection mechanisms, and ensure institutional independence to promote transparency and accountability. In doing this, the government should aim to strengthen collaboration with CSOs who play an important watchdog role and strengthen systems of transparency and accountability.

## 6.2.4

### **Investigate Human Rights Violations**

#### **Against Human Rights Defenders**

The Government of Zimbabwe should uphold and defend the rights of human rights defenders in accordance with its commitments under international law. The Zimbabwe Human Rights Commission (ZHRC) is encouraged to investigate all human rights violations committed against human rights defenders and ensure justice and accountability for the victims. In doing so, this will renew confidence that the government values the work of human rights defenders and that it is committed to protecting their work and respecting international law.

### 6.2.5

#### **Protection of Community Organising Platforms**

The report finds that over 80% of CSOs in Zimbabwe may have no capacity to adjust to the new demands imposed by the proposed PVO Bill. Many of these are small organising platforms in communities who have no resources to enable them to comply with the law in a short notice. Therefore, if the Bill becomes law, it is recommended that the Government of Zimbabwe, through the Ministry of Social Welfare, works with development partners so that there is adequate flexibility and accompaniment to ensure that marginalised community groups seeking to comply with the law are not given adequate time and support.

### 6.2.6

#### **Advance a Nation Building Approach to Protection of Civic Space**

The Government of Zimbabwe should desist from using public media to peddle falsehoods, propaganda and hate speech against the NGOs. Instead, media can be used an important partner to advance a nation building approach to regulating civic space. In that regard, the policy governing the operations of public media must be aligned with a nation building approach. Any malicious peddling of hate speech against human rights defenders must be investigated and prosecuted.

### 6.2.7

#### **Strengthen CSO Capacity**

To effectively defend and safeguard Zimbabwe's civic space, civil society organisations (CSOs) should prioritize collective organising, advocacy, and community engagement to amplify their impact. This can be achieved through targeted training programs, mentorship initiatives, and resource mobilization. CSOs should also foster partnerships among themselves, community-based organisations, and international organisations to facilitate knowledge sharing, expertise, and collective action.



## 7.0

### Annexure A: The Civic Space Fireside Chat

#### 7.1

##### Introduction

This section outlines the validation process for the ZimRights State of Civic Space Survey report findings. The validation process was uniquely designed as a fireside chat, fostering an informal yet meaningful environment for discussion. This setting enabled 16 key stakeholders comprising 7 females and 9 males to engage in open dialogue. Participants included representatives from civil society organisations, human rights defenders, academic experts specialising in human rights and governance, and community leaders.

The primary objective of this gathering was to critically reflect on the survey findings, facilitate nuanced feedback, and ensure that the proposed recommendations align with the lived realities of those actively involved in the civic space. By creating a relaxed atmosphere, participants felt encouraged to share their insights and experiences candidly, enhancing the overall richness of the validation process.

Four thematic priorities emerged from the discussions, which served as focal points for the validation process. These priorities emphasised:

- the need for solidarity among CSOs,
- the importance of capacity building for CSOs and human rights defenders,
- the necessity for ongoing dialogue about the civic space, and
- the establishment of robust protection mechanisms for human rights defenders (HRDs).

Each thematic area resulted in the documentation of key actionable priorities, reflecting the collective wisdom of the participants. To ensure effective implementation, working groups were formed around each thematic priority, facilitating collaborative efforts and targeted strategies to address the challenges identified in the survey.

This structured approach not only reinforces the commitment of stakeholders to enhance civic space but also fosters a sense of shared responsibility in advocating for human rights and democratic principles.

## 7.2

### Overview of Research Findings

The chat began with a brief presentation of the key findings regarding the state of civic space in Zimbabwe, including:

- The threats to civic space from government regulations and practices
- The impact of restrictive legislation on civil society operations
- The importance of transparency and accountability in governance

Participants were invited to share their thoughts on the findings. Many echoed the findings, sharing personal experiences that illustrated the challenges faced by civil society. Attendees highlighted recent incidents of harassment and intimidation, reinforcing the urgency of the research. The chat included a brainstorming session on recommendations to respond to the identified human rights issues.



