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## **Research:**

1. General human rights situation
2. Security situation
3. LGBTQIA+ rights, with an emphasis on the rights of people identifying as lesbian
4. Right of association - freedom of expression, particularly with regards to associations in support of LGBTQI+
5. Women's rights, in general
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## General Overview

Zimbabwe, a country in Southern Africa, is bordered by South Africa, Botswana, Zambia, and Mozambique. Its capital, Harare, serves as the political and economic hub of the nation. Despite being rich in natural resources, including minerals and arable land, **Zimbabwe has been plagued by decades of economic crisis and authoritarian governance.** Since the fall of Robert Mugabe in 2017, **hopes for a democratic transition have faded** under the leadership of Emmerson Mnangagwa, who continues to **suppress dissent and restrict fundamental freedoms.**

In Zimbabwe, **human rights are widely violated**, with **attacks on personal integrity**, such as **degrading treatment, arbitrary arrests, and unfair trials.** These abuses often go **unpunished**, and corruption remains prevalent at all levels of society. **Civil liberties are restricted**, notably freedom of expression and assembly, and there are **deep inequalities in access to basic resources** like food and water, further marginalizing vulnerable populations and minorities.

Zimbabwe experiences systematic political repression, particularly through the persecution of dissidents. The government uses repression to silence critical voices. Internal security is marked by **regular police violence and arbitrary arrests**, especially against those opposing the regime. The government exacerbates **systemic insecurity** by exploiting vulnerable citizens, while Zimbabwe also faces criminality.

In Zimbabwe, **same-sex relations between men are illegal, and same-sex marriage is prohibited.** The government, as well as a large part of the population, **strongly opposes LGBTQI+ rights, severely affecting their access to fundamental rights** such as education, healthcare, and employment. LGBTQI+ rights organizations are regularly **attacked**, and state media often portray these individuals as **deviants.** However, some private media are more tolerant, while others remain neutral on the issue.

**Women in Zimbabwe face multiple human rights violations.** They are particularly exposed to **gender-based violence, forced child marriages, and lack adequate access to sexual education.** **Restrictive abortion laws** contribute to **high maternal mortality**, and women remain **underrepresented** in decision-making positions, particularly in politics. Their situation is further exacerbated by **deeply rooted patriarchal social norms.**

**Detention conditions in Zimbabwe are particularly harsh and inhumane.** **Overcrowding** in prisons, **crumbling infrastructure**, and rampant inflation contribute to **massive violations of prisoners' rights.** These conditions are in direct **violation** of international human rights standards and **constitutional protections.** Detainees are subjected to **cruel and degrading treatment**, and the penitentiary system is **largely unable to meet the basic needs of prisoners.**

**The mental health crisis** is also alarming, with **54% of the population having no access to care.** The country is severely **lacking in professionals and specialized facilities**, particularly in rural areas. Nevertheless, initiatives led by the WHO are beginning to integrate mental health care into primary services and train medical staff to improve the care of the most vulnerable populations.

## Question: 1 General human rights situation

Zimbabwe's population faces **diverse violations of their human rights** (1.1). Their **integrity** as a person is not always respected, with some persons facing **degrading treatment, arbitrary arrest and detention, and unfair trial** (1.2). **These violences are often unpunished**, and corruption is still an issue (1.4). In matters of civil liberties, freedom of expression and assembly are **restricted** (1.3). **The population is not equal** in terms of access to food and water (1.6). In addition, **discrimination** and **societal abuses** against minorities and vulnerable persons are widespread (1.5).

### **1.1. In general**

The human rights situation in Zimbabwe remains concerning, with continued deterioration over recent years. There was an increase of reported human rights violations.

Source: Zimbabwe Human Rights Association, *2022 Annual Human Rights Report*, 2023

“In **2022**, Zimbabwe's human rights situation continued to deteriorate as the government intensified efforts to restrict civic space [...]. Poor service delivery continued to **erode the quality of life** of most Zimbabweans and **attacks on fundamental freedoms increased** as the country geared for imminent elections. [...]

ZimRights documented several cases involving **arbitrary detention, unlawful interference with privacy, and attacks on the independence of the judiciary**. There were **restrictions on free expression and media, including violence, threats of violence, and unjustified arrests or prosecution against journalists, censorship, and substantial interference with the rights of peaceful assembly and freedom of association**. **Gender-based violence**, including crimes involving violence or threats of violence **against women and girls**, and **significant restrictions on workers' freedom of association** were also reported. [...]

There were also several case of **violence** perpetrated by various **criminal gangs** among artisanal miners”.

Source: Zimbabwe Human Rights Commission, *Annual report 2021, 2022*

“In **2021** the Commission received **240 cases of alleged human rights violations** as compared to 188 cases in 2020. This was an **increase of 27.7%**.”

### **1.2. Respect for the integrity of the person**

The integrity of Zimbabwe's population is not granted for all. Opponents of the government **endure violations as degrading treatment, arbitrary arrest and detention** (1.2.1). Moreover, Zimbabwe's trial system is **not respectful of fair judgement** (1.2.2).

