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HUMAN RIGHTS WATCH

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Sleight of Hand

Repression of the Media and the Illusion of Reform in Zimbabwe

I. Summary

The Global Political Agreement (GPA), which in February 2009 created a power-sharing government between the Zimbabwe African National Union–Patriotic Front (ZANU-PF) and two formations of the Movement for Democratic Change (MDC), raised expectations for human rights reforms in Zimbabwe. The promised reforms included expanded media freedom and the protection of journalists, which are critical for creating an open, democratic, and transparent society.

Under article 17 of the power-sharing agreement, for example, the parties expressed a desire to open up the airwaves and operate as many media houses as possible. Article 19 of the agreement recognized the importance of the right to free expression and acknowledged the role of the media in a multi-party democracy. ZANU-PF and MDC agreed that they would systematically process and grant broadcasting applications to journalists and media houses.

More than a year into the implementation of the GPA, these reforms remain unfulfilled, and freedom of expression is imperiled in Zimbabwe. In the past year alone, some 15 different journalists have been harassed, arbitrarily arrested, or assaulted by state security forces in Zimbabwe. Five separate pieces of legislation restricting free expression remain on the books and are enforced. The laws, which are used only against ZANU-PF's critics, exist in violation of Zimbabwe's obligations under international law, under its constitution, and according to commitments under the GPA to undertake media reform. ZANU-PF continues to rely on these laws, and the state-controlled media itself, to promote political propaganda and restrict independent information about the party.

As recently as March 2010, journalists in Zimbabwe have been arrested for covering peaceful protest marches, writing articles about internal ZANU-PF politics, reporting on regional economic conferences, or discussing Zimbabwe's land policy. Journalists who dare to cover such topics face detention, torture, and harassment, which serves to quash dissent or even balanced reporting, leading to self-censorship among the media. Writing that is broadly construed as being insulting to the president or ZANU-PF is punished.

Superficially, the power-sharing government has made a few positive changes. It has initiated a Parliament-led constitutional review process, lifted restrictions on a previously banned daily newspaper (which still does not have a license to operate), and in February 2010 established the Zimbabwe Media Commission.

ZANU-PF has sought to portray these changes as indicative of genuine progress in the protection and promotion of human rights in Zimbabwe. At its congress in December 2009, the party reaffirmed its commitment to access to information, media freedom, and freedom of expression. On March 3, 2010, Minister of Justice (ZANU-PF) Patrick Chinamasa, in a speech at the United Nations, cited the appointments of the Zimbabwe Media Commission, as well as the Electoral Commission and the Human Rights Commission, as evidence of Zimbabwe's progress in improving the promotion and protection of human rights.

In practice, however, the former sole ruling party has blocked meaningful political changes that would safeguard those rights. In terms of creating a true coalition government or granting greater freedoms, the reforms have been largely inconsequential. President Mugabe and ZANU-PF continue to enjoy sweeping powers and the capacity to undo reforms without notice. They use control of the media to maintain a firm grip on power in Zimbabwe. In the past year, not one independent television or radio station has received a license to operate.

Many Zimbabweans continue to lack both political freedom and accurate, non-partisan information about the state of the country and the activities of government. This deficit is particularly worrisome, as Zimbabwe, faced with a paralyzed coalition government, now envisions elections in 2011. Without media and other reforms protecting human rights, Zimbabwe remains at risk of repeating the horrific election violence of 2008, out of which the tenuous power-sharing government was created when ZANU-PF blocked an MDC electoral victory. Lacking political freedom, Zimbabweans are likely to again face serious obstacles to political participation without fear of violent retribution.

The government of Zimbabwe should take immediate steps to end continuing abuses against the media as part of a broader effort to create the necessary constitutional and electoral framework envisaged in the GPA. Media freedom, an elemental human right that was also promised by the parties to the GPA, is urgently needed as a precursor to the conduct of free, fair, and credible elections that can truly reflect the political will of Zimbabweans.

Human Rights Watch also calls on the region's governments—particularly South Africa—and other concerned states to press for legal measures to ensure media freedom and the protection of journalists, civil society actors, and ordinary Zimbabweans who dare to express their views. The SADC-appointed mediators, South Africa President Jacob Zuma and his facilitation team, have great potential to push parties to the GPA to deliver genuine reforms and produce a lasting solution to Zimbabwe's crisis. By publicly focusing more on lifting sanctions than on meaningful change in Zimbabwe, President Zuma has squandered an

important opportunity to reflect and realize the aspirations of the many Zimbabweans who believed that the power-sharing agreement would restore their freedom and voice.

II. Recommendations

To the Power-Sharing Government of Zimbabwe

- Repeal or amend all laws that infringe on the media's right to freedom of expression, such as the Access to Information and Protection of Privacy Act, the Broadcasting Services Act, and the Public Order and Security Act.
- Comply with the July 2009 ruling of the African Commission on Human and Peoples' Rights calling on the government of Zimbabwe to lift compulsory licensing or accreditation of journalists and to adopt legislation that provides for self-regulation by journalists.
- Compel security forces to respect the rule of law and submit to civilian authority under the Zimbabwe National Security Council, as envisaged by the Global Political Agreement (GPA). Take all necessary steps to ensure that security forces play a non-partisan role in civilian affairs. This could include replacing the leadership of the security forces with non-partisan, professional law enforcement and military personnel.
- Cease harassment and intimidation of journalists and other violations of media freedom, and investigate and prosecute those responsible, regardless of rank.
- Fully implement the GPA, particularly the necessary constitutional and electoral reforms to enable Zimbabwe to hold a free, fair, and credible election as envisaged under the agreement.

To South African President Jacob Zuma and His Zimbabwe Facilitation Team

- Call on parties to the GPA, particularly ZANU-PF, to fully implement promised GPA reforms, including constitutional, electoral, and security sector reforms within a specific timeframe.
- Urge the transitional government of Zimbabwe to guarantee, protect, and promote fundamental rights, including freedom of expression, in accordance with its domestic and international legal obligations.
- Press the transitional government of Zimbabwe to institute genuine, meaningful, and irrevocable reforms to enable the country to hold free, fair, and credible elections as envisaged under the GPA.

