

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	66
Land:	Zimbabwe
Kilde:	Freedom House
Titel:	Freedom in the World 2010 – Zimbabwe
Udgivet:	3. maj 2010
Optaget på baggrundsmaterialet:	22. juni 2010

Title	Freedom in the World 2010 - Zimbabwe
Publisher	Freedom House
Country	Zimbabwe
Publication Date	3 May 2010
Cite as	Freedom House, <i>Freedom in the World 2010 - Zimbabwe</i> , 3 May 2010, available at: http://www.unhcr.org/refworld/docid/4c0ceaca1a.html [accessed 16 June 2010]

Freedom in the World 2010 - Zimbabwe

Capital: Harare

Population: 13,500,000

Political Rights Score: 6 *

Civil Liberties Score: 6 *

Status: Not Free

Ratings Change

Zimbabwe's political rights rating improved from 7 to 6 due to the formation of a national unity government and the swearing in of opposition leader Morgan Tsvangirai as prime minister.

Overview

In keeping with a power-sharing agreement that followed flawed elections and political violence in 2008, opposition leader Morgan Tsvangirai was sworn in as prime minister of a national unity government in February 2009. The new government took steps to ease Zimbabwe's dire economic situation, and foreign donors provided an influx of aid. However, allies of President Robert Mugabe continued to persecute supporters of Tsvangirai's Movement for Democratic Change party during the year, and little progress was made on fundamental reforms envisioned in the power-sharing deal.

In 1965, a white-minority regime in what was then colonial Southern Rhodesia unilaterally declared independence from Britain. A guerrilla war led by black nationalist groups, as well as sanctions and diplomatic pressure from Britain and the United States, contributed to the end of white-minority rule in 1979 and the recognition of an independent Zimbabwe in 1980. Robert Mugabe and the Zimbabwe African National Union-Patriotic Front (ZANU-PF), first brought to power in relatively democratic elections, have since ruled the country.

Zimbabwe was relatively stable in its first years of independence, but from 1983 to 1987, the Shona-dominated government violently suppressed opposition among the Ndebele ethnic minority, and between 10,000 and 20,000 civilians were killed by government forces. Widespread political unrest in the 1990s, spurred by increasing authoritarianism and economic decline, led to the creation in 1999 of the opposition Movement for Democratic Change (MDC), an alliance of trade unions and other civil society groups. However, Mugabe and ZANU-PF claimed victory over the MDC in

parliamentary elections in 2002 and 2005, as well as in a 2002 presidential poll. All three elections were seriously marred by political violence aimed at MDC supporters, fraudulent electoral processes, and the abuse of state resources, including state-run media. Security forces crushed mass protests and strikes called by MDC leader Morgan Tsvangirai in 2003.

The 2005 parliamentary elections gave the ruling party a two-thirds majority and the ability to amend the constitution. It subsequently enacted amendments that nationalized all land, brought all schools under state control, and reintroduced an upper legislative house, the Senate. In November 2005 elections for the chamber, ZANU-PF secured 59 out of 66 seats; the MDC, deeply split over whether to participate, fielded just 26 candidates and won 7 seats. Voter turnout was less than 20 percent.

Also in 2005, the government implemented a slum-clearance effort known as Operation Murambatsvina, which means "drive out the trash" in the Shona language. It resulted in the destruction of thousands of informal businesses and dwellings as well as thousands of arrests. According to the United Nations, approximately 700,000 people were made homeless, and another 2.4 million were directly or indirectly affected. Initially moved into transit camps near cities, many displaced residents were forced to return to the rural areas designated on their national identity cards. Analysts maintain that the operation, billed as part of a law-and-order campaign, actually targeted urban areas that were considered MDC strongholds and sources of antigovernment agitation. According to a June 2009 report by Amnesty International (AI), most victims still lacked adequate housing and had no means of redressing the destruction of their property.

In January 2008, police violently dispersed an MDC protest in Harare and detained Tsvangirai despite a court ruling declaring the protest legal. The MDC was protesting unfair conditions ahead of the March general elections. Together with the independent Zimbabwe Election Support Network, the party accused the government of politicizing food aid and making preparations for large-scale vote fraud.