#### 1.2.1. Arbitrary arrest, detention, degrading treatment

Source: Zimbabwe Human Rights Association, *2022 Annual Human Rights Report*, 2023

“The **government intensified usage of arbitrary arrest and detention** as tools of intimidation and harassment, especially against political activists, civil society members, journalists, and ordinary citizens asserting their rights.”

Source: Southern Defenders, *Zimbabwe State of civic space and situation of HRDs*

“During nationwide protests in mid-January 2019, following the president’s sudden announcement of a fuel price increase, **security forces** responded with **lethal force, killing** at least 17 people, **raping** at least 17 women, **shooting and injuring** 81 people, and **arresting** over 1,000 suspected protesters during door to door raids. In the months that followed, several civil society activists, political opposition leaders, and other **critics of the government were arbitrary arrested, abducted, beaten, or tortured.**”

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report, 2023*

“[S]ecurity forces **assaulted** and **tortured** citizens, including targeted assaults on civil society activists, opposition members, and other perceived **opponents of the government**. Throughout the year, **police used excessive force** in apprehending, detaining, and interrogating criminal suspects. Police and military officers used excessive force and **violent means** to disperse peaceful demonstrations and to disrupt informal trading.”

Source: Zimbabwe Peace Project, *October 2024 Monthly monitoring report, 2024*

“In **October [2024]**, ZPP documented **74 threats of violence, 1 abduction, 1 unjustified arrest, an incident of torture and 9 violations of assault**. Threats of violence typically involve explicit or implicit warning of physical harm or danger and the increase of such violations is a reminder of an urgent need to address such human rights abuses. [...]

These unlawful practices are often **perpetrated by individuals in positions of power**, including traditional leaders [...] and law enforcement officials, and are frequently used to **silence political opponents** [...]

**Threats of violence, harassment and intimidation** have been used to suppress political opposition and silence human rights activists.”

### 1.2.2. Denial of fair public trial

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report, 2023*

“The **government** intensified **executive influence over the courts** and **executive interference in court decisions**. The government often **refused to abide by judicial decisions** and routinely delayed payment of court costs or judgments awarded against it in civil cases. [...]

The **constitution** provided for the **right to a fair and public trial**, but **corruption** and **executive control over the judiciary** increasingly **compromised** this **right**. By law, defendants enjoyed a **presumption of innocence**, although **courts often did not respect** this right. Government and ruling party officials used social media to imply guilt ahead of a courtruling in politically charged cases. [...]

Defendants had the right to a lawyer of their choice, but **most defendants in magistrates’ courts did not have legal representation** due to costs or onerous administrative hurdles. In criminal cases, a destitute defendant could **apply** to have the **government provide an attorney**, but **requests were rarely granted** except in capital cases in which the government provided an attorney for all defendants unable to afford one. The **Zimbabwe Women Lawyers Association** also **provided some free legal assistance to women and youth.**”



### 1.3. Freedom of expression and assembly

In Zimbabwe, freedom of expression and assembly, while nominally protected under the constitution, face **significant legal and practical restrictions**. The restriction of freedom of expression especially impacts the media and political opponents (1.3.1). Freedom of assembly is similarly constrained, with police requiring advance notification for gatherings and often citing security concerns to prohibit events (1.3.2).

#### 1.3.1. Freedom of expression

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report, 2023*

“The **constitution** provided for **freedom of expression**, including for members of the press and other media, but the **law limited these freedoms** in the ‘**interest of defense, public security or professional confidentiality**, to the extent that the **restriction is fair, reasonable, necessary and justifiable** in a democratic society.’ The **government** continued to **arrest, detain, and harass journalists, critics, and opposition politicians**. [...]

In May **authorities disrupted a media conference** at a local university where journalists, academics, civil society [...]

On July 14, the government **amended the Criminal Law Codification and Reform Act** (Criminal Code) to include a provision known as the **Patriot Act, introducing heavy penalties for citizens** at home and abroad and permanent residents **convicted of ‘willfully injuring the sovereignty and national interest of Zimbabwe’**. [...]

The government maintained  **censorship through media registration and accreditation laws**, although many provisions of the law were inconsistent with the constitution. [...]

The **government** at times **restricted or disrupted access to the internet orensored online content**. The **law permitted** the government to **monitor all communications in the country**, including internet transmissions, **without judiciary review**. The government used **social media posts** as the **basis to arrest opposition leaders”**

#### 1.3.2. Freedom of assembly

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report, 2023*

“The **law required organizers to notify police of their intention to hold a procession or public demonstration** seven days in advance [...] **Failure** to do so could result in **criminal prosecution** as well as **civil liability**. The law **allowed** police to **prohibit a gathering based on security concerns** but required police to file an affidavit in a magistrate’s court **stating the reasons behind the denial.**”

Source: Zimbabwe Human Rights Association, *2022 Annual human rights report, 2023*

“[P]olice and supporters of the ruling party continuously **undermined the right to freedom of peaceful assembly** by **disrupting political rallies** and **attacking members of the Citizens’ Coalition for Change (CCC) party.**”

## 1.4. Impunity and corruption

**Impunity and corruption** situation in Zimbabwe are **concerning**. Most of **the violations of human rights perpetrated in favour of the government are not punished** (1.4.1). In the matter of corruption, even if Zimbabwe implemented a National Strategy to fight it, it is not efficient and corruption still exists (1.4.2).