## Endorsement of Findings

During the validation meeting, participants expressed strong support for the report's key findings, which highlight the pressing challenges confronting civic space in Zimbabwe. The consensus among attendees underscored the urgency of addressing these issues to safeguard human rights and promote democratic governance.

### Key Finding 1:

#### Civic Space Under Threat

Participants unanimously endorsed the assertion that Zimbabwe's civic space is severely threatened. They shared personal experiences of harassment and intimidation, reinforcing the report's findings on the climate of fear that stifles free speech and assembly. The cases of Robson Chere, Namatai Kwekweza, and Samuel Gwenzi were particularly resonant, with attendees recalling similar incidents of oppression faced by their peers and organisations.

### Key Finding 2:

#### Restrictive Legislation

The meeting participants highlighted their concerns regarding the restrictive laws that have been enacted or amended in recent years. There was strong agreement that the Maintenance of Peace and Order Bill and the Private Voluntary Organisations (PVO) Bill pose significant barriers to civic engagement and must be critically examined. Attendees emphasised the need for advocacy efforts to oppose these laws and protect the operational capacity of CSOs.

### Key Finding 3:

#### Lack of Transparency and Accountability

Participants echoed the report's findings on the lack of transparency and accountability within government institutions. They shared anecdotes of how inadequate access to information hampers their ability to hold leaders accountable. The need for stronger whistle-blower protections and institutional independence was frequently mentioned as a critical step toward fostering a culture of accountability.

### Key Finding 4:

#### Human Rights Concerns

The validation meeting reaffirmed the seriousness of human rights violations in Zimbabwe. Participants recounted instances of excessive force used against peaceful protesters and the targeting of human rights defenders. The collective sentiment was one of alarm over these trends, with many calling for immediate action to uphold human rights and protect those who advocate for them.

## 7.3

### Recommendations

#### 7.3.1

##### **Solidarity**

Fireside Chat participants unanimously recognised that solidarity among human rights defenders is not only essential for fostering resilience but also for enhancing advocacy efforts and ensuring the protection of those who face persecution. In challenging environments, where threats, harassment, and violence are commonplace, the support network created through solidarity becomes a vital lifeline. Emotional and psychological backing from fellow defenders can significantly alleviate feelings of isolation and fear, allowing individuals to focus on their mission rather than the dangers that surround them.

This shared experience cultivates a sense of belonging and community, reinforcing the idea that they are not alone in their struggles. Moreover, the collective voice of united defenders amplifies their calls for justice, making their challenges more visible to the broader public and creating a more compelling narrative that can mobilise support.

Additionally, the emphasis on collective action among human rights defenders is crucial for effective advocacy. By uniting their efforts, defenders can coordinate strategies, share resources, and tackle common challenges more efficiently. This collaboration enhances their ability to exert pressure on authorities, compelling them to respect human rights and providing a stronger front against oppression. Solidarity also plays a significant role in raising awareness about the issues faced by defenders, as collective actions often attract media attention and public interest, thus generating broader support for their causes.

Furthermore, solidarity can lead to the establishment of protective mechanisms, such as early warning systems and rapid response teams, designed to safeguard defenders in times of danger. This proactive approach not only saves lives but also ensures that defenders can continue their vital work, fostering a more secure environment for human rights advocacy. Ultimately, solidarity emerges as a powerful tool that strengthens the resolve of human rights defenders and enhances their capacity to effect meaningful change.



## Key Actionable Advocacy Areas

- Building networks among human rights defenders can facilitate information sharing and mutual support. This can include creating online platforms for communication and collaboration.
- Training and capacity building on security, advocacy strategies, and legal rights can empower defenders to protect themselves and their work. Workshops and seminars can enhance their skills and knowledge.
- Organised public campaigns that highlight the work of human rights defenders and the challenges they face can mobilise community support and pressure governments to take action.
- Policy advocacy engaging with policymakers to advocate for laws and regulations that protect human rights defenders is essential. This can involve lobbying for stronger protections and accountability mechanisms.
- Documentation and reporting: Encouraging defenders to document abuses and threats can create a body of evidence that can be used in advocacy efforts. This documentation can be shared with international bodies to hold violators accountable.