To Southern African Development Community Member States and the African Union

- Call on parties to the GPA, particularly ZANU-PF, to fully implement reforms promised under the GPA, including constitutional, electoral, and security sector reforms within a specific timeframe.
- Urge the transitional government of Zimbabwe to guarantee, protect, and promote fundamental rights, including freedom of expression, in accordance with its domestic and international legal obligations.
- Press the transitional government of Zimbabwe to institute genuine, meaningful, and irrevocable reforms to enable the country to hold free, fair, and credible elections as envisaged under the GPA.

To the Wider International Community (including the United States, the United Kingdom, and Other European Union Members)

- Press the transitional government of Zimbabwe to institute genuine, meaningful, and irrevocable reforms to enable the country to hold free, fair, and credible elections as envisaged under the GPA.
- Sustain pressure on the transitional government to institute key human rights reforms in accordance with set benchmarks under a specific timeframe.
- Maintain targeted travel restrictions and asset freezes on President Robert Mugabe's inner circle, as well as individuals working for state media, who are responsible for violating free expression rights until Zimbabwe meets specific human rights and good governance benchmarks.

III. Methodology

This report is based on a research mission to Zimbabwe in February 2010. Human Rights Watch researchers visited the capital, Harare, to investigate and document the status of freedom of expression under the power-sharing government in the year since the political agreement. Human Rights Watch interviewed more than 60 people, including local journalists, newspaper editors, media lawyers and analysts, human rights activists, legislators, and two government ministers responsible for media reform.

Interviews were also conducted with representatives of the Media Monitoring Project Zimbabwe, Voluntary Media Council of Zimbabwe, Media Institute of Southern Africa-Zimbabwe Chapter, the Law Society of Zimbabwe, Zimbabwe Lawyers for Human Rights, and the Zimbabwe Human Rights NGO Forum. Human Rights Watch conducted all interviews one-on-one.

For security reasons, many people spoke to Human Rights Watch on the condition that their names or other identifying information not be mentioned in this report. Details about individuals and locations of interviews that could place a person at risk have also been withheld.

IV. Background

Brief History of ZANU-PF Repression

Since Zimbabwe gained independence in 1980, President Robert Mugabe and his party, the Zimbabwe African National Union–Patriotic Front (ZANU-PF), have resorted to violent repression and the misuse of security forces, including the army and the police, to maintain their power.[1] In 1999, the Movement for Democratic Change (MDC) was formed as an alternative to ZANU-PF, which was confronting a rapid loss of popular support and an increasingly vocal civil society mobilizing around constitutional reform.

From 2002, ZANU-PF reacted to critical voices and civic activism by narrowing democratic space through the passage of laws that curtailed fundamental freedoms, including the right to freedom of expression.[2] Using its majority in Parliament, ZANU-PF in 2002 enacted and implemented the Access to Information and Protection of Privacy Act (AIPPA) and the Public Order and Security Act (POSA), in part to control the media and restrict free expression.[3] It relied on the AIPPA, for example, to ban the only independent daily paper in Zimbabwe, *The Daily News,* in 2003. Although the act was amended in January 2008, abolishing the Media and Information Commission and establishing a new Zimbabwe Media Commission, it retained stringent rules regarding the registration and regulation of journalists and the media.[4]

ZANU-PF has also engaged in widespread violence to sustain political control in successive election periods, particularly in the years 2000, 2002, 2005, and 2008.[5] In the March 29, 2008 elections, ZANU-PF suffered an extraordinary and unexpected defeat at the hands of MDC. The then ruling party lost its parliamentary majority for the first time since independence in 1980. Results for the presidential elections, which took place the same day,

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[1] See Human Rights Watch, *"Our Hands Are Tied": Erosion of the Rule of Law in Zimbabwe*, ISBN: 1-56432-404-4, November 2008, http://www.hrw.org/node/76102.

[2] For a detailed legal analysis of the media laws promulgated during this period, see Tawanda Hondora, "Media Laws in Zimbabwe: A Constitutional and Comparative Analysis of Zimbabwean Laws that Infringe Media Freedom," Media Institute of Southern Africa (MISA Zimbabwe) Konrad Adenauer Foundation (2003), Harare.

[3] "The State of the Media Report 2009," Media Institute of Southern Africa (MISA-Zimbabwe), 2003. On file with Human Rights Watch.

[4] Access to Information and Protection of Privacy Act (Chapter 10:27) arts. 79 and 80. Human Rights Watch interview with Kumbirai Mafunda, MISA-Zimbabwe chairperson for the Harare Chapter, Harare, February 15, 2010; and Human Rights Watch interview with media law expert Wilbert Mandinde, Harare, February 3, 2010.

[5] Human Rights Watch, *"Bullets for Each of You": State-Sponsored Violence since Zimbabwe's March 29 Elections*, ISBN: 1-56432-324-2, June 2008, http://www.hrw.org/node/40484.

were not announced until May 2, when the Zimbabwe Electoral Commission (ZEC) declared that, although MDC leader Morgan Tsvangirai had garnered more votes than Mugabe, he had not secured the simple majority (50 percent plus one vote) required to be declared president. A presidential runoff election was set for June 27 and held, despite Tsvangirai pulling out of the race because of violence against supporters of his party.[6] Mugabe had himself declared winner of the election, which triggered a political impasse. The then president of South Africa, Thabo Mbeki, facilitated Southern African Development Community (SADC)-mandated talks between ZANU-PF and MDC with a view to resolving the stalemate.

The Global Political Agreement and Promised Reforms

In September 2008, ZANU-PF and the two MDC formations signed a Global Political Agreement (GPA), and in February 2009 formed a transitional power-sharing government. Mugabe retained the post of president, while Tsvangirai became prime minister and Arthur Mutambara, leader of the smaller MDC formation, deputy prime minister. The main objective of the new government was to "create a genuine, viable, permanent, sustainable and nationally acceptable solution" to Zimbabwe's socio-economic and political crisis.[7]

In accordance with the GPA, ZANU-PF and MDC made commitments to chart a new political direction for the country. The parties raised expectations that the transitional government would immediately implement extensive reforms—including in the area of freedom of expression. Media and other reforms that did not place a financial burden on the government would be implemented promptly to demonstrate political will for change.[8]

In his inaugural speech, Prime Minister Tsvangirai proclaimed that the GPA was an "agreement that if implemented with good faith, will deliver a peaceful way forward toward a stable economy, a new constitution and free and fair elections."[9] He ended his speech by committing that "through parliament, the peoples representatives in the MDC and ZANU-PF, will pass legislation to restore the people's freedoms, create the mechanism through which

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[6] Human Rights Watch, *"Bullets for Each of You"*, June 2008, p. 13.