### 1.4.1. Impunity

Source: Zimbabwe Human Rights Association, *2022 Annual human rights report*, 2023

“The culture of **impunity persisted** as **very little was done** to investigate, prosecute, and punish perpetrators of human rights abuses, while the **government made no meaningful efforts** to provide reparation to victims. Corruption remained **endemic**, manifesting in all its forms at all levels [...]

**Impunity** was most **prevalent** in cases involving **politically motivated violence**. **Security forces**, including police, military, and intelligence officers as well as **civilians** who **committed human rights abuses in the furtherance of the interests of the ruling party**, almost invariably **evaded accountability**. [...]

Nonetheless, it is notable that the **government** took steps toward **establishing an independent complaints mechanism to investigate** allegations of **security forces misconduct**, as called for in the constitution. In July, a bill to set up the **Zimbabwe Independent Complaints Commission** became law. However, the actual commission was **not setup**.”

### 1.4.2. Corruption

Source: Transparency International Zimbabwe, *A compendium of anti-corruption sector institutions in Zimbabwe*, 2024

“Zimbabwe is a signatory to several **international and regional conventions** aimed at **combating corruption**: The United Nations Convention Against Corruption (UNCAC) [...] The African Union (AU) Convention on Preventing and Combating Corruption [...] The Southern African Development Community (SADC) Protocol Against Corruption [...]

Launched on July 11, 2020, Zimbabwe’s NACS [ **National AntiCorruption Strategy**] outlined a coordinated approach to tackling corruption across sectors between the years 2020 and 2024. [...]

The strategy emphasises the involvement of government bodies, law enforcement, the judiciary, civil society, and the public.”

Source: Transparency International Zimbabwe, *National Anticorruption Strategy (NACS) Review*, Decembre 2023

“In **2022**, Zimbabwe was **ranked 157 out of 180 countries on the Corruption Perception Index (CPI)**, with a score of 23 out of 100 points, indicating a **high level of perceived public sector corruption**. On the Bertelsmann Stiftung’s Transformation Index (BTI) for 2023, **Zimbabwe stagnated or suffered a mild deterioration of political and governance indicators, including the control of corruption** since 2018. According to the World Bank 2023, Zimbabwe **underperforms** its regional and African country peers on regulatory quality, the rule of law, **control of corruption**,

voice, and accountability. This implies that **despite** having an **anti-corruption strategy, anti-corruption efforts are not bearing fruits in Zimbabwe.**”

## 1.5. Discrimination and societal abuses against minorities

**Women** (1.5.2), children (1.5.3), disabled persons (1.5.4) and **LGBTQI+** (1.5.5) are considered as minorities, vulnerable populations. They are all **facing violations of their rights** such as discrimination and societal abuses (1.5.1).

### 1.5.1. In general

Source: Zimbabwe Peace Project, *October 2024 Monthly monitoring report*, 2024

“In October [2024], **political discrimination** in government sponsored **food aid distribution** emerged as a **pernicious tactic to manipulate vulnerable populations**, perpetuating **dynamic human rights violations**. The Zimbabwe Peace Project documented **13 violations of such cases** across the country.”

### 1.5.2. Women

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report*, 2023

“**Women** candidates across multiple political parties **faced particularly vitriolic gender-based** insults online and offline **regarding appearance, sexual proclivity, accusations of involvement in sex work, and gender-based stereotypes**. They also faced challenges within their party if running against a male candidate in a primary.”

### 1.5.3. Children

Source: Zimbabwe Human Rights Association, *2022 Annual human rights report*, 2023

“In March, the **Marriage Amendment Act**, which outlaws early and child marriage, was passed in parliament. However, despite this significant milestone, **child marriages persisted.**”

Source: Zimbabwe Human Rights Commission, *Annual report 2021, 2022*

“**Access to education** was affected [due to COVID-19], with **children from marginalised families unable to partake in e-learning** due to lack of necessary ICT gadgets and internet connection. The COVID-19 lockdown also caused an **increase in early marriages and child labour cases.**”

Source: UNICEF, *MODA final report*, 9 November 2021

“Among Zimbabwean **children**, 61 per cent are **income poor** and 36 per cent are **food poor**, with children living in **rural areas** experiencing **higher levels of poverty** [...]

An estimated **60.7 per cent of all children in Zimbabwe are multidimensionally poor**. This means they are **simultaneously deprived in three or more dimensions of their well-being**. [...]

Zimbabwe made **progress in reducing the multidimensional child poverty rate by 6 per cent from 2014 to 2019**. [...]

**Multidimensional child poverty is significantly higher in rural areas** compared to urban areas (69.2% and 37.6%, respectively).”

#### 1.5.4 Disabled

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report*, 2023

“There were **administrative barriers to participation** in the **electoral processes for persons with disabilities**. Administrative arrangements for voter registration at relevant government offices were burdensome, involving **long queues**, several hours or days of **waiting**, and **necessary return visits**.”

