

**Flygtningenævnets baggrundsmateriale**

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## July-December 2010 International Religious Freedom Report

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

There was no change in the status of respect for religious freedom by the government during the reporting period; however, in certain instances, government officials harassed religious leaders who were critical of government policies, or individuals who spoke out against human rights abuses committed by the government, and organized public rallies centering on social and political issues. Generally the government employed these tactics to maintain a stronghold in politically contested areas. As talk of elections in 2011 intensified during the reporting period, there were more reports of police using the Public Order and Security Act (POSA) as a pretext to prevent or disrupt rallies. Taking sides in an internal dispute between factions of the Anglican Church, the government arrested, harassed, and prevented church attendance by Anglican clergy and parishioners of the Church of the Province of Central Africa (CPCA).

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Indigenous religious groups and mainstream Christian churches maintained their differences primarily over doctrinal issues. There were no reported cases of direct confrontation or hostility between the two groups in the reporting period.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

### Section I. Religious Demography

The country has an area of 150,760 square miles and a population of 12 million. According to the Evangelical Fellowship of Zimbabwe (EFZ), 84 percent of the population is Christian, primarily Roman Catholic, Anglican, and Methodist. In its 2004 census, the EFZ estimated there were four million Catholics; five million evangelicals and Pentecostals; two million Anglicans, Methodists, and Presbyterians; and more than one million members of apostolic groups. There are a significant number of independent Pentecostal and syncretic African churches. While the country is overwhelmingly Christian, the majority of the population also believes, to varying degrees, in indigenous religions. Religious leaders reported a continued increase in adherence to indigenous religious practices, often simultaneously with the practice of formalized Christianity.

Muslims account for 1 percent of the population and are primarily immigrants of Mozambican and Malawian descent who came to the country as farm laborers. The Muslim population is concentrated in rural areas, where Muslim-led humanitarian efforts were often organized, and also in some high-density suburbs. The remainder of the population includes small numbers of practitioners of Greek Orthodoxy, Judaism, Hinduism, Buddhism, and the Bahai faith.

Political elites tended to be associated with one of the established Christian mainline or Pentecostal churches. Some apostolic groups have taken a political position in support of the Zimbabwe African National Union-Patriotic Front (ZANU-PF). The groups' political significance was especially strong in the ZANU-PF

political strongholds of Mashonaland East, Mashonaland Central, Mashonaland West, and Manicaland provinces.

## Section II. Status of Government Respect for Religious Freedom

### *Legal/Policy Framework*

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections. The constitution protects the right of individuals to choose and change their religion as well as to privately or publicly manifest and propagate their religion through worship, teaching, practice, and observance. Most if not all official state gatherings and functions included nondenominational Christian prayers.

The Criminal Codification and Reform Act criminalizes any practice "commonly associated with witchcraft," but only if that practice is intended to cause harm. It also criminalizes witch hunts, imposes criminal penalties for falsely accusing others of witchcraft, and rejects the killing of a witch as a defense for murder. Attacks on individuals in witchcraft-related cases appeared to be prosecuted under laws for assault, murder, or other crimes. In practice the government did not detain or prosecute persons for allegedly practicing witchcraft. A few cases of witchcraft were brought to trial and prosecuted under laws on indecency.

The 2002 Public Order and Security Act (POSA) restricts freedoms of assembly, expression, and association. Although not specifically aimed at religious activities, the government invoked the act to interfere with religious and civil society groups organizing public prayer rallies. While POSA exempted religious activities and events, influential persons in the government viewed any public gathering that is critical of ZANU-PF as political.

The government did not require religious groups to register; however, religious organizations that operated schools or medical facilities were required to register those institutions with the appropriate ministry regulating their activities. Religious institutions may apply for tax-exempt status and duty-free privileges with the customs department, which generally granted these requests.