[7] Agreement between ZANU-PF and the two MDC formations, on resolving the challenges facing Zimbabwe (The Global Political Agreement), signed on September 15, 2008, art. 2.

[8] Human Rights Watch interview with Jameson Timba, deputy minister for media, information and publicity (MDC), Harare, February 2010 and with Tabani Moyo, MISA-Zimbabwe advocacy officer, Harare, February 5, 2010.

[9] Inauguration Speech by Prime Minister Morgan Richard Tsvangirai, delivered in Harare on the occasion of his swearing in as prime minister to mark the consummation of the Global Political Agreement, February 11, 2009.

a people's constitution can be created, re-establish the rule of law and promote the independent media."[10]

More specifically, reform commitments in the GPA included the writing of a new constitution over 18 months, within the life of the transitional power-sharing government.[11] Under article 17 of the GPA, the parties expressed a desire to open up the airwaves and operate as many media houses as possible. Article 19 recognized "the importance of the right to the freedom of expression and the role of the media in a multi-party democracy." It committed to ensure immediate processing by the appropriate authorities of all broadcasting applications by journalists and media houses.[12]

Zimbabwe's political leaders further agreed to institute security sector reforms to place security forces under full civilian control through the creation of the Zimbabwe National Security Council, which would be charged with reviewing all national policies on security and defense. The civilian-run council was intended to ensure that the security sector did not exceed its authority by arbitrarily arresting members of the media.

Zimbabwean Law on Freedom of Expression and International Standards

Zimbabwe is party to the African Charter on Human and Peoples' Rights (the African Charter) and the International Covenant on Civil and Political Rights, both of which guarantee the right to freedom of expression. Article 9 of the African Charter provides that "every individual shall have the right to receive information" and "the right to express and disseminate his opinions within the law."[13] Article 19 of the International Covenant on Civil and Political Rights sets out the basic international standards for the right to freedom of expression, which may only be restricted by law and as is necessary for reasons of national security, public order, or public health or morals.[14]

The right to free expression, encompassing freedom of speech and press, is constitutionally protected in Zimbabwe, subject only to restrictions under authority of law in the interest of "defence, public safety, public order, the economic interests of the State, public morality or

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[10] Ibid.

[11] GPA, art. 6.

[12] GPA, art. 19(1).

[13] African [Banjul] Charter on Human and Peoples' Rights, adopted June 27, 1981, OAU Doc.CAB/LEG/67/3 rev.5, entered into force October 21, 1986, ratified by Zimbabwe May 30, 1986, art. 9.

[14] International Covenant on Civil and Political Rights (ICCPR), G.A. res. 2200A (XXI), U.N. Doc. A/6316 (1966), entered into force March 23, 1976, acceded to by Zimbabwe August 13, 1991, art. 19.

public health."[15] Nevertheless, Zimbabwe has several laws in place that continue to limit Zimbabweans' rights to freedom of expression and information in violation of its international obligations.

For example, the Broadcasting Services Act, enacted in 2001, allows for private broadcasting and provides for the issuance of licenses, but the application procedures are so complex and stringent that at present no licenses have been issued other than to the government-controlled Zimbabwe Broadcasting Corporation (ZBC). The Broadcasting Services Act provides that the Broadcasting Authority of Zimbabwe shall determine the need for additional broadcasting services and invite applications for licenses; unsolicited applications are not entertained.[16] Local media analysts have noted that the act's prohibitively high application cost discourages new investors.[17]

As mentioned above, the Access to Information and Protection of Privacy Act (AIPPA), enacted in 2002, prohibits the full-time employment of unaccredited journalists in Zimbabwe by news agencies and the mass media. In addition, the Public Order and Security Act (POSA), also enacted in 2002, criminalizes "publishing or communicating statements prejudicial to the State" and prohibits "undermining authority of, or insulting the President."[18] The phrase has been interpreted broadly to prosecute critics of the president, his government, and his policies.

The Criminal Law (Codification and Reform) Act of 2004 covers several offenses already included in the AIPPA and POSA, such as laws relating to the publication of falsehoods that are viewed as prejudicial to the state and insulting to the president of Zimbabwe. The prescribed penalty for violation of sections of the law related to freedom of expression is 20 years in prison.[19]

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[15] Constitution of Zimbabwe, published as a schedule to the Zimbabwe Constitution Order 1979, (S.I. 1979/1600 of the United Kingdom), art. 20.

[16] The Broadcasting Services Act, 2001, art. 10.

[17] Human Rights Watch interviews with media analysts M.C., D.K., and D.C., Harare, February 7, 2010.

[18] Public Order and Security Act, 2002, chap. 11:17, secs. 15 and 16. See Tawanda Hondora, "Media Laws in Zimbabwe."

[19] Criminal Law (Codification and Reform) Act, 2004, art. 31.

V. Continuing Media Freedom Violations

With ZANU-PF still holding the balance of power, the power-sharing government continues to use an arsenal of repressive legislation and unlawful tactics to restrict the right to freedom of expression, keep continual pressure on the media, and harass and punish critical journalists. It has not reformed media-related laws, as promised, and, through senior officials aligned to ZANU-PF and partisan state security agents, is blocking free expression.

As a result, scores of journalists are effectively unable to report on significant political and economic developments in the country, depriving Zimbabweans of independent sources of information. Instead, state-controlled print and electronic media only dispense ZANU-PF-approved messages to the general population.

Because of the atmosphere of intimidation, journalists and media outlets have resorted to self-censorship as a survival strategy.[20] One local journalist told Human Rights Watch:

> From time to time I receive very revealing stories from my contacts in the military about human rights abuses, torture, and power struggles among senior officials. But I am [concerned] for my safety and that of my family, I cannot report on those stories. I know of several of my colleagues with similar stories that are just too hot to publish.[21]

The following cases below show how in the past year the power-sharing government and security forces have undermined media freedoms and betrayed promises to implement human rights reforms.

Arbitrary Arrests and Harassment of Journalists

Journalists routinely face arrest in Zimbabwe for allegedly violating the state's repressive media laws. Since early 2010, for example, freelance photojournalist Anderson Shadreck Manyere has been harassed, arbitrarily arrested, and detained three times.[22]

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[20] Human Rights Watch interview with journalists P.Z., D.Z., M.C., and S.M., Harare, February 13, 2010; with freelance journalist Frank Chikowore, Harare, February 7, 2010; and with freelance photojournalist Anderson Shadreck Manyere, Harare, February 4, 2010.

