

## UN expresses alarm over Zimbabwe's new bill to curtail the operations of NGOs

Daily Maverick By [Frank Chikowore](#)

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*An 82-year-old Zimbabwean opposition activist celebrates in court after being granted bail by a Harare magistrate. (Photo: Frank Chikowore)*

Zimbabwean President Emmerson Mnangagwa's administration has come under scrutiny by the United Nations following its proposed plan to curtail the operations of non-government organisations ahead of the country's general elections, expected later this year.

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Despite criticism from opposition legislators in Parliament and some civil society groups, President Emmerson Mnangagwa's government is forging ahead with its plan to enact the Private Voluntary Organisations (PVO) Amendment Bill that would severely restrict civil space and the right to freedom of association in the country.

With Zimbabwe only a few months from general elections expected around mid-year, some opposition parties and civil society organisations have accused Mnangagwa's administration of doing more to close the democratic space and doing too little to promote fundamental human rights, warning this could result in the country heading for another disputed election.

The PVO Bill, which now awaits Mnangagwa's assent before it becomes law, recently sailed through the National Assembly and the Senate – Mnangagwa's ruling Zanu-PF party enjoys a majority in both legislative houses.

[The United Nations Human Rights Special Rapporteurs released a statement from Geneva](#), Switzerland, this week expressing concern that the oversight regime in the bill for civil society organisations provides for “disproportionate and discretionary powers” to the newly established Office of the Registrar of PVOs, without independence from the executive arm of government. The UN experts warned that actions considered to be in breach of certain provisions in the bill will lead to criminal prosecution with penalties ranging from heavy fines to imprisonment.

### **‘Chilling effect’**

“While one of the stated aims of the bill is to counter terrorism and money laundering in Zimbabwe, the restrictions contained therein will have a chilling effect on civic society organisations – particularly dissenting voices. By enacting this legislation, authorities would effectively be closing an already shrinking civic space,” reads part of the UN experts’ statement.

Meanwhile, the UN experts, in 2021, submitted [an analysis of the bill](#) to the Zimbabwean government concluding that the proposed amendment was incompatible with international human rights obligations – in particular the right to freedom of association.

Musa Kika, the executive director of the Zimbabwe Human Rights NGO Forum, warned that if signed into law, the legislation would result in many citizens failing to access most of their basic needs.

“The [PVO] bill is potentially the most consequential bill in recent times for ordinary citizens, many of whom rely on NGOs for food, education, healthcare and WASH [water, sanitation and hygiene] services. So the effect would be felt on and by the citizens mainly. For NGOs, it simply means that many will not be able to do their day-to-day work to contribute to the work of the government and to support communities.

“It also means that many NGOs will not be able to monitor the government and to monitor and to observe the elections – which is really what the government is trying to achieve,” said Kika.

Fadzayi Mahere, the spokesperson for the opposition Citizens Coalition for Change (CCC) party, described the proposed enactment of this legislation as an attack on the country’s democracy.

“This proposed enactment of this draconian law is a dark spot on our democracy. Far from being a ‘new dispensation’, Mr Mnangagwa has demonstrated a penchant to declare war on freedoms and stifle freedom of assembly and association.

“The PVO bill will destroy civic space in Zimbabwe and confirms Zanu-PF’s paranoia as all available data points to victory for advocate Nelson Chamisa and the CCC. It is damaging to the citizens’ ability to form organisations for humanitarian and other civic purposes,” said Mahere.

### **Serious repercussions**

Elisabeth Valerio, president of the newly formed United Zimbabwe Alliance political party, said the bill was retrogressive and had serious repercussions for the holding of free and fair elections in Zimbabwe.

“The bill opens the door for over-regulation and interference in the activities of NGOs working in governance, electoral education and human rights. It will be used to thwart the efforts of those working to redress Zimbabwe’s unfair restrictions on political rallies and peaceful assemblies as well as those working against political violence and human rights violations,” warned Valerio.



*United Zimbabwe Alliance leader Elisabeth Valerio. (Photo: Frank Chikowore)*

Dozens of activists from the main opposition Citizens Coalition for Change [have been arrested](#) since the beginning of the year on “trumped up charges” for allegedly holding illegal meetings with the intent to promote public violence, while two Zanu-PF members who had attempted to disrupt a CCC meeting in Gokwe were hospitalised this week after they were attacked by suspected CCC members at the opposition party’s meeting.

A video of CCC members being assaulted with logs in Murehwa district in Mashonaland East by a group of suspected Zanu-PF activists went viral recently, although the police have only arrested three people in connection with the violence.

Mahere accused Zanu-PF of inciting violence in the country as elections draw close.

Mahere told *Daily Maverick*: “This [violence] is borne out by the repeated incitement to violence by top Zanu-PF leaders who have called for the CCC to be [crushed like lice](#), for President Chamisa to be killed and for the homes of our members to be burnt.

### **‘Elections, not war’**

“The Constitution makes it the obligation of the police service to protect the lives and property and to investigate crime. The Zimbabwe Electoral Commission (ZEC) and the National Peace and Reconciliation Commission have constitutional mandates to eliminate violence and establish mechanisms to ensure it doesn’t recur. We say no to violence; we want elections, not war.”

ZEC chairperson Priscilla Chigumba said the electoral body, which produced a delimitation report on constituency boundaries that was described by the opposition and other pro-democracy groups as “shambolic”, was a constitutional body that respects the law.

“Our commission does not make law; all questions regarding the making of laws should be directed to the legislature as our duty is only to implement what Parliament would have passed into law. As for the elections, we await the President to pronounce the date when the elections would be held after we presented our [delimitation] report to His Excellency the President,” said Chigumba.

Despite the [upsurge in politically motivated violence](#), the vocal president of the opposition Labour Economists and African Democrats party, Linda Masarira, who once accused the MDC Alliance then led by Chamisa of post-election violence in 2018, said some unnamed private voluntary organisations were mobilising funds for some opposition parties.

“We are cognisant of the fact that some of the civil society organisations are mobilising funds for some opposition parties and we believe that the PVO Bill is in order and this calls for these organisations to account for the funds that they received and how they have used them. It is important for any government under the sun to be able to do that and monitor the activities that are happening in their own countries.

“The bill is very important for territorial integrity, securing the future of this country and ensuring that all civil society organisations are actually functioning towards the purposes for which they are registered to function,” said Masarira.

However, she said her party was disturbed by the Zimbabwean government’s deregistration of some civil society organisations without performing any due diligence.

“We have some reservations on the way some civil society organisations were just blocked from operating without due diligence, for example, Jairos Jiri Foundation. So it is therefore important for the task force that was given the mandate to be looking into the accountability issues and the other contentious issues to be able to do due diligence to organisations that are actually providing services to people with disabilities, the vulnerable, etc.”

Justice Minister Ziyambi Ziyambi told *Daily Maverick* that his ministry was happy that the bill had sailed through Parliament.

“I think it is a progressive piece of legislation and parliamentarians as representatives of the people passed it after serious debate in the National Assembly and Senate and we now wait for presidential assent before it becomes law,” said Ziyambi.

Efforts for a comment from Mnangagwa’s spokesperson, George Charamba, were fruitless as several calls to his mobile phone went unanswered. **DM**

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