#### 1.5.5. LGBTQI+

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report*, 2023

“**Laws that criminalized lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) identities** had the effect of **prohibiting LGBTQI+ persons** from **participating** openly in the **political process**. **Transgender** persons encountered **difficulties when registering to vote** because of **changes in their appearance** compared to their **identity documents**, disenfranchising them from the political process.”

Source: Human Rights Watch, *World Report 2024 - Zimbabwe*, 2024

“**Lesbian, gay, bisexual, and transgender (LGBT) people** have **faced police harassment and sexual and physical assaults**.”

### **1.6. Right to access food and water**

Zimbabwe’s population is not equal in terms of access to food and water. A part of the population is **facing food insecurity and difficulties to access water**, even more since the COVID-19 crisis and cholera crisis.

Source: Zimbabwe Human Rights Association, *2022 Annual human rights report*, 2023

“**[H]undreds of thousands of residents** in Harare, particularly in areas such as Chitungwiza and Epworth, continued to **face a potable water crisis** three years after a **deadly national cholera outbreak** [...] **Several factors contributed to the water crisis**, including **corruption, insufficient investment in water infrastructure, lack of maintenance, and poor management of water resources**.”

Source: Zimbabwe National Statistics Agency, *Women and Men in Zimbabwe Report 2019*, October 2020

“**[S]lightly more than a third of households** in Zimbabwe **had sources of water on their premises**, with **40 percent** of the households requiring about **30 minutes per round trip to fetch water**. About **20 percent** of the households required **more than 30 minutes per round trip to fetch water** for the household.”

Source: Zimbabwe Human Rights Commission, *Annual report 2021, 2022*

“**A substantial number of households** remained **food insecure** with most people also unable to access health care services.”

## **Question 2: Security situation**

In Zimbabwe, **systemic oppression** is evident in the **government's repression** of dissent. This abuse of power severely undermines the country's democratic processes, especially during elections (2.1.). **The government contributes to systemic insecurity** by exploiting vulnerable citizens (2.2), while Zimbabwe also struggles with **rising criminality** (2.3).

### **2.1. Violence and political repression**

Zimbabwe is governed by an authoritarian regime **that suppresses dissent through violence and political repression**. Those who criticize the government are often subjected to **arbitrary arrests, torture, and intimidation**, discouraging free expression and participation in civic life. This misuse of power, particularly in the context of elections, deeply compromises the country's democratic processes.

Source: FIDH, *Abduction, Torture and Killing of Tapfumaneyi Mashaya and Repression*, November 2023.

“The International Federation of Human Rights (FIDH) and the World Organisation Against Torture (OMCT) condemn the **abduction, torture and killing of Zimbabwean political activist Tapfumaneyi Masaya** on November 12, 2023, and express their deep concern at the **increasing repression of dissenting voices in the country**. [...]

**Ahead of the presidential election, CCC meetings have been systematically disrupted and CCC members were regularly arrested on trumped-up charges.** For instance, on January 14, 2023, the Zimbabwe police arrested 25 members of the CCC, including two members of the Parliament, who were attending a private meeting in Budiriro, Harare. **They were all charged under Section 37 of the Criminal Code with participating in a gathering with intent to promote public violence, while this provision does not apply to private meetings.** Since then, the authorities have continued to arbitrarily use the Criminal Code against opposition members to prevent them from conducting their activities, obstructing the process of holding open and fair elections. Moreover, Zimbabwean civil society has faced severe restrictions to the right to freedom of association with the adoption of the Private Voluntary Organisations (PVO) Amendment Bill H.B. 10, 2021 (PVO Bill) by the Parliament in February 2023.”

Source: FIDH, *Zimbabwe: FIDH and ZimRights Condemn Gross Human Rights Violations by Authorities*, 5 October 2023.

“**Since January 2019, a total of 275 cases of torture by police have been documented by ZimRights**, including more than **40 cases of abductions**. There has been a spike in human rights violations since Zimbabwe's lockdown was put in place on 30 March 2020, with law enforcement officers leading the list of perpetrators.”

Source: Zimbabwe Human Rights Association, Christmas T, Mukwewa C, Chamahwinya L. *State of Peace Report 2022-2023*.

“The report notes **direct forms of violence that occurred in 2022, such as instances of physical assault and malicious arrest and prosecution**. It highlights the **abduction and murder** of Moreblessing Ali, the related arrest of Job Sikhala, who was legal counsel to Moreblessing's family, as well as numerous cases of judiciaire harassment against opposition political party members activists, and members of civil society [...]

Zimbabwe has a **significant history of repression, particularly against dissenting voices. Even when citizens are not directly targeted for reprisal for exercising fundamental rights or voicing dissent or criticism against the government, they still experience the ‘chilling effect’ of such violence. Attacks on activists and dissenters, together with a culture of impunity for perpetrators of human rights abuses,** discourage citizens from exercising their fundamental rights and freely engaging in civic processes. Furthermore, a **general state of social and economic vulnerability** intensifies the insecurity of citizens. This insecurity stems from factors such as the selective application of the law and economic insecurity caused by an **unpredictable hyperinflationary economic environment, the lack of land property titles, job insecurity, and weak protection of livelihoods** especially for nearly 90 percent of Zimbabweans involved in informal economic activities [...]