[21] Human Rights Watch interview with journalist C.B., Harare, February 6, 2010.

[22] Human Rights Watch interview with Anderson Shadreck Manyere, February 4, 2010. See also "Peace Watch 3/2010," *Veritas*, March 11, 2010, on file with Human Rights Watch.

On March 1, 2010, prison officials apprehended and detained Manyere for filming outside a courthouse in Harare "without the permission of the commissioner of Zimbabwe's prison service."[23] Later on the same day, Manyere was handed over to police who questioned him before releasing him without charge. There is no law in Zimbabwe that prohibits filming outside courthouses, nor one that requires journalists to seek permission from the commissioner of prisons before performing their duties.

On January 18, 2010, police arrested and detained Manyere for two hours for filming a public protest march in Harare by members of Women of Zimbabwe Arise (WOZA).[24] He was released without charge. On another occasion, a group of ZANU-PF youths unlawfully apprehended and detained Manyere for filming the youths' public protest against international sanctions on the ZANU-PF leadership; the youths handed over Manyere to state security agents who forced him to delete all footage in his camera before they released him.[25]

Manyere had been one of the 43 activists abducted and tortured by state security agents in Zimbabwe from October to December 2008, shortly after the signing of the Global Political Agreement.[26] State security agents arrested Manyere at his home in Norton on December 13, 2008. Without search warrants or any legal justification, they raided his house and confiscated his work equipment, including a camera and two laptops, which have never been returned to him.[27] While in police custody, Manyere was threatened with death and accused of taking and sending images of victims of human rights abuses to international media.[28] Manyere was only released on bail on June 29, 2009. At this writing, his case is pending before the courts.[29] Manyere was charged with banditry, sabotage, and terrorism. His abductors, and later the police, failed to ensure Manyere's rights to legal representation, a fair trial, and security of person.[30]

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[23] Human Rights Watch interview with Anderson Shadreck Manyere, February 4, 2010.

[24] Ibid.

[25] Human Rights Watch interview with Anderson Shadreck Manyere, February 4, 2010. See also "Peace Watch 3/2010"; and "ZANU-PF youths detain journalist," Zimbabwe Lawyers for Human Rights press statement, February 24, 2010, on file with Human Rights Watch.

[26] See Human Rights Watch, "Zimbabwe: Free Activists Unlawfully Held," January 15, 2009, http://www.hrw.org/node/79468.

[27] Human Rights Watch interview with lawyer representing Manyere, Harare, February 4, 2010.

[28] Human Rights Watch interview with Anderson Shadreck Manyere, February 4, 2010.

[29] Human Rights Watch interview with Anderson Shadreck Manyere, February 4, 2010.

[30] Human Rights Watch interview with lawyer representing Manyere, Harare, February 4, 2010.

Barnabas Madzimure and Fortune Mutandiro, two directors of a distribution company for *The Zimbabwean,* a weekly newspaper published in South Africa and distributed in Zimbabwe, were arrested by police on January 17, 2010.[31] The police questioned them for two hours about the operations of the newspaper and then released them. On February 11, 2010, they were charged as accomplices in "publishing falsehoods prejudicial to the state," in violation of the Criminal Law (Codification and Reform) Act. The charges related to an article headlined "Mnangagwa plots fight back: talk of new splinter group," published in *The Zimbabwean* on January 10, 2010. The article discussed alleged infighting within ZANU-PF. Three drivers for the distribution company were also arrested and released after several hours of questioning.[32]

In mid-May 2009, Webster Shamu, the minister of media, information, and publicity, and George Charamba, the permanent secretary in the ministry, issued a directive that all journalists wishing to report on a June 7, 2009 Common Market for Eastern and Southern Africa (COMESA) summit should seek accreditation with the Media and Information Commission, which had been disbanded and replaced by the Zimbabwe Media Commission in January 2008.[33] Four freelance journalists—Stanley Gama, Valentine Maponga, Jealous Mawarire, and Stanley Kwenda—challenged the directive in the High Court. On June 5, 2009, the court ordered that the journalists must be allowed to attend and report on the COMESA summit without accreditation.[34] Although the journalists presented the court order, state security officials at the COMESA summit refused the journalists entry, demanding proof of accreditation with the ministry of media, information, and publicity.[35]

On May 11, 2009, police arrested Constantine Chimakure and Vincent Kahiya, editors of *The Zimbabwe Independent.* Police preliminarily charged the editors with "communicating or publishing falsehoods with the intention of undermining public confidence in law enforcement agents," in violation of the Criminal Law (Codification and Reform) Act. The charges arose from a story published in *The Zimbabwe Independent* on May 8, which quoted court records and named state security agents who had allegedly abducted and tortured 43

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[31] "Distributing Staff charged with publishing falsehoods," press statement by Wilf Mbanga, editor/publisher of *The Zimbabwean*, February 11, 2010.

[32] Ibid.

[33] Access to Information and Protection of Privacy Amendment Act, 2007, art. 3; Human Rights Watch telephone interviews with journalist Stanley Kwenda, February 18, 2010; and with Abigail Gamanya, coordinator, Voluntary Media Council of Zimbabwe, Harare, February 8, 2010.

[34] "Six Month Shadow Report on the Performance of the Inclusive Government of Zimbabwe," Civil Society Monitoring Mechanism (CISOMM), 2009, p. 45.

[35] Ibid.

activists between October and December 2008. The two were granted bail on May 12, and on July 30 the presiding magistrate agreed to refer the matter to the Supreme Court, where the case is still pending.[36]

Freelance journalist Kudzanayi Musengi was abducted by suspected state security agents on March 31, 2009. According to his testimony deposed with the Media Institute of Southern Africa (MISA-Zimbabwe), Musengi's abductors threatened him with death over his reports on fresh farm invasions in Gweru that were broadcast on Studio 7, Voice of America, a radio station broadcasting into Zimbabwe from the United States. He was later released without charge after being detained for two days.[37]

Threats and Harassment

Journalists and media outlets have also been subjected to threats and harassment from the authorities and security forces, creating major obstacles to reporting on Zimbabwe's political system and continuing abuses by ZANU-PF.