Violence before the March elections, though serious, was less severe than expected. In the parliamentary poll, the Tsvangirai-led MDC won 99 seats, followed by ZANU-PF with 97 seats and a breakaway faction of the MDC, led by Arthur Mutambara, with 10. The results denied ZANU-PF a legislative majority for the first time in the country's 28-year history. However, when the Zimbabwe Election Commission (ZEC) finally released the presidential results in May, it found that Tsvangirai had outpolled Mugabe, 47.9 percent to 43.2 percent, requiring a runoff between the two. The MDC accused the ZEC of fraud and claimed that Tsvangirai had won the election outright with over 50.3 percent of the vote. The regime was apparently prevented from engaging in more substantial fraud thanks to an extensive parallel vote count mounted by civic groups that quickly reported tallies from polling stations across the country.

Following the March balloting, ZANU-PF militias and state security forces began a brutal campaign of violence aimed at punishing and intimidating MDC members and their suspected supporters. The effort expanded in May and June to target civil society groups, church-affiliated organizations, human rights lawyers, trade unionists, and journalists. Tsvangirai ultimately withdrew from the June 27 runoff and took refuge in the Dutch embassy, allowing the unopposed Mugabe to win 85 percent of the vote amid low turnout and many spoiled ballots.

Political violence continued even after the election. According to international and domestic human rights organizations, some 200 MDC activists and supporters were killed over the course of 2008, about 5,000 were tortured by security forces or militias, and more than 10,000 required medical treatment for injuries.

In September 2008, ZANU-PF and the MDC reached a power-sharing agreement brokered by the Southern African Development Community (SADC) that allowed Mugabe to remain president, created the post of prime minister for Tsvangirai, and distributed ministries to ZANU-PF (14, including defense, state security, and justice), Tsvangirai's MDC faction (13, including finance, health, and constitutional and parliamentary affairs), and

Mutambara's faction (3). The fate of the Home Affairs Ministry, which controls the police, was left to subsequent negotiations, and the issue – along with the abduction and detention of at least 20 MDC activists and officials by state security forces – nearly derailed the agreement on a number of occasions. A constitutional amendment creating the post of prime minister was enacted in February 2009, and the new government was sworn in that month. The cabinet included two home affairs ministers, one from ZANU-PF and one from the MDC.

The survival of the unity government remained in doubt throughout 2009. In April, Mugabe ordered the ZANU-PF-controlled Transport Ministry to take over the MDC-controlled Information Ministry, leaving an MDC member as deputy minister. Mugabe also refused to swear in MDC provincial governors and failed to consult the MDC in appointing loyalists as central bank governor and attorney general. MDC activists and supporters continued to suffer from violent attacks by security forces and militias, and invasions of white-owned farms picked up in the middle of the year. A group of 18 prominent human rights and political activists who had recently been released from jail were indicted on terrorism charges in May, and in June an MDC cabinet minister reported that party officials were receiving death threats on a near-daily basis. In October, an audit revealed that over 10,000 ZANU-PF youth militia members were on the payroll of the Youth Development Ministry. Citing the ongoing crackdown, as well as the rearrest of MDC stalwart Roy Bennett on terrorism and other charges, Tsvangirai announced that the MDC would not cooperate with the national unity government, but SADC-brokered talks led the party to reverse its move in November.

Also in 2009, the new government began to repair Zimbabwe's devastated economy. In January, it formally abandoned the Zimbabwean dollar – whose inflation rate had reached an astounding 13 billion percent in 2008 – in favor of South African and U.S. currencies, leading to the first positive economic growth rates in nine years. The country also received an influx of international aid during the year. In December, the finance ministry cited improved revenues and forecast a seven percent growth rate in 2010. Nevertheless, unemployment in 2009 was estimated at over 90 percent.

The economic collapse of recent years, which had been accelerated by the government's seizure of most white-owned farmland beginning in 2000, fueled the emigration of as many as three million residents and led to a serious breakdown in public services, including health care and sanitation. An outbreak of cholera that ran from 2008 to mid-2009 infected over 100,000 people and killed more than 4,200, according to Doctors Without Borders.