The Ministry of Education sets curricula for public primary and secondary schools. Many public secondary schools included a religious education course that focused on Christian religious groups and covered other religious groups, emphasizing the need for religious tolerance. School assemblies and functions routinely opened and closed with Christian prayer. Most public universities offered degrees in Christian religious study and theology. World religions were incorporated in the curriculum.

The country has a long history of Catholic, Anglican, Methodist, Salvation Army, Lutheran, Presbyterian, and Seventh-day Adventist churches building and operating primary and secondary schools. The United Methodist Church, Catholic Church, and Seventh-day Adventist Church all operated private universities. The government did not regulate religious education in private schools but played a role in approving employment of headmasters and teachers. Since independence, there has been a proliferation of evangelical basic education schools. Christian schools, the majority of which are Catholic, constituted one-third of all schools. Islamic, Hindu, and Jewish primary and secondary schools were also in major urban areas such as Harare and Bulawayo.

The government observes the following religious holidays as national holidays: Easter and Christmas.

### *Restrictions on Religious Freedom*

There was no change in the status of respect for religious freedom by the government during the reporting period; however, in certain instances, government officials harassed religious leaders who were critical of government policies, or individuals who spoke out against human rights abuses committed by the government and organized public rallies centering on social and political issues. The government enforced legal and policy restrictions on religious freedom selectively. The government viewed suspiciously missionaries it considered politically motivated. There were reports of increasing police intimidation against church leaders as talk of the 2011 elections intensified during the reporting period. According to one credible church organization, church leaders were summoned to police stations, questioned on their activities and funding sources, and warned against organizing public rallies without police clearance. Some missionary organizations occasionally experienced significant delays implementing humanitarian relief activities and having their work permits issued. According to a reputable Christian umbrella group, the government continued to interfere with efforts of religious organizations to provide humanitarian assistance, particularly in areas where ZANU-PF was trying to strengthen its presence. These cases appeared to be isolated in nature.

There were reports of police invoking POSA to harass church leaders. For instance, on November 12, police in Gokwe arrested Father Patrick Sibanda for organizing a public gathering without police clearance. Father Sibanda had organized an International Peace Day celebration in September. He was released on November 13. The case was pending at the end of the reporting period.

Police also restricted religious assembly. In late June a police force barred several hundred CPCA-affiliated pilgrims from entering the Bernard Mizeki Shrine in Marondera. Buses and other vehicles carrying the pilgrims were turned away at roadblocks, and people were forced to hold the commemoration at a nearby showground.

#### *Abuses of Religious Freedom*

There were reports of abuses of religious freedom in the country. The government increased arrests, harassment, and prevention of church attendance by Anglican clergy and parishioners from the CPCA, the regional body of the Anglican Communion. The government continued to favor Nolbert Kunonga, the ZANU-PF-affiliated former Anglican bishop of Harare who withdrew himself and the diocese from the CPCA in 2007, alleging that the CPCA tolerated homosexuality, and went on to form the Church of the Province of Zimbabwe (CPZ).

Beginning in November 2009, Kunonga loyalists, with police assistance, effectively blocked all CPCA-affiliated Anglicans from performing religious services, including weddings and burials, in almost all churches in the Harare diocese. Police locked the doors of churches to keep worshippers away. CPCA congregations resorted to conducting Mass on sidewalks outside the church walls or renting other premises such as primary schools or other denominations' church halls. Police routinely disrupted Sunday services conducted on outdoor premises. Police continued to arrest and interrogate parishioners, priests, and lay leaders, charging them with committing malicious damage to property. Most of the CPCA's church buildings in Harare reportedly were transformed into for-profit preschools by Kunonga and some Anglican offices were rented out by Kunonga as business offices or residential quarters. The CPCA Harare diocese operated from a private residence donated by a parishioner.

In July Kunonga and several followers attempted a take-over of Dramombe Mission in Masvingo, claiming that one person in the group was the rightful bishop of Masvingo. The take-over was not successful and did not result in violence.