On January 16, 2010, freelance journalist Stanley Kwenda was forced to flee the country following death threats from a senior police officer. The death threats were prompted by a story that Kwenda wrote for *The Zimbabwean,* a weekly paper published in South Africa and distributed in Zimbabwe. The story reported that a named senior police officer had barred Prime Minister Tsvangirai from visiting police stations across the country.[38] Two officials in Prime Minister Tsvangirai's office confirmed to Human Rights Watch that the prime minister's plans to visit police stations across the country were stopped as a result of directives from the police officer.[39] Kwenda told Human Rights Watch:

> The police officer hurled insults and threats at me over the phone. He told me, "Kwenda you are to die, you will not last the weekend." He said I would be dead before my fellow congregants at my church had said their prayers the following Sunday. I was so afraid that I was left trembling. I realized I had no protection in Zimbabwe and my only option was to flee the country.[40]

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[36] Civil Society Monitoring Mechanism (CISOMM), "Six Month Shadow Report on the Performance of the Inclusive Government of Zimbabwe," CISOMM, 2009, p. 46.

[37] MISA-Zimbabwe report, "State of the Media Report 2009," p. 51; and Human Rights Watch interview with Tabani Moyo, MISA-Zimbabwe advocacy officer, Harare, February 5, 2010.

[38] Human Rights Watch telephone interview with Stanley Kwenda, February 18, 2010.

[39] Human Rights Watch interview with D.D. and M.K., Harare, February 13, 2010.

[40] Human Rights Watch telephone interview with Stanley Kwenda, February 18, 2010.

Public statements by members of the military have had a severe chilling effect on the independent media and civil society groups, encouraging self-censorship. On September 14 and 15, 2009, three high-ranking military officers were reported in the Zimbabwe government-controlled media (the daily paper, *The Herald,* and Zimbabwe Television, ZTV) suggesting that local nongovernmental organizations (NGOs) and independent media were involved in anti-government activities, accusations that could have put them at risk of physical attack. Three officers—Army Commander Lt.-Gen. Philip Sibanda, commander of 2 Brigade; Brig.-Gen. Douglas Nyikayaramba; and Army Chief of Staff Maj.-Gen. Martin Chedondo—made a general accusation that the independent media were waging an "asymmetric type of war" by subjecting the army to "various forms of subversive materials to weaken and divert their loyalty and dedication in serving the country."[41] Maj.-Gen. Chedondo further stated that "the Zimbabwe National Army is highly trained and we will not sit by and watch them [NGOs and independent media] threaten our hard-won peace and independence."[42]

A senior manager with a local civil society organization told Human Rights Watch:

> Owing to threats from the military, NGOs now tread cautiously where the army is involved. For instance, in November 2009 there were credible reports of horrific torture of a group of soldiers accused of stealing firearms at Pomona Army Barracks. This case has not been followed up because no one dares enter army barracks to investigate.[43]

[41] "Army threatens media," Media Monitoring Project of Zimbabwe Weekly Updates, September 14-20, 2009.

[42] Ibid.

[43] Human Rights Watch interview with NGO official, H.H., Harare, February 14, 2010.

VI. ZANU-PF's Political Manipulation of Media Bodies

The power-sharing government has made some media reforms. International media outlets have been the primary beneficiaries of the modest reforms; the BBC and CNN were allowed to resume reporting from Zimbabwe. But three journalists working for the international media told Human Rights Watch that it was extremely difficult for them to do their work in Zimbabwe as they were under constant surveillance from state security agents.[44] Finance Minister Tendai Biti, in an effort to diversify news distribution in Zimbabwe, removed the import duty on all foreign newspaper publications.[45]

The right to freedom of expression, however, remains severely restricted in Zimbabwe. The government media effectively remain a ZANU-PF monopoly. Although MDC is a partner in the power-sharing government, ZANU-PF continues to unduly influence the government-controlled media, such as the daily paper, *The Herald,* and the state broadcaster, the Zimbabwe Broadcasting Corporation (ZBC), which airs on both television and radio. The Media Monitoring Project Zimbabwe (MMPZ), a local media organization, notes that the state-run media does not view the MDC as an equal partner in government, but rather regards it as a beneficiary of ZANU-PF's benevolence.[46]

The MDC appears to agree with this analysis. In a September 17, 2009 interview, Prime Minister Tsvangirai accused George Charamba—President Mugabe's spokesperson and the permanent secretary in the ministry of media, information and publicity—of using state media to vilify the MDC, heighten tensions, and undermine the power-sharing agreement.[47]

Partly as a response to attacks on the MDC from the government-controlled media, the MDC began its own newsletter on political affairs, which is published weekly from Tsvangirai's office.[48] The newsletter has limited circulation, primarily confined to urban areas. On at least one occasion, police interfered with the distribution of the newsletter, disrupting an MDC

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[44] Human Rights Watch interviews with three international journalists, Harare, February 15, 2010.

[45] Human Rights Watch interviews with three journalists D.K., H.G., and B.H., Harare, February 12, 2010. See also Paul Mutuzu, "Finance Minister Biti presents progressive and positive proposals," *Zimbabwe Telegraph*, July 22, 2009, http://www.zimtelegraph.com/?p=1721 (accessed February 16, 2010).

[46] Human Rights Watch interview with Dzikamai Machingura, MMPZ advocacy coordinator, Harare, February 11, 2010.

[47] Clara Smith, "Mugabe's man blocking reform," *Zimbabwe Online*, September 17, 2009, http://www.zimonline.co.za/Article.aspx?ArticleId=5125 (accessed March 4, 2010).

[48] Human Rights Watch interviews with journalists T.C., A.M., and K.M., Harare, February 11, 2010; and with officials from the Office of the Prime Minister, S.K. and K.M., Harare, February 14, 2010. See also Civil Society Monitoring Mechanism (CISOMM), "Six Month Shadow Report on the Performance of the Inclusive Government of Zimbabwe," CISOMM, 2009, p. 44.

constitutional reform consultation meeting in Mt. Darwin on January 30, 2010, and impounding 500 copies of the MDC's publication.[49]

The European Union in January 2009 imposed targeted sanctions—namely visa restrictions and asset freezes—on several senior officials working for government news outlets, in addition to those imposed on Mugabe's inner circle, because of their involvement in "activities that seriously undermine freedom of expression and the media." The EU also imposed targeted sanctions on Tafataona Mahoso, then chairperson of the Media and Information Commission, for "bearing wide responsibility for serious violations of the freedom of expression and media."[50]

Myth of Media Reform

The media reforms that have been undertaken under the power-sharing government, which include the establishment of the Zimbabwe Media Commission, are inconsequential, despite government claims that real change has occurred.