Political Rights and Civil Liberties

Zimbabwe is not an electoral democracy. President Robert Mugabe and the ZANU-PF party have dominated the political landscape since independence in 1980, overseeing 18 amendments to the constitution that have expanded presidential power and decreased executive accountability. Presidential and legislative elections in March 2008 were marred by a wide-ranging campaign of violence and intimidation, flawed voter registration and balloting, biased media coverage, and the use of state resources – including food aid – to bribe and threaten voters. The government failed to implement changes to electoral, security, and press laws that were agreed to in a 2007 constitutional amendment. The period leading up to the presidential runoff in June 2008 featured accelerated violence against oppositionists, prompting a UN Security Council resolution declaring the impossibility of a fair poll. The election, in which Mugabe ultimately ran unopposed, was declared illegitimate by observers from the African Union and the SADC. Although the September 2008 power-sharing agreement between ZANU-PF and the opposition MDC – known as the Global Political Agreement (GPA) – called for a new, independent election commission, the body had not been formally constituted by the end of 2009.

Since the restoration of the Senate in 2005, Zimbabwe has had a bicameral legislature. A 2007 constitutional amendment removed appointed seats from the House of Assembly, increased the number of seats of both chambers (to 210 seats in the House of Assembly

and 93 seats in the Senate), and redrew constituency boundaries. In 2008, despite political violence and vote rigging, the two factions of the MDC won 109 seats in the House of Assembly, leaving ZANU-PF with 97. In the Senate, where 33 seats are held by traditional chiefs, presidential appointees, and other unelected officials, ZANU-PF retained its majority; the 60 elected seats were divided evenly between ZANU-PF and the MDC factions. All elected officials serve five-year terms. A 2009 constitutional amendment stemming from the GPA created the post of prime minister (and two deputy prime ministers) while retaining the presidency, leaving the country with a split executive branch.

The GPA called for a new constitution following consultations with the public and the presentation of a draft in a referendum, but efforts to formally draft the charter made little progress in Parliament in 2009. In July, police had to forcefully disperse a constitutional conference intended as the official start of national consultations after ZANU-PF militants disrupted the conference and a series of fights broke out among ZANU-PF and MDC delegates. Major civil society organizations like the National Constituent Assembly (NCA) and the Zimbabwe Congress of Trade Unions (ZCTU) opposed Parliament's role in drafting the new constitution, calling for greater participation by civic groups and the general public.

Corruption is rampant throughout the country, including at the highest levels of government. The collapse in public-service delivery and the politicization of food and agricultural aid has made the problem ubiquitous at the local level. A 2009 independent audit of the Agriculture Ministry revealed that the illegal reselling of agricultural inputs was widespread, as was corruption in the state-run Grain Marketing Board. Anticorruption prosecutions are almost exclusively motivated by political vendettas. An anticorruption commission envisioned in the GPA has yet to be formed. Zimbabwe was ranked 146 out of 180 countries surveyed in Transparency International's 2009 Corruption Perceptions Index.

Freedoms of expression and the press are severely restricted. The country's draconian legal framework includes the Access to Information and Protection of Privacy Act (AIPPA), the Official Secrets Act, the Public Order and Security Act (POSA), and the Criminal Law (Codification and Reform) Act. In general, these laws restrict who may work as a journalist, require journalists to register with the state, severely limit what they may publish, and mandate harsh penalties – including long prison sentences – for violators. Under the GPA, a new and independent Zimbabwe Media Commission (ZMC) is supposed to replace the state-controlled and highly discriminatory Media and Information Commission (MIC). By the end of 2009, however, the ZMC had not been formed, and the MIC had significantly raised the accreditation fees for foreign journalists, local journalists working for foreign media outlets, and foreign media outlets themselves. Journalists are routinely subjected to verbal intimidation, physical attacks, arrest and detention, and financial pressure by the police and ZANU-PF supporters. In 2008, scores of local and foreign journalists were beaten or detained both before and after the elections. While these attacks decreased in 2009, a number of journalists – including some working for state-owned outlets – were detained on defamation charges.