The **persistent impunity for politically motivated violence, excessive use of force, and acts of violence perpetrated on citizens by members of the security services continued in 2022.** This further heightened citizens' vulnerability, **eroded personal security, and instilled fear.** This is particularly the case as another round of elections is looming”.

Source: Zimbabwe Human Rights Association, *2022 Annual Human Rights Report*, 2023.

“The **government intensified usage of arbitrary arrest and detention as tools of intimidation and harassment, especially against political activists, civil society members, journalists, and ordinary citizens asserting their rights.** For instance, in July 2022, a local journalist reported that **80 opposition supporters were arrested while campaigning** in Masvingo during the March by-elections”

Source: Institute for Security Studies, *Zimbabwe Fails Its Democracy Test*, 23 August 2023.

“[T]he ‘rural vote may be compromised by **alleged intimidation attributed to a group called Forever Associates Zimbabwe (FAZ), which is said to be a quasi-security intelligence organisation.**

Source: Amnesty International. *Human Rights in Zimbabwe*. 2023.

“Repression of dissent:

The rights to freedom of expression, association and peaceful assembly continued to be threatened, especially during the general election period. **Members of the main opposition party, the Citizens Coalition for Change (CCC), were the main targets of repression.**

Just over one month before election day, **the president signed into law the Criminal Law (Codification and Reform) Amendment Act, 2022.** It failed to meet the requirements of legality, proportionality and necessity in relation to **the imposition by the authorities of penalties like loss of citizenship and the death penalty against people simply for peacefully exercising their human rights. It heightened the risk of arbitrary detention against those who expressed dissenting views, and contained overly broad provisions that criminalized participation in meetings. [...]**

Suspected state agents were responsible for a **series of abductions of CCC activists, during and after the election.** On 26 August, plain-clothes agents disrupted a CCC conference, and attempted to arrest party spokesperson Promise Mkwanaenzi. This was followed by a **series of abductions, again by alleged state agents,** including of city council member Womberaishe Nhende and his friend Sonele Mukhuhani who were **tortured before being dumped on the outskirts of Harare** on 2 September. On 23 October James Chidhakwa was **abducted, tortured and injected** with an

unknown substance; Takudzwa Ngadziore was abducted on 1 November; and Tapfumanei Masaya was abducted on 11 November and his **body was found dumped** in Cleveland, Harare, on 13 November. [...]

Tinashe Chitsunge, a CCC activist, was reportedly **stoned to death by ZANU-PF cadres** in Glen View South, Harare, on 3 August. He was believed to have been **attacked while trying to flee from a ZANU-PF mob who were attacking opposition activists at a rally.**"

Source: OHCHR. *Zimbabwe: UN experts demand an immediate end to abductions and torture.* 10 June 2020

**"GENEVA (10 June 2020) – UN human rights experts today called on Zimbabwe to immediately end a reported pattern of disappearances and torture that appear aimed at suppressing protests and dissent.**

The urgent call comes after **three female** opposition activists – member of parliament Joanna Mamombe, Cecilia Chimbori and Netsai Marova – were stopped at a police checkpoint in Harare and subsequently **abducted, tortured and sexually assaulted.** The three women were going to participate in a peaceful protest organised on 13 May 2020 by the Alliance Youth Assembly of the main opposition party, Movement for Democratic Change. [...]

The experts expressed grave alarm over concerns **this was not an isolated instance.** In 2019 alone, **49 cases of abductions and torture were reported in Zimbabwe, without investigations leading to perpetrators being held to account.** 'Enforced disappearances of women often involve sexual violence, and even forced impregnation, with enormous harm inflicted not only on their physical health and integrity, but also in terms of the resulting psychological damage, social stigma and disruption of family structures,' the experts said."

## **2.2. Structural form of violence**

The Zimbabwean government perpetuates systemic insecurity by exploiting vulnerable citizens.

Source: Zimbabwe Human Rights Association, Christmas T, Mukwewa C, Chamahwinya L. *State of Peace Report 2022-2023.*

**"[M]any of the insecurities ordinary Zimbabweans face originate from intentional disempowerment of citizens by the ruling elites. For instance, the government has allowed traditional informal settlements (such as Churu Farm, Gunhill, Epworth, those along the Mukuvisi River, and the Pomona Dump Site in Harare) as well as newer settlements (like Caledonia, Saturday Retreat, Amsterdam, Retreat, Eyecourt, Border Gezi, and Stoneridge in Harare, along with Gimboki South in Mutare) to emerge and proliferate. This situation has led to thousands of citizens living on land without legal title, effectively at the mercy of the ruling party. These individuals are susceptible to control and coercion by those who present themselves as their benefactors. They may be at 'peace' in their communities, narrowly understood to mean they are not experiencing direct forms of violence, but they are nevertheless trapped in a state of insecurity that limits their rights and freedoms."**

### **2.3. Criminality in Zimbabwe**

Zimbabwe grapples with **criminality**, including violence among artisanal miners and organized crime linked to illicit mining, drug trafficking, and **human trafficking.**

Source: Zimbabwe Human Rights Association, *2022 Annual Human Rights Report*, 2023.