Documented quotable insights by the human rights defenders which articulated the value of solidarity during times of victimisation included:

“

**In times of crisis, it is the support of our peers that empowers us to keep fighting for justice.**

”

“

**When we stand together, we are not just individuals facing oppression and victimisation, we become a powerful collective that cannot be easily silenced.**

”

“

**In the most challenging times of our fight for human rights, the solidarity of my fellow defenders and comrades reassures me that I am not alone. Together, we can confront any challenge and overcome it.**

”

These sentiments underscore the critical role that solidarity plays in sustaining the efforts of those who advocate for human rights, especially in challenging environments.

### 7.3.2

#### Protection of HRDs

##### Importance of Protection of Human Rights Defenders

The protection of human rights defenders (HRDs) is essential for promoting and safeguarding fundamental rights and freedoms worldwide. HRDs serve as vital advocates for justice, accountability, and the rights of marginalised communities, often placing themselves at great personal risk to expose human rights violations and hold authorities accountable. Participants agreed that the work of human rights defenders not only contributes to strengthening democratic processes and the rule of law but also helps to elevate the voices of those who are often ignored or oppressed. In many cases documented and not documented, HRDs confront significant dangers, including harassment, intimidation, and violence, particularly in repressive environments like ours where dissent is not tolerated. Ensuring their safety is, therefore, not just a matter of protecting individuals; it is crucial for fostering a broader human rights agenda that encourages civic engagement and advocacy. When HRDs are shielded from harm, they can operate more effectively, leading to healthier, more resilient communities that are better equipped to resist oppression and demand justice.



In Zimbabwe, the 2013 Constitution includes several provisions designed to protect the rights of HRDs and ensure a safe environment for their work. For instance, Section 61 guarantees the right to freedom of expression, which is vital for HRDs to voice concerns about human rights abuses and advocate for necessary reforms. Similarly, Section 58 protects the right to peaceful assembly and association, allowing HRDs to organize and mobilise without fear of repression or retaliation. The right to privacy, enshrined in Section 57, further empowers HRDs to conduct their activities without unwarranted surveillance, while Section 53 explicitly prohibits torture and inhumane treatment, providing a legal basis for seeking justice in cases of abuse. Collectively, these constitutional protections reinforce a legal framework that affirms the rights of HRDs and obligates the state to protect them from violations. However, despite these safeguards, HRDs in Zimbabwe continue to face significant challenges such as arbitrary arrests, harassment, and violence, illustrating the urgent need for stronger enforcement of these constitutional rights and greater accountability for those who undermine them. This ongoing struggle underscores the importance of not only recognising these rights but also actively defending and promoting them in practice.



### **Key Actions Proposed for Protection of HRDs**

- Governments should enact and enforce laws that specifically safeguard HRDs, criminalising acts of violence and intimidation against them. This includes creating mechanisms for accountability and ensuring that violations are thoroughly investigated.
- Create Early Warning Systems and rapid response teams that can provide immediate support to HRDs facing threats. These systems should include protocols for timely intervention and protection measures.
- Offering training programs on security, digital safety, and legal rights for HRDs to protect themselves. This training should cover best practices for mitigating risks associated with the human rights work in Zimbabwe.
- Encourage collaboration among civil society organisations and HRDs to enhance collective advocacy efforts. Building networks allows defenders to share resources, experiences, and support, creating a stronger united front.

- HRDs should be supported in engaging with international human rights mechanisms, such as the United Nations and regional bodies such as the African Union, to draw attention to abuses and seek protection.

### 7.3.3

#### **Continued Dialogue on Civic Space in Zimbabwe**

Continued dialogue among human rights defenders (HRDs) and civil society organisations (CSOs) was regarded very essential for the protection of civic space in Zimbabwe. In an environment where dissent is often met with repression, open communication fosters collaboration, strengthens alliances, and amplifies the collective voice of those advocating for rights and justice. This dialogue enables HRDs and CSOs to share experiences, strategies, and resources, creating a unified front against challenges such as political persecution, restrictions on freedom of expression, and limitations on assembly. By engaging in ongoing discussions, these organisations can better identify emerging threats to civic space, formulate effective responses, and advocate for legislative and policy changes that protect fundamental rights.