Despite commitments to open up media space and the airwaves, the government has not licensed any new media houses or broadcasters to operate. At the signing of the Global Political Agreement in September 2008, the parties noted that while the provisions of the Broadcasting Services Act permit the issuance of licenses, no licenses other than to the government-controlled ZBC had been issued.[51] At this writing, the situation remains unchanged.

The few Zimbabweans who can afford internet access or digital television can obtain balanced news on Zimbabwe. But for the vast majority of people, the only sources of broadcast news beyond government-controlled television and radio are the three "pirate radio stations": SW Radio Africa (based in the UK); Studio 7, Voice of America (US); and Voice of the People (South Africa), which broadcast daily into Zimbabwe. ZANU-PF has demanded that these stations close down, however, and apply for licenses to operate in Zimbabwe.[52] Before the formation of the power-sharing government, between 2004 and

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[49] Violet Gonda, "WOZA and MDC activists arrested over constitution discussions," *SW Radio Africa*, February 2, 2010, http://www.swradioafrica.com/news020210/woza020210.htm (accessed March 25, 2010).

[50] "Council Common Position 2009/68/CFSP of 26 January 2009 renewing restrictive measures against Zimbabwe," The Council of the European Union, Brussels, January 26, 2009.

[51] GPA, art. 19.

[52] The resolutions of the ZANU-PF party held at its 5th Ordinary People's Congress at the Harare International Conference Centre (HICC), in Harare, from December 9 – 13 2009.

2007, the three "pirate radio stations" all applied for licenses, but the government rejected all three requests.[53] Under the power-sharing government, licensing authorities have yet to commence operations.

Zimbabwe still has no independent daily newspaper or private broadcaster for either radio or television. George Charamba, the permanent secretary in the ministry of information who is aligned to ZANU-PF, threatened legal action against *Newsday,* a prospective privately owned daily newspaper, for publishing without a license, while taking no such action against *Harare Metro,* a government-controlled daily that publishes without a license.[54] Although the government has lifted restrictions on a previously banned daily newspaper—*The Daily News*—it is unable to publish, as the Zimbabwe Media Commission has yet to process its license application.[55]

Several publishers told Human Rights Watch that they are ready to publish, and several community radio initiatives, such as Bulawayo-based Radio Dialogue*,* also noted that they are ready to broadcast.[56] Jameson Z. Timba, a senior MDC official and deputy minister for media, information, and publicity, told Human Rights Watch that the country has the technical capacity to run 60 district-based community radio stations.[57] That capacity remains unfulfilled, owing in part to political interference.

Despite committing to immediately process applications from prospective publishers under the GPA, the government has taken more than a year to eventually appoint the appropriate authority—the Zimbabwe Media Commission (ZMC)—which is charged with the registration and regulation of journalists and media houses. President Mugabe has now appointed the ZMC, but the body has yet to begin work.[58] The process of making the appointments was riddled with controversy, as Mugabe disregarded the constitutionally prescribed parliamentary interview process and instead appointed commissioners on the basis of

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[53] Human Rights Watch telephone interviews with D.M., L.D., and C.K., March 30, 2010.

[54] Human Rights Watch interview with local journalist M.F, Harare, February 4, 2010; and with local editor B.B, Harare, February 9, 2010. See also Media Institute of Southern Africa (MISA-Zimbabwe), "State of the Media Report 2009," p. 7.

[55] "Government gives Daily News licence to publish," *Zimbabwe Independent*, July 31, 2009; and Human Rights Watch interviews with three former reporters for *The Daily News*, B.M., M.C., and A.A., Harare, February 8, 2010.

[56] "Radio Dialogue losing patience with GNU over licence delays," Radio Dialogue press statement, February 4, 2010.

[57] Human Rights Watch interview with Jameson Timba, deputy minister for media, information and publicity, Harare, February 9, 2010.

[58] Statement delivered by Patrick Chinamasa, Zimbabwe justice minister, at the high-level segment of the 13th session of the United Nations Human Rights Council, Geneva, March 3, 2010, on file with Human Rights Watch. See also, "Zimbabwe Media Commission gazetted," *Radio Voice of the People*, February 20, 2010, http://www.zimbabwesituation.org/?p=8733 (accessed March 3, 2010).

political horse-trading between ZANU-PF and MDC.[59] Judging from those who were named, the appointment process seemed to be based more on political affiliation than professional experience, which raises questions about the ability of this group to oversee independent media.[60]

According to the deputy minister for media, information and publicity, Jameson Z. Timba of MDC, the ministry's head, Webster Shamu of ZANU-PF, unilaterally made appointments (in violation of GPA stipulation that such appointments would be made only with the approval of the MDC) to various other media regulation boards—staffing them with retired military personnel and other ZANU-PF allies.[61] Notably, the minister controversially appointed Tafataona Mahoso to head the new Broadcasting Services Authority of Zimbabwe Board. Mahoso is a ZANU-PF stalwart and former chair of the now disbanded Media and Information Commission, which banned several newspaper publications, including *The Daily News,* in 2003.[62] As noted earlier, Mahoso is on the EU targeted sanctions list, and his appointment seems to reflect ZANU-PF's disinterest in media reform and its unwillingness to change.[63] The MDC has rejected these appointments, but to date the government has not taken action to rescind them.[64]

ZANU-PF presents the token media reforms as among its milestones in the protection and promotion of human rights in Zimbabwe. At its congress in December 2009, the party reaffirmed its "commitment to promote access to information, media freedom, [and] freedom of expression..."[65] On March 3, 2010, addressing a high-level segment of the 13th session of the United Nations Human Rights Council, Minister of Justice (ZANU-PF) Patrick Chinamasa cited the appointments of the Zimbabwe Media Commission, as well as the

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[59] Human Rights Watch interview with Tabani Moyo, MISA-Zimbabwe advocacy officer, Harare, February 5, 2010; and with two candidates interviewed for appointments to the Zimbabwe Media Commission, A.B. and R.K., Harare, February 4, 2010. See also Violet Gonda, "Mutsvangwa who came 19th was on the final list," *SW Radio Africa*, January 22, 2010.

[60] Human Rights Watch interviews with media law expert Wilbert Mandinde, Harare, February 11, 2010; and with media analysts Abel Chikomo and Pedzisai Ruhanya, Harare, February 11, 2010.

[61] Human Rights Watch interview with Jameson Z. Timba, deputy minister for media, information and publicity (MDC), Harare, February 8, 2010.