“There were also **several cases of violence perpetrated by various criminal gangs among artisanal miners** popularly known as makorokoza. **Impunity** was most prevalent in cases involving politically motivated violence. Security forces, including police, military, and intelligence officers as well as civilians who **committed human rights abuses** in the furtherance of the interests of the ruling party, almost invariably.”

Source: The Organized Crime Index. Global Initiative Against Transnational Organized Crime. *Criminality in Zimbabwe*

“Regarding mafia-style groups in Zimbabwe, **while there are armed groups with political affiliations, there is no evidence of their involvement in illicit activities or protection networks. However, smaller violent gangs are engaging in illicit mining activities.** As to criminal networks, drug trafficking and underground syndicates of drug barons are on the rise in Zimbabwe, with high-level government officials reportedly involved. **These syndicates operate in major cities and strategic border towns**, giving them access to neighbouring countries. **Foreign criminal actors** are also involved in local criminal activities in Zimbabwe, often through joint ventures with local criminal entrepreneurs. Chinese, Russian, South African and Lebanese investors partner with local entities in the diamond and gold mining industry, facilitating access to foreign markets. Chinese mining and construction companies are reported to be involved in **human trafficking**, and Chinese small arms have been implicated in the suppression of democratic progress in Zimbabwe. Private actors also contribute to **organized crime** through cybercrime, money laundering, illicit trade in excise goods and counterfeiting, and diamond smuggling, among other illicit activities. Numerous case studies indicate **the collusive relationships between state actors and criminal entrepreneurs** in private entities that facilitate and obscure organized crime.”

### **Question 3: LGBTQIA+ rights, with an emphasis on the rights of people identifying as lesbian**

In Zimbabwe, same-sex relations between men are prohibited **while no specific laws address same-sex relations between women. Same-sex marriages are prohibited** (3.1) The government but also a large amount of the population is **firmly against LGBTQIA+ rights** which have an important impact on their access to education (3.2), healthcare (3.3) and employment (3.4).

#### **3.1. In general**

In Zimbabwe, same-sex relations between men are criminalized under the Criminal law. The Government has conducted an ongoing campaign **against the recognition of LGBTQIA+ human rights**. The societal opinion toward LGBTQIA+ people is also **highly negative**.

Source: Criminal law (Codification and reform) Act:

“73. Sodomy: (1) Any male person who, with the consent of another male person, knowingly performs with that other person anal sexual intercourse, or any act involving physical contact other than anal sexual intercourse that would be regarded by a reasonable person to be an **indecent act, shall be guilty of sodomy and liable to a fine up to or exceeding level fourteen or imprisonment for a period not exceeding one year or both.**”



Source: Outright International, *Country overview Zimbabwe*.

“Section 73 of the Criminal Code of Zimbabwe outlaws same-sex relations under ‘sodomy’ and ‘indecent act’ clauses. **Same-sex marriage is banned by the constitution, and no explicit legal protections exist for LGBTIQ people. The government has carried out a long-lasting campaign against the recognition of LGBTIQ human rights.** This has given law enforcement and government officials the green light, **while the Criminal Code has provided legal cover to target, arrest, extort, and harass LGBTIQ people, particularly GBIQ men and transgender women.** Violence and harassment at the hands of private individuals is also an issue. **Societal opinion of LGBTIQ people is largely negative,** and LGBTIQ issues are highly taboo, with the exception of the younger generation in urban areas. **LGBTIQ people are often rejected by their families.** The media tends to depict LGBTIQ persons negatively and sensationalize LGBTIQ issues. **Politicians regularly use anti-LGBTIQ hate speech, while religious organizations campaign against the recognition of the human rights of LGBTIQ people.”**

### 3.2. Access to education

In Zimbabwe, the government decided to **block the scholarship** offered to LGBTIQ individuals by an association dedicated to protecting LGBTIQ rights.

Source: NBC News, *Zimbabwe’s vice-president says the government will block a scholarship for LGBTQ people*, 16 February 2024.

“**Zimbabwe’s powerful vice president said the government will block a university scholarship for young LGBTQ people,** a move that human rights groups described Friday as a perpetuation of the African country’s homophobic practices.[...]

The state university scholarship for people between the ages of 18 and 35 is sponsored by GALZ, a membership organization for LGBTQ people in Zimbabwe. The association started offering it in 2018 without incident. But a recent online advertisement inviting applications attracted a harsh response from Vice President Constantino Chiwenga, a self-proclaimed devout Catholic and former army commander. [...]

‘**Our schools and institutions of higher learning will not entertain applicants, let alone enroll persons associated with such alien, anti-life, un-African and un-Christian values which are being promoted and cultivated by,** as well as practiced in decadent societies with whom we share no moral or cultural affinities,’[Vice President Constantino Chiwenga] said [...]

However, a coalition of human rights groups that GALZ belongs to said **it demonstrated that sexual and gender minorities are endangered in Zimbabwe.”**

Source: Harare Post, *Govt condemns foreign scholarships linked to LGBTQ recruitment*, February 2024.

“**The Government has issued a stern rebuke against foreign higher learning institutions offering scholarships to prospective Zimbabweans if they are lesbian, gay, bisexual or transgender (LGBT).** [...]