Moreover, dialogue will serve as a platform for raising public awareness about the critical issues facing civic space in Zimbabwe. It will allow HRDs and CSOs to mobilise community support and engage with a broader audience, fostering a culture of accountability and transparency.

As one HRD noted,

“

**In the fight for rights, our most powerful tool is not only our voices but also our capacity to unite, listen, and strategise together. Solidarity through dialogue enables us to tackle oppression more effectively.**

”

Another defender emphasised,

“

**When we participate in open dialogue, we establish a foundation for resilience. Through mutual understanding and collective action, we can protect our civic space and ensure that every voice is acknowledged**

”

These sentiments underline the vital role of dialogue in fostering a resilient civil society capable of standing firm against threats and advocating for a more just and democratic Zimbabwe.



### **Agreed Actionable Points for Continued Dialogue on Civic Space**

- Conduct regular roundtable discussions among HRDs, CSOs, and community members to discuss current challenges facing civic space, share experiences, and strategise collective responses.
- Establish dialogue with government officials and policymakers to advocate for laws and policies that protect civic space. Present evidence-based recommendations to encourage legislative reforms.
- Depolarise and strengthen existing coalitions among various HRDs and CSOs for collective advocacy efforts. A united front can amplify voices and increase pressure on authorities to respect civic rights.

#### **7.3.4**

### **Build the Capacity of the State to be Transparent and Accountable**

Fire Side Chat participants agreed that building the capacity of the state to be transparent and accountable to the people of Zimbabwe is crucial for the promotion of good governance, the protection of human rights, and the strengthening of democratic institutions. When state institutions operate with transparency, they foster trust among citizens, allowing for more informed

public engagement and participation in governance processes. Transparency will ensure that government actions and decisions are open to scrutiny, which is essential for combating corruption, reducing abuse of power, and enhancing the overall integrity of public administration. Additionally, accountability mechanisms empower citizens to demand answers and redress when their rights are violated, promoting a culture of respect for human rights and the rule of law.

As one HRD stated,

“

**A government that embraces transparency and accountability is not just serving its people; it is empowering them. This is the foundation for a vibrant civic space where every voice matters.**

”

Another defender emphasised,

“

**When the state commits to being accountable, it transforms the relationship between citizens and their government. It creates a partnership for progress and justice.**

”

These perspectives underscore the transformative potential of building state capacity for transparency and accountability, which can lead to a more open, inclusive, and just society.



### **Key Actions for Building State Capacity**

- Thematic group responsible for capacity building agreed to train public officials on the importance of transparency and accountability in governance, equipping officials with the skills needed to uphold these values.
- Advocate for the establishment and enforcement of laws that promote transparency, such as freedom of information acts and anti-corruption legislation.
- Promoting citizen engagement in governance through forums, consultations, and feedback mechanisms, allowing citizens to voice their concerns and influence decision-making.

#### **7.3.5**

### **Engage in Creative Digital Activism**

Creative digital activism has emerged as a vital strategy for addressing the challenges posed by shrinking civic space in Zimbabwe. In an environment where traditional forms of protest and advocacy has met with repression, digital platforms offered a safe and effective means for HRDs and civil society organisations (CSOs) to raise awareness, mobilise support, and advocate for change.

This form of activism leverages the power of creativity whether through art, music, video, or social media campaigns to engage a broader audience and foster solidarity among communities. By utilising digital tools, activists can circumvent restrictions on freedom of expression, disseminate information rapidly, and create a sense of global interconnectedness that amplifies local struggles for justice.

Moreover, creative digital activism engages younger generations who are increasingly active online and less likely to participate in traditional activism. By using innovative approaches, such as storytelling through multimedia, infographics, and viral content, activists can capture attention and inspire action. This approach not only raises awareness about pressing issues but also helps to humanise the experiences of those affected by human rights violations. As civic space continues to contract, digital platforms can serve as essential spaces for dialogue, collaboration, and community-building, ensuring that the fight for rights remains vibrant and visible.