[62] Media Monitoring Project Zimbabwe, "The Propaganda War on Electoral Democracy: A Report on the Media's Coverage of Zimbabwe's 2008 Elections, Harare," MMPZ, 2009, p. 34. See also Human Rights Watch, *All Over Again: Human Rights Abuses and Flawed Electoral Conditions in Zimbabwe's Coming General Elections*, vol. 20, no. 2(A), March 2008, http://www.hrw.org/node/62313, p. 30.

[63] Statement by the Federation of African Media Women Zimbabwe (FAMWZ) quoted in Crisis in Zimbabwe Coalition, "A Year after the January 2009 Special Summit on Zimbabwe: Whither the Inclusive Government of Zimbabwe? A Compendium of Civil Society Views," January 2010, p. 31.

[64] Human Rights Watch interview with Jameson Z. Timba, Harare, February 8, 2010.

[65] The resolutions of the (Zanu PF) party held at its 5th Ordinary National People's Congress at the Harare International Conference Centre (HICC), in Harare, from December 9 – 13, 2009.

Electoral Commission and the Human Rights Commission, as evidence that "the Zimbabwe government has gone a long way in improving the system and mechanisms related to the promotion and protection of human rights."[66]

Unfulfilled Legislative Reforms

The power-sharing government has failed to take steps to implement major media reforms, including the repeal of repressive legislation inherited from the previous ZANU-PF government. Reportedly, Prime Minister Tsvangirai intends to push the government, before the end of 2010, to repeal the Access to Information and Protection of Privacy Act (AIPPA) and introduce two new laws to regulate the media.[67] The two new laws would provide for the regulation of journalists and media houses "in line with SADC [Southern Africa Development Community] regional best practices."[68] Given the power-sharing government's failure to enact human rights reform in other areas, though, it seems unlikely that ZANU-PF will permit passage of these measures.

The power-sharing government has already failed to comply with a decision by the African Commission on Human and Peoples' Rights (the African Commission), requiring the amendment of two sections of the AIPPA. In July 2009, the African Commission ruled that the AIPPA violates freedom of expression rights guaranteed in the African Charter. The African Commission then ruled that Zimbabwe should amend the act to remove sections requiring compulsory registration of journalists and media houses by government-controlled bodies, and instead provide for self-regulation.[69] To date, the government has not taken the necessary corrective steps.

The power-sharing government committed to taking the first essential step of this reform by setting up the National Security Council to exercise civilian oversight over security forces. Given the prominent role that Zimbabwe's security services have played in perpetrating human rights abuses—including freedom of expression violations—in the recent past, reform of the security services is crucial in ensuring restoration of the rule of law and respect for

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[66] Statement delivered by Justice Minister Chinamasa, at 13th session of the U.N Human Rights Council, Geneva, March 3, 2010.

[67] Kholwani Nyathi, "Tsvangirai to repeal AIPPA by year end," *Standard*, March 21, 2010.

[68] Ibid.

[69] Communication 297/2009 of Executive Council of the African Union at its 15th ordinary session held in Sirte, Libya, on 24 – 30 June 2009.

human rights.[70] However, ZANU-PF resolved at its fifth congress in December 2009 that it would not allow the security forces to be the subject of any negotiation for "security sector reform," that would involve replacing the politicized leadership of Zimbabwe's security forces.[71]

In over a year since its formation, the National Security Council has met only twice, despite a requirement that it meets at least once every month.[72] Instead, the Joint Operations Command—a structure from the previous ZANU-PF government that excludes the MDC—continues to meet regularly in open defiance of a directive to disband.

[70] "Who guards the guards? Civilian-Military relations in Zimbabwe." Research and Advocacy Unit (RAU), March 15, 2010. See also, Human Rights Watch, *"Bullets for Each of You"*, June 2008.

[71] The resolutions of the Zanu PF party held at its 5th Ordinary National People's Congress at the Harare International Conference Centre (HICC), in Harare, from December 9 – 13, 2009.

[72] Zimbabwe National Security Council Act, 2009.

VII. Failing Power-Sharing and Human Rights Reform

Although now a partner in the government, the MDC lacks real power to institute its political agenda. President Mugabe and ZANU-PF, through the use of politicized and partisan senior government officials and state security forces, continue to maintain power and dominate government institutions. Using violence and repression to browbeat and coerce the population, Mugabe and ZANU-PF are effectively running a parallel government that undermines MDC authority and frustrates meaningful progress by the power-sharing government.

Pedzisai Ruhanya, a media analyst and former deputy news editor of the banned daily, *The Daily News,* told Human Rights Watch:

> Any reforms that take place in Zimbabwe are at the pleasure of ZANU-PF—which, in real terms, controls government. Unfortunately ZANU-PF does not have the necessary political will to institute reforms. The MDC may wish to institute reforms, but it lacks political power to do so.[73]

Mugabe's and ZANU-PF's contempt for the power-sharing government was exemplified by the treatment of the United Nations Special Rapporteur on Torture, Manfred Nowak. Nowak, who received official invitation from the government of Zimbabwe in October 2009, was en route to Zimbabwe for a mission on October 26, 2009, when Zimbabwe's foreign affairs minister (ZANU-PF), Simbarashe Mbengegwi, suddenly advised him to postpone his visit. However, Prime Minister Tsvangirai wrote a letter asking Nowak to proceed with his trip as originally scheduled. On arrival at Harare Airport, security officials there refused him entry into Zimbabwe, citing authority from the foreign affairs minister, despite Nowak's provision of the original letter of invitation from the prime minister. He was detained at the airport overnight and then deported to South Africa the following day.[74]

MDC's lack of authority in the power-sharing government extends even to protecting the ministries allotted to it by ZANU-PF. On March 4, 2010, without Prime Minister Tsvangirai's consent or knowledge, President Mugabe stripped four MDC-controlled ministries of all

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[73] Human Rights Watch interview with media analyst Pedzisai Ruhanya, Harare, February 16, 2010.

[74] Statement to the 13th session of the UN Human Rights Council by Manfred Nowak, UN Special Rapporteur on Torture, Geneva, March 8, 2010.

essential functions and gave responsibility to ZANU-PF ministers.[75] The concerned departments are the ministry of information, communication and technology; the ministry of constitutional affairs (which would have been in charge of electoral laws); the ministry of science and technology; and the ministry of state enterprises and parastatals.[76] The MDC immediately opposed the move, but to date, the matter remains unresolved.