Yesterday, Vice President (VP) Constantino Chiwenga vehemently **denounced such scholarships, emphasising the Government's firm stance against the LGBT culture.** [...]

VP Chiwenga **affirmed that Zimbabwean law prohibits such activities**, branding them as unlawful, unChristian, and **contrary to Zimbabwean and African values**. [...]

**According to VP Chiwenga, these scholarship offers represent a direct assault on Zimbabwe's sovereignty and national identity**. [...]

**VP Chiwenga categorically stated that Zimbabwean schools and higher education institutions will not entertain applicants associated with values that contradict the nation's cultural and moral ethos**. [...]

He further urged **deserving students to seek scholarships from Government departments** responsible for awarding grants, emphasising the importance of upholding **moral principles** and the need to **reject offers that compromise personal integrity**. [...]

Chitsunge further highlighted a broader regional context, citing **similar measures taken by other African nations like Uganda and Ghana to resist what they view as unwanted Western interference in matters concerning LGBTQ+ rights**. [...]

**The Zimbabwean Government's unequivocal rejection of scholarships linked to LGBTQ+ recruitment serves as a declaration of its unwavering commitment to upholding national sovereignty and cultural integrity.**”

Source: Humanity dignity trust, *Zimbabwe - Discrimination and violence 2024*,

On 15 February, Vice President Constantino Chiwenga made a statement **condemning scholarships for LGBT persons** to allow them to attend higher learning institutions, denouncing it as an “unlawful, unChristian, anti-Zimbabwean, and unAfrican insidious attempts by foreign interests to entice, lure, and recruit Zimbabwe’s less privileged but able students into lesbian, gay, bisexual, and transgender activities”.

### 3.3. Access to healthcare

In Zimbabwe, due to **homophobia** and heteronormativity, LGBTQI+ people have to face many **difficulties in accessing healthcare services specific to their needs**. Moreover, the presence of a **strong stigmatization** has a major impact on the **mental health of LGBTQI+ people**.

Source: Global perspectives on the LGBT Community and non-discrimination , Jeffrey Kurebwa, *Access to healthcare services by Lesbians, Gays, Bisexual, Transgender and Intersex (LGBTI) People in Harare Urban, Zimbabwe*, June 2022.

“**Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) people face a number of challenges in accessing healthcare services in Zimbabwe**. [...]

In Zimbabwe, there are **no sex education programs on LGBTI**. [...]

LGBTI people experience enduring stigma and discrimination from a young age which has the potential to lead to internalized homophobia characterized by **expectations of stigma and discrimination, especially from healthcare providers**. As a result, most of them choose not to disclose their sexual orientation and gender identity to the healthcare providers or they simply avoid using the services altogether, **thereby missing opportunities for appropriate and targeted healthcare services. This increases their vulnerability to ill-health**. [...]

The findings of the study indicated that most of the LGBTI people did not know their specific healthcare needs. A key informant from GALZ that: **The challenge is that some of the LGBTI members do not know their specific health needs.** They do not know that they can also contract HIV and AIDS, and STIs like heterosexuals. **The LGBTI participants also indicated that most health campaigns on HIV, AIDS, cancer, and Tuberculosis were not targeting them as compared to heterosexuals.** A lesbian who participated in the study argued that: *‘Most of these health campaigns do not reach us. We are at risk of contracting STIs and other diseases. These services are not targeted at us. Even if you go to the clinics you won’t find specific services for gays and lesbians’*. Another lesbian participant mentioned that: *‘There is total silence on lesbians and intersex when it comes to issues of women’s sexual reproductive health rights. It seems as if we don’t exist. [...]’* The situation is also the same for gays who engage in anal sex. [...]

There is a strong tension between the religious beliefs held by healthcare providers and conducting themselves professionally in the clinical encounter. While this poses challenges for healthcare providers, it proves even **more detrimental** to gays and lesbians because it acts as a **barrier** to access SRHS. **Stigmatizing and discriminating** against gays and lesbians create barriers to accessing SRHS. **It also has a negative impact on their physical, social, emotional, and spiritual well-being.** [...]

Given the **lack of knowledge** of those providing health care services to **LGBT patients** and the general lack of accessible information, **many LGBT individuals obtain no information, and sometimes misinformation, about maintaining their sexual and reproductive health.** [...]

From the study with LGBTI participants, it was also revealed that **lesbians, bisexuals, and intersex** had few or **irregular gynaecological visits.** **Given that in most cases reproductive rights discourse and policies are usually framed as heteronormative, many lesbians and bisexual women avoided gynaecological check-ups.** One of the female participants was of the view that: *‘In some cases, we have met healthcare providers who either assumed we are heterosexual, were uncomfortable with our sexual orientation, or provided us with incomplete and incorrect information’*. [...]

Previous studies have shown that **lesbians and bisexual women** seem to **avoid** going to the gynaecologist due to **fear of lesbophobic reactions and insensitivity or because of negative past experiences.** [...]

