

## Zimbabwe

The continuing erosion of human rights in Zimbabwe was highlighted in 2005 by Operation Murambatsvina, the government's program of mass evictions and demolitions which began in May, and which, according to the United Nations, deprived 700,000 men, women and children of their homes, their livelihoods, or both throughout the country. The evictions and demolitions occurred against a background of general dissatisfaction in many of Zimbabwe's urban areas over the political and economic situation in the country. The country is currently spiraling into a huge economic and political crisis.

The government continues to introduce repressive laws that suppress criticism of its political and economic policies. In August, parliament passed the Constitutional Amendment Act, which gives the government the right to expropriate land and property without the possibility of judicial appeal, and to withdraw passports from those it deems a threat to national security.

### ***Mass Forced Evictions and Demolitions***

The government's policy of forced evictions and demolition of homes and informal business structures carried out in Zimbabwe's urban areas with little or no warning violated the rights of hundreds of thousands of Zimbabweans. Police used excessive force to destroy houses and structures and in some cases police armed with guns and truncheons, threatened and assaulted people. The evictions and demolitions led to widespread homelessness, lack of freedom of movement, loss of livelihood and minimal access to food, water, health care, education, and justice for hundreds of thousands of Zimbabweans. Tens of thousands of homes, and hundreds of informal business properties as well as legal housing and business structures were destroyed without regard for the rights or welfare of those who were evicted. The scale of destruction was unprecedented, and the victims were mainly the poor and vulnerable in Zimbabwe's cities and towns including widows, children, elderly and chronically ill persons. The evictions led to the disruption of anti-retroviral therapies and treatment of opportunistic infection for those living with HIV/AIDS.

Thousands of people remain homeless and displaced by the evictions with no shelter and little or no access to food, water and medical assistance. To date no one has received any housing under the Zimbabwe government's Operation Garikai program, ostensibly initiated to provide accommodation to all persons made homeless by the evictions. The Zimbabwean government has not investigated reports of excessive use of force by the police or brought the perpetrators to justice.

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## ***Blocking of Humanitarian Assistance***

The government's refusal to cooperate with a United Nations emergency appeal for the hundreds of thousands affected by the evictions worsened their plight. On August 29, the U.N. Under-Secretary General for Humanitarian Affairs Jan Egeland condemned the lack of cooperation from the government with regard to mitigating the effects of the evictions, and accused it of hampering efforts to aid those affected. The government continues to obstruct the provision of humanitarian assistance by local and international humanitarian agencies to internally displaced and evicted populations. On October 31, 2005, the U.N. Secretary General Kofi Annan made a heartfelt appeal calling on the government to allow U.N. agencies and other humanitarian agencies access to help those made homeless by Operation Murambatsvina.

In addition, an estimated 2.9 million people across Zimbabwe were in need of food aid by the end of September. However, despite the serious food shortages, the government of Zimbabwe refused to make a formal appeal for food aid from the World Food Program.

The humanitarian situation has also been exacerbated by Zimbabwe's failing economy. In September 2005, inflation reached 359.8 percent and unemployment was at 80 percent. Although some reports suggest that the rate of HIV infections has recently decreased, the issue of HIV/AIDS is still of critical concern with almost 1.8 million people infected with HIV/AIDS (more than 20 percent of all adults) and nearly one million children orphaned. The government was saved from expulsion from the International Monetary Fund in September when it managed to repay a total of U.S. \$135 million in debts.