MDC's zeal for reform also appears to be faltering. Several local analysts told Human Rights Watch that some senior MDC ministers who had championed human rights reforms prior to joining government appear to have lost interest in this difficult pursuit.[77] As a result, the MDC is not forcefully pushing for reform, but appears preoccupied, instead, with simply protecting the existence of the power-sharing government.

Although the MDC temporarily disengaged from government on October 16, 2009, over continued breaches of the GPA by ZANU-PF and non-implementation of agreed reforms, local analysts expressed the view that the MDC often now exaggerates its power and influence within the power-sharing government while downplaying ZANU-PF's unwillingness to embrace human rights reforms.[78]

Some analysts have also expressed disappointment that, despite having an MDC home affairs minister who is in charge of the police, Giles Mutseyekwa, police continue to harass MDC supporters and to be partisan to ZANU-PF.[79] For example, rather than speaking out against police assaults on women protesters on January 25, 2010, Mutseyekwa and his ZANU-PF counterpart summoned the local women's group, Women of Zimbabwe Arise (WOZA), and lectured them on the need to obey the country's laws, including the draconian Public Order and Security Act.[80] The minister allegedly attributed WOZA's public demonstration and their harassment by police to giving bad publicity to the power-sharing government and scaring away foreign investors.[81] Human Rights Watch believes that the best way for the power-sharing government to attract foreign investment is to guarantee a rights-respecting and stable political environment.

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[75] "Bill Watch 8 of 2010," *Veritas*, March 6, 2010, on file with Human Rights Watch.

[76] Ibid.

[77] Human Rights Watch interviews with analysts B.K., D.C., O.S., and F.M., Harare, February 15, 2010.

[78] Human Rights Watch interviews with political analysts B.K., A.C., M.C., and J.M., Harare, February 10, 2010.

[79] For more on how ZANU-PF politicized the police, see Human Rights Watch, *"Our Hands Are Tied"*.

[80] Human Rights Watch interview with lawyer Dzimbabwe Chimbga, Geneva, March 12, 2010. See also "WOZA meets with ministers of home affairs," Women of Zimbabwe Arise press statement, March 1, 2010.

[81] Ibid.

VIII. South Africa's Role in Mediating the Zimbabwe Crisis

Zimbabweans look to the international community, particularly South Africa, to come to their aid and ensure that the transitional government delivers on its main objective: a just, sustainable, and peaceful resolution of the Zimbabwean governance crisis.

The SADC-appointed mediator in the Zimbabwe mediation, South African President Jacob Zuma and his facilitation team, have great potential to push the parties to the GPA to deliver genuine reforms and produce a lasting solution to Zimbabwe's crisis. By virtue of its close proximity to Zimbabwe, its economic and political clout in the region, and its position as mediator, South Africa's role in pressing for democratic and human rights reforms cannot be overemphasized.

For President Zuma to effectively mediate in Zimbabwe, he needs to focus on critical issues that include cessation of human rights abuses, institutional reform targeting constitutional and electoral processes, as well as security sector reform. At present, Zuma's focus appears misplaced.

He has called for the lifting of targeted sanctions against President Mugabe and his inner circle, arguing that these were a major obstacle to the progress of the power-sharing government. Human Rights Watch, as well as other observers, does not believe this to be the case. Targeted sanctions on Mugabe's inner circle are a necessary form of pressure on ZANU-PF and should be lifted only when there is evidence of irreversible human rights reforms.

President Zuma and his team, during a visit to Zimbabwe from March 16 to 18, 2010, secured further promises from the parties to the GPA that several agreed (but unspecified) changes will be implemented.[82] Such reform under the GPA, however, has been nearly impossible to achieve. More than one year ago, for example, Mugabe and ZANU-PF agreed with the MDC on a formula to appoint provincial governors in which six ZANU-PF provincial governors would be dismissed to make way for MDC governors. To date, this promise, like so many others, remains unfulfilled.

The people of Zimbabwe, the African Union, and the wider international community look to South Africa to guide the transitional government toward a system of accountable, democratic governance. If South Africa fails, then so, too, might its northern neighbor.

[82] Faith Zaba and Dumisani Muleya, "Zuma breaks talks deadlock," *Zimbabwe Independent*, March 19, 2010.

Human Rights Watch urges President Zuma to focus concertedly on the full implementation of the GPA, particularly those reforms that lead to the creation of relevant institutions to enable Zimbabwe to hold a free, fair, and credible election as envisaged under the GPA. A good start would be full respect for the right to freedom of expression in Zimbabwe as a solid foundation for broader human rights improvements. Meaningful progress in Zimbabwe will emerge out of concrete results, not empty promises.

IX. Acknowledgements

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Sleight of Hand

Repression of the Media and the Illusion of Reform in Zimbabwe

The Global Political Agreement, which in February 2009 created a power-sharing government between the Zimbabwe African National Union–Patriotic Front (ZANU-PF) and two formations of the Movement for Democratic Change, raised expectations for human rights reforms in Zimbabwe. The promised reforms included expanded media freedom and the protection of journalists, which are critical for creating an open, democratic, and transparent society.

Sleight of Hand: Repression of the Media and the Illusion of Reform in Zimbabwe, based on research conducted in Zimbabwe in February 2010, documents how, more than a year into the implementation of the Global Political Agreement, these reforms remain unfulfilled, with freedom of expression imperiled in Zimbabwe. Journalists, particularly those who report information critical of the government, remain vulnerable to arbitrary arrest and harassment. ZANU-PF has blocked the licensing of new publications and media outlets not controlled by the party.

The power-sharing government has made a few positive changes that ZANU-PF, President Robert Mugabe's party, has sought to portray as indicative of genuine progress in the protection and promotion of human rights in Zimbabwe. In practice, however, ZANU-PF has blocked meaningful political reforms that would safeguard those rights.

Human Rights Watch calls on the parties to the power-sharing agreement to fully implement the envisioned reforms, including those concerning free expression. In addition, the region's governments—particularly South Africa—should press for legal measures in Zimbabwe to ensure media freedom and protect journalists, civil society actors, and ordinary Zimbabweans who conduct independent reporting or dare to express critical views.

Two human rights groups—Zimbabwe Human Rights NGO Forum and Zimbabwe Human Rights Association—marked Africa Human Rights Day on October 21, 2009, with a protest march in Harare calling on the power-sharing government to respect freedom of expression.