### **Key Actionable Points for Creative Digital Activism**

- Develop targeted social media campaigns that use hashtags, challenges, and engaging visuals to raise awareness about specific human rights issues.
- Utilise platforms for digital storytelling to share personal narratives of those affected by human rights abuses.
- Launch online petitions that allow individuals to express their support for specific causes.

## **7.4**

### **Conclusion**

The validation meeting served as a crucial platform for participants to express their support for the report's findings and share valuable insights. This endorsement reflects a collective commitment among stakeholders to confront the challenges facing civic space in Zimbabwe. By coming together, participants highlighted the importance of the report's recommendations, which aim to safeguard civic engagement, protect human rights, and promote transparency. The collective endorsement not only reinforces the necessity of these actions but also emphasises the role of every citizen in ensuring that diverse voices are heard in the democratic process. Such unity among stakeholders is vital for creating a robust framework that can effectively address the obstacles faced by civil society.

While the majority of participants endorsed the report, a few outliers stated that they had not encountered significant challenges with the State and felt they were operating effectively. Acknowledging this perspective was important, as it provided a broader understanding of the varied experiences within civic space. Participants urged these individuals to share their best practices and strategies for navigating the complexities of working in an environment where civic space is increasingly constrained. This exchange of knowledge is essential, as it can foster resilience and innovation among HRDs and CSOs. Ultimately, this chapter concludes that the validation process not only confirms the report's findings but also amplifies the urgent call for action. By fostering collaboration and sharing experiences, stakeholders can work together to cultivate a more open and accountable civic environment in Zimbabwe, ensuring that all citizens can engage meaningfully in the democratic process.

# ABOUT THE PUBLISHERS



## Zimbabwe Human Rights Association

The Zimbabwe Human Rights Association is a leading grassroots human rights organisation in Zimbabwe, founded in 1992. It works to promote, protect, and defend human rights through community-based human rights education, advocacy, and capacity-building. ZimRights engages citizens in efforts to claim and assert their rights, with a focus on marginalised groups such as women, youths, and people with disabilities. The organisation also advocates for policy reforms, conducts campaigns, and facilitates citizen-duty bearer engagements to hold authorities accountable to human rights standards and Zimbabwe's Constitution.



## Observatory for the Protection of Human Rights Defenders

The Observatory was created in 1997 by the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT). The objective of this programme is to prevent or remedy situations of repression against human rights defenders. FIDH and OMCT are both members of ProtectDefenders.eu, the European Union Human Rights Defenders Mechanism implemented by international civil society.

## About This Report

The 2024 State of Civic Space report highlights the experiences of civil society organisations operating in Zimbabwe. This report provides a comprehensive analysis of the current state of civic space in Zimbabwe, with a focus on the experiences and challenges faced by civil society organisations (CSOs) operating in a restricted environment. Drawing on survey data from 67 national and grassroots-level organisations, the report delves into the impacts of restrictive legislation, particularly the proposed Private Voluntary Organisations (PVO) Bill, and examines the pervasive issues of surveillance, intimidation, and interference that stifle free expression and limit civic engagement. Through detailed case studies and statistical insights, the report captures the lived realities of CSOs as they strive to advocate for human rights, accountability, and democratic values amidst increasingly constrained conditions.

The findings of this report highlight the critical need for policy reforms, transparency, and institutional accountability to protect Zimbabwe's civic space. It calls on the government to abandon restrictive legislation and instead adopt a collaborative, nation-building approach that empowers civil society to engage meaningfully with communities. In addition to identifying key areas for improvement, the report offers actionable recommendations aimed at safeguarding civic rights, promoting transparent governance, and supporting the sustainable operation of CSOs across Zimbabwe. This work serves as a vital resource for policymakers, CSOs, and advocacy groups committed to fostering an open and inclusive environment for civil society in Zimbabwe.

Use the QR Code below to download and share the report



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