The government dominates the print and broadcast media. In 2009, retired military and intelligence officers loyal to Mugabe were appointed to the boards of state-owned newspapers, the state-controlled Zimbabwe Broadcasting Corporation (ZBC), and the NewZiana news agency. The *Daily News*, long the country's only independent daily, was shuttered in 2003 for not adhering to the AIPPA. While it has since been licensed to operate again, the seizure of its computers and archives in the run-up to the 2008 elections prevented it from publishing in 2009. A new independent daily, *NewsDay*, had not received a license by year's end due to the delay in the creation of the ZMC. Access to international news via satellite television is prohibitively expensive for most Zimbabweans, and in 2005 the government began jamming the shortwave radio signals of foreign-based stations that are perceived as hostile. Mugabe enacted the Interception of Communications Bill in 2007, empowering the state to monitor telephonic and electronic communication with sophisticated technology acquired from China. In July 2009, the government lifted a ban on international news organizations such as the British Broadcasting Corporation (BBC) and the U.S.-based Cable News Network (CNN).

While freedom of religion has generally been respected in Zimbabwe, church attendance has become increasingly politicized, with church groups such as the Solidarity Peace Trust and the Zimbabwe Christian Alliance at the forefront of opposition to the Mugabe government. Other groups, such as the Zimbabwe Council of Churches, are widely perceived as pro-Mugabe. In late 2007, the Anglican Church in Zimbabwe split along political lines, leading to restrictions on freedom of worship at a number of churches.

Academic freedom is limited. All schools are under state control, and education aid has often been based on parents' political loyalties. Security forces and ZANU-PF thugs harass dissident university students, who have been arrested or expelled for protesting against government policy. In August 2009, four Zimbabwe National Students Union leaders were arrested while addressing students at the University of Zimbabwe in Harare; they were released the following day. In the political violence of 2008, thousands of teachers – many of whom served as polling officials – were beaten by ZANU-PF militias, and many rural schools were closed. According to the Progressive Teachers' Union of Zimbabwe, seven teachers were killed, 60 were tortured, about 600 were hospitalized, and over 230 teachers' houses were burned down. In May 2009, AI reported that teachers continued to be attacked and threatened by ZANU-PF supporters, especially in rural areas. Despite reduced school fees, teachers' strikes and a lack of resources prevented 94 percent of rural schools from opening on schedule in February, according to the UN Children's Fund.

The small nongovernmental sector is active, but NGOs have faced increasing legal restrictions and extralegal harassment. The 2004 Non-Governmental Organizations Act increased scrutiny of human rights groups and explicitly prohibited them from receiving foreign funds. The 2002 POSA requires police permission for public meetings and demonstrations; such meetings are often broken up, and participants are subject to arbitrary arrest as well as attacks by ZANU-PF militias. The POSA also allows police to impose arbitrary curfews and forbids criticism of the president. A number of large demonstrations were prevented or violently dispersed in 2008, and an April ban on political rallies ahead of the presidential runoff severely restricted the opposition campaign; a court overturned a similar ban in June of that year. Between June and August 2008, most NGOs – except those explicitly concerned with HIV/AIDS, children, the elderly, or the disabled – were barred from operating.

The Labor Relations Act allows the government to veto collective-bargaining agreements that it deems harmful to the economy. Strikes are allowed except in "essential" industries. Because the ZCTU has led resistance to Mugabe's rule, it has become a particular target for repression, and trade unionists were attacked and detained throughout 2008. In February 2009, a strike by teachers, health workers, and other public-sector employees ended after the government agreed to pay salaries in foreign currency. Some teachers and health workers struck again in May, impeding the already limited operations of hospitals, clinics, and schools. In November, the home of the secretary general of the General Agriculture and Plantation Workers' Union, Gertrude Hambira, was invaded by alleged members of a ZANU-PF militia in an apparent abduction attempt; Hambira was not at home at the time.