In October there were reports of Kunonga followers occupying church vestries and turning them into residential homes in Marondera. In mid-September police officers in Harare evicted CPCA parishioners from their newly-built church. The parishioners claimed they built the church using donations by members after being evicted from their old church in 2007 by Kunonga's supporters. A Kunonga priest and his family were reportedly occupying the church at the time of this report.

On November 16 approximately 20 Kunonga priests attempted to take over CPCA's Bishop Gaul College in Harare. Police summoned both parties to the police station but declined to settle the matter, arguing the

conflict was a matter internal to the Anglican Church. The occupiers left after two days of passive resistance from the resident priests and students.

The CPCA also was in dispute with Bishop Elson Jakazi over custody and control of the diocese of Manicaland. Jakazi, reportedly following Kunonga's example, withdrew himself and the Mutare diocese from the CPCA in 2007. On May 19 High Court Judge Chinembiri Bhunu ruled against Jakazi, stating that he had left the church and was, therefore, no longer bishop of the Manicaland diocese. Jakazi appealed to the Supreme Court. In August the chief justice of the supreme court announced that Jakazi's appeal was to be consolidated with the Kunonga-CPCA case. No action had been taken by the end of the reporting period. The CPCA Manicaland diocese was denied access to all properties while the case was pending.

The Kunonga-CPCA dispute continued in court. In July 2009 High Court Judge Ben Hlatshwayo gave custody and control of CPCA Harare diocesan property to Kunonga and his board of trustees. On May 4 Supreme Court Deputy Chief Justice Luke Malaba dismissed the CPCA's appeal against the Hlatshwayo ruling on procedural grounds. On May 7 the CPCA filed an application with the Supreme Court to reinstate the appeal. In August the chief justice of the Supreme Court announced all cases concerning the Kunonga-CPCA dispute pending at the High Court and Supreme Court were to be consolidated and heard before a full panel of Supreme Court justices. No hearing date had been scheduled at the end of the reporting period.

In October four parishioners of St. Columbus Kuwadzana bought a piece of land under their names with the intention of building a new church facility. Two weeks after they began using this undeveloped piece of land as a location for church services, police arrived in force and prevented them from worshipping there.

There were no developments in the conflict over control of Anglican schools in the Harare province of the CPCA. CPZ priests and bishops assumed control of the schools in January 2009; the Ministry of Education did not respond to complaints from the Anglican CPCA or school officials.

A February 2009 contempt of court case against the commissioner of police, Augustine Chihuri, and the coministers of home affairs, Kemba Mohadi and Giles Mutsekwa, remained pending at the end of the reporting period.

At the end of the reporting period, an appeal by an Anglican priest convicted of stoning a police officer in May 2009 and sentenced to community service remained pending.

In October 2009 police detained and questioned Brandon Conway, a Catholic priest, after he read the Zimbabwe Catholic Bishops' annual pastoral letter at his parish. The letter stated that the country was traumatized as a result of widespread violence in the period prior to the 2008 election and that politicians involved in committing acts of violence should not be allowed to hold any public office, as part of the national healing process provided for in the Global Political Agreement. Police released Conway the same day.

In December 2009 a Kunonga priest accused a member of the CPCA of assaulting him with clenched fists and a knife. Police arrested the parishioner. On March 16 the court refused to set a hearing date due to a lack of evidence.

On December 20, 2009, police blocked parishioners' access to every Anglican church in Harare during Sunday morning services and made several arrests. For example, an employee of the CPCA at the Harare Anglican Cathedral, Misheck Dangirwa, was abducted and beaten by men reportedly aligned with Kunonga before being arrested. He was released on December 23. Also on December 20, 2009, police beat and arrested Sam Chikumbirike, a warden for a church in the Harare suburb of Hatcliff, for permitting a meeting of the church's women's group on December 19; he was released on December 21. At the end of the reporting period, it was unclear what charges, if any, Dangirwa and Chikumbirike faced.