## ***Elections***

There has been no thaw in relations between the opposition and the ruling party. Tensions between the two main parties were heightened by the result of parliamentary elections which took place in March 2005. The ruling Zimbabwe African National Union-Patriotic Front won the elections but the opposition Movement for Democratic Change (MDC) declared that the elections were not free and fair. In the run up to the elections, Human Rights Watch documented a series of human rights violations, including political intimidation of opponents by ruling party supporters, electoral irregularities, and the use of repressive legislation by the government. Local civil society organizations, international organizations, including Amnesty International and International Crisis Group, and the international community including the European Union (E.U.), and the governments of the United Kingdom and the United States widely criticized the elections. The African Union (A.U.), the Southern African Development Community and South African observer teams, however, endorsed the election results. Senate elections were scheduled to take place on November 26, and triggered serious divisions within the MDC over whether or not to participate in the elections. The disagreements subsequently led to the expulsion of 26 members from the party, who decided to contest the elections against the wishes of other party members and leader Morgan Tsvangirai.

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## ***Repressive Legislation and Human Rights Defenders***

The situation of human rights defenders and journalists in Zimbabwe remains precarious. The Constitutional Amendment Act has been added to a raft of laws that restrict the human rights of those who criticize the government and try to protect human rights in Zimbabwe. Apart from allowing the government to expropriate land and property without recourse to the courts, the act also allows the government to withdraw passports from those it deems to be a threat to security, thus restricting the rights to freedom of movement of any government critics or human rights defenders.

Human rights groups continue to work in a highly restrictive environment. The government uses repressive laws such as the Public Order and Security Act to restrict the right to freedom of assembly, association, and expression of civil society activists and the opposition. Although President Robert Mugabe did not sign the restrictive Non-Governmental Organization Act into law, its existence has had a detrimental effect on the ability of human rights groups to operate freely, as they fear that the Act may be revived and lead to their shutting down.

## ***Key International Actors***

In response to the mass forced evictions, in May 2005 U.N. Secretary General Kofi Annan appointed a special envoy, Anna Tibaijuka, to investigate. Her strongly-worded report, released on July 22, concluded that the evictions were carried out in an “indiscriminate and unjustified manner” and recommended that those found responsible for the evictions be brought to justice. The government of Zimbabwe strongly refuted the U.N.’s findings and claimed that the evictions were lawful and that the U.N. had exaggerated both the scale of the evictions and the numbers of persons affected.

Western governments, in particular the governments of the United States, United Kingdom, and other European Union governments, also condemned the mass evictions. Many African governments once again refused to publicly condemn human rights violations in Zimbabwe and chose to remain silent on the issue of the evictions. The South African government indicated that it would await the U.N. report on the crisis before responding but did not do so. Although the South African government has expressed some concern with the human rights conditions in Zimbabwe, it continues to exercise a policy of ‘quiet diplomacy’ in its dealings with the government, an approach which has to date yielded few tangible results.

Attempts by African governments and the African Union to address Zimbabwe’s human rights crisis have so far yielded little. In August, the government of Zimbabwe refused to accept the A.U. appointment of former president Joachim Chissano as an envoy to broker talks between the ruling party and the opposition MDC, claiming that such talks would not be taking place. The commendable effort by African Union Commission Chair Alpha Oumar Konare to appoint a special envoy to investigate the evictions was blocked by the Zimbabwe government, which refused to grant the envoy permission to investigate, until he was forced to leave the country on July 7, 2005. The Zimbabwe government claimed

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that the African Union had failed to follow protocol in sending the envoy to investigate the evictions. The Southern African Development Community also failed to discuss Zimbabwe at its annual summit in August. In general, there has been a lack of sustained attention from African governments to the crisis in Zimbabwe.

The United Kingdom and other E.U. governments have provided some humanitarian aid to address the crisis caused by the evictions. However, donors have become increasingly frustrated by the government's obduracy in dealing comprehensively with the humanitarian crisis caused by the evictions. The government's refusal to sign a U.N. emergency appeal to help those affected by the evictions and to make a formal appeal for food aid added to already existing tensions with western governments.

Western governments, in particular the United Kingdom and the United States, have failed to convince other influential governments (especially those in the South) to take a stronger stand on Zimbabwe at forums such as the U.N. Security Council. China, Russia and other African countries state that Zimbabwe does not warrant discussions at the Security Council because they claim it is not a threat to international peace or security.