Pressure from the executive branch has substantially eroded judicial independence in recent years, although the situation improved somewhat in 2009. The accused are often denied access to counsel and a fair, timely trial, and the government has repeatedly refused to enforce court orders. It has also replaced senior judges or pressured them to resign by stating that it could not guarantee their security; judges have been subject to extensive physical harassment. The vacancy of nearly 60 magistrate posts has caused a backlog of some 60,000 cases. Among other signs of decreased politicization in 2009, a judge in February dropped treason charges against MDC official Tendai Biti, and in July a magistrate ordered the government to investigate the alleged assault of four women arrested at a peaceful demonstration on World Refugee Day. In October, the Supreme Court ordered a permanent stay of prosecution against Jestina Mukoko and eight other human rights activists, citing torture by police. However, in March police arrested a magistrate who had ordered the release of the MDC's Roy Bennett on bail.

Security forces abuse citizens with impunity, often ignoring basic rights regarding

detention, searches, and seizures. The government has taken no clear action to halt the rising incidence of torture and mistreatment of suspects in custody. ZANU-PF militias operate as de facto enforcers of government policies and have committed assault, torture, rape, extralegal evictions, and extralegal executions without fear of punishment; the incidence of these abuses increased significantly in 2008 and continued, though at a decreased rate, in 2009. Security forces have taken on major roles in crop collection, food distribution, and enforcement of monetary policy, and both the police and the military are heavily politicized. In October 2009, UN torture investigator Manfred Nowak, whom Prime Minister Morgan Tsvangirai had invited to inspect the police and some jails, was denied entry into Zimbabwe.

Pretrial detention is a major problem, with some inmates held for over 10 years without trial. Scores of MDC officials and activists were abducted, charged with treason, and detained without due process throughout 2008. Prison conditions are harsh and life-threatening. Severe overcrowding and a major shortage of funds have contributed to a rise in HIV and tuberculosis infections among inmates and the deterioration of already poor sanitation facilities. The Zimbabwe Association for Crime Prevention and Rehabilitation reported in April 2009 that Zimbabwe's prisons hold more than double their intended capacity of 17,000 inmates. Deaths in prisons are often caused by disease or beatings by guards, and many prisoners rely on family members for food. In June, the International Committee of the Red Cross began feeding some 6,500 inmates after a South African documentary exposed severe malnourishment and extremely high fatality rates in the country's jails. According to the weekly *Standard*, 700 of the 1,300 inmates held at the high-security Chikurubi prison near Harare died in 2008.

People living in the two Matabeleland provinces continue to suffer political and economic discrimination, and these areas are often targeted by security forces as opposition strongholds. Restrictive citizenship laws discriminate against Zimbabweans with origins in neighboring African countries.

The state has extensive control over travel and residence. The government has seized the passports of its domestic opponents, and foreign critics are routinely expelled or denied entry. In 2008, the authorities confiscated the passports of several MDC officials, including Tsvangirai. High passport fees inhibit legal travel.

Property rights are not respected. Operation Murambatsvina in 2005 entailed the eviction of hundreds of thousands of city dwellers and the destruction of thousands of residential and commercial structures, many of which had been approved by the government. Fewer than 400 white-owned farms remain out of the 4,500 that existed when land invasions started in 2000, and any avenues of legal recourse for expelled farmers have been closed. A 2007 law stipulates that 51 percent of shares in all – including foreign – companies operating in Zimbabwe must be owned by black Zimbabweans. In 2008, the government dismissed an SADC court ruling that found land seizures affecting a group of 70 white farmers to be discriminatory and in violation of SADC rules. In July 2009, the deputy mayor of Harare announced plans to evict people from illegal settlements and marketplaces, raising fears of another Operation Murambatsvina and sparking a successful campaign by civil society organizations to halt the evictions.

Women enjoy extensive legal protections, but societal discrimination and domestic violence persist. Women serve as ministers in national and local governments and hold 32 and 24 seats in the House of Assembly and Senate, respectively. The World Health Organization has reported that Zimbabwean women's "healthy life expectancy" of 34 years is the world's shortest. Sexual abuse is widespread, including the use of rape as a political weapon. A recent upsurge in gender-based violence spurred renewed calls for the enactment of the Prevention of Domestic Violence Bill, which has lingered in Parliament for nine years. Female members of the opposition often face particular brutality at the hands of security forces. The prevalence of customary laws in rural areas undermines women's civil rights and access to education. Homosexuality is illegal.

**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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