In December 2009 Kunonga's priests prevented several female parishioners at Saint Luke Church in Mufakose from attending a prayer meeting. Police arrested one of the women, who was prosecuted for contempt of the court, but was discharged due to a lack of evidence.

On December 24 and 25, 2009, police blocked access to Anglican churches in Harare, preventing parishioners' access to Christmas services. On December 27, 2009, the archbishops of Canterbury and York specifically condemned police intimidation of Anglicans in a statement.

In March a police officer in Hatcliffe denied a congregation access to church premises. A student priest attempted to conduct services outside the church and was detained and taken to the local police station. The congregation followed and conducted the full service at the police station, stating that they would gather there weekly if police continued to bother their services.

On March 14, Farai Mutamiri, dean of the Harare Cathedral, and his assistant were arrested and detained for two nights allegedly for committing malicious damage to property. The case was pending further investigation at the end of the reporting period. On the same day, police used tear gas on churchgoers at Saint Faith's Church in Budiro. The tear gas affected the surrounding high-density township community, which prompted an attack on the police. Police arrested seven persons and charged the community with attacking police officers and inflicting malicious damage on church property. The charges were dropped on May 11, after police failed to provide sufficient evidence.

A reputable Christian umbrella group reported two Pentecostal churches were burned in Mashonaland Central and in Masvingo in March and May, respectively. The church in Mashonaland Central purportedly was burned because an elder member of the church was an opposition party activist.

On March 26 the Kunonga-led CPZ and police barred CPCA members from conducting a memorial service in Avondale for the church's chancellor, Rob Stumbles, who died of a heart attack on March 17.

On May 17 the rector of Holy Name Church in Mubaira was arrested and charged with malicious damage to property. There were no further details behind the allegation. He spent one night in jail before being taken to court in Chegutu. The case was dismissed due to lack of evidence.

On May 23 Kunonga priests, with the assistance of police, denied more than 2,000 CPCA members access to the main cathedral in Harare, where they intended to hold a special service to commemorate Pentecost. Although the cathedral was empty, CPCA members had to hold their service in the open grounds across from the cathedral. The Harare diocese was denied access to the cathedral on three previous occasions and had to conduct open air services.

On May 24 the heads of various church councils met in Kariba for a four-day conference. Police appeared at the meeting and questioned the organizers regarding the purpose of the meeting, but left without further incident.

On May 25 approximately 250 youths from Anglican CPCA parishes in the Harare south archdeaconry attempted to meet in the yard at Saint Paul's Church in Highfield to participate in a forum focused on HIV/AIDS. Police forced them to hold the all-day conference on the street and barred their access to cooking facilities and toilets.

On May 29 Kunonga priests removed the headmaster of Saint Phillips Church in Guruve, and police barred the rest of the community from attending church.

On June 1 CPCA members at All Saints' Church in Marondera were ordered to the police station following continuous harassment by a Kunonga priest, but they were released without further incident. In Chiweshe, police arrested a community leader for leading a movement to remove a Kunonga priest from his post at the Saint Albans School. The case was pending before the Bindura magistrate at the end of the reporting period.

On June 5 Jakazi visited several Anglican churches in Manicaland and evicted numerous parishioners despite a 2009 consent order under which Jakazi and the CPCA agreed not to interfere with the other's freedom to worship.

### Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were continuing reports of tensions between indigenous religious groups and mainstream Christian churches on issues of polygamy, modern medicine, and political exclusion. Indigenous religious groups, particularly the apostolic community in Chipinge, were largely blamed for exacerbating measles outbreaks in the country by not allowing immunization of their children. Christian church leaders and the government reached out to the apostolic groups on this issue. Religious leaders from a wide spectrum of groups continued to discuss these matters productively in interfaith council meetings.

### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government, religious groups, and nongovernmental organizations as part of its overall policy to promote human rights. U.S. officials expressed concern regarding the intimidation and harassment of religious officials who criticized the government.

The embassy continued to support faith-based organizations to facilitate the participation of respected leaders in capacity training and religious conferences held in the region.