**Due to homophobia and heteronormativity, LGBTI people can experience a lack of sexual and reproductive rights, specific sexual health problems, and limited access to information and services.”**

Source: D+C (Development and cooperation), Grace Badza, *Homophobia “I have no place in society”*, August 2019:

**“Most gays and lesbians in Zimbabwe have to hide their sexual identity. Discrimination, exclusion and violent attacks against them cause permanent fear and loneliness. Many suffer from poor mental health.** [...]

Most LGBTI persons give in to **pressure** from parents and the extended family and agree to heterosexual marriages. **They are forced to live a life of deceit and lies, which is emotionally draining and leads to extreme psychological distress.** [...]

**Homosexual persons are likely to experience violence and marginalisation due to their sexual orientation.** Aggression towards them ranges from **verbal abuse and bullying to social discrimination, physical violence and psychological torture.** [...]"

According to a 2018 survey by the non-governmental organisation GALZ (Gays and Lesbians of Zimbabwe), 50 % of gay men in Zimbabwe had been physically assaulted, and 64 % had been disowned by their families. **Twenty-seven percent of lesbians also reported disownment.** Often, they are accused of **exposing their parents to ‘blame and shame’.** [...]

But even when moving to cities, LGBTI persons are **not safe from discrimination.** For instance, **they often lose their jobs when their sexual orientation is discovered.** [...]

Another frequent problem is **bad treatment by health-care workers.** [...]

Due to living with this stigma, people from the LGBTI community have an increased risk of mental and psychological problems. **These problems range from anxiety disorders and depression to substance abuse and risky sexual behaviour.** [...]

Consequently, **there are higher incidences of suicide attempts and suicide related deaths amongst men who have sex with men.**"

### **3.4. Right to work**

In Zimbabwe, a **large amount** of the population is **homophobic.** Then, when employers discover that their employees are LGBTIQI+, they try to **fire them** or to **make** the workplace **unbearable.**

Source: Opendemocracy, *Blackmail, death threats and abuse: Being LGBTIQ at work in Zimbabwe*, may 2019

"For years, Tamiso Maye\* had worked diligently at her job in Zimbabwe's media and marketing industry. 'My superiors were happy with my work', she told me. But then a colleague discovered that **she was attracted to other women, and decided to blackmail her, demanding a huge sum of money in exchange for her silence.** [...]

**When Maye refused to pay this bribe, the colleague disclosed her sexuality to their employer.** From that point, 'people started treating me **differently**', Maye said, recalling this time. 'This was showing on their awkward expressions on their faces whenever they'd see me, with some **disassociating themselves from me**'. [...]

**She told me she lost her job not long after this, for reasons that she still believes were to do with her sexuality** – even though she had denied being a lesbian, and has continued doing so since. **Several years later, she says she's still out of work.** [...]

In Zimbabwe, **homosexuality** has been **criminalised under a so-called ‘sexual deviancy’ law; same-sex marriage** is specifically **prohibited under the constitution;** and transgender identities are not legally recognised. Maye's is not the only story of an LGBTIQ person who's faced discrimination at work in this context. [...]

Indeed, **rights activists have been pushing politicians and businesses to act against discrimination** – noting that Zimbabwe's constitution also requires this and states that 'government

at every level must endeavor to secure full employment’ and the ‘removal of restrictions that unnecessarily inhibit or prevent people from working’. [...]

**Mugabe, president of Zimbabwe from 1980 to 2017, once called LGBTIQ activists “worse than dogs and pigs” and declared, at the United Nations in 2015: “We are not gay!” Casting homosexuality as un-African, he was also criticised for using gay people as a scapegoat to distract citizens from Zimbabwe’s economic problems. [...]**

**Though it is not the only powerful actor accountable for the discrimination – and blackmail, death threats and unfair dismissals – that LGBTIQ people face on the job in Zimbabwe. [...]**

In Harare, Zimbabwe’s capital, Alessandrabree Chacha, a 27 year-old trans woman suggested that **some employers have bucked the trend and fostered more inclusive workplaces. [...]**

But he described steep challenges. **Even if employers do not explicitly fire someone for their sexual identity, for example, they can make the workplace unbearable for an LGBTIQ person, he said, as they hope that segregation, low pay and bad working conditions may encourage that employee to ‘choose’ to leave.[...]**

Some **conservative Christian bosses** also appeal to their personal faith as **an excuse for outright and open discrimination against LGBTIQ workers**, Matsikure added.[...]

This is **exacerbated by foreign aid-funded programmes** – a major sector in Zimbabwe’s economy – she added, as they tend to **focus on issues such as ‘HIV/AIDS and men who have sex with men’** while **‘neglecting [the] political and economic participation’** of LGBTIQ people, particularly **women.’**

## **Question 4: Right of association - freedom of expression, particularly with regards to associations in support of LGBTIQ+**

In Zimbabwe, bills are currently discussed to regulate NGOs on the basis of protection against terrorism, but this will surely **greatly reduce the freedom of association of organisations** (4.1). **LGBTIQ+ rights organizations are under attacks** by some small groups of protestators (4.2). State-media reports especially **LGBTIQ+ individuals as a misconduct** while private media are divided with some have still a **strong resentment for LGBTIQ people**, others are friendly and some maintains neutrals (4.3).

### **4.1. In general**

In Zimbabwe, a proposed legislation aimed to regulating NGOs under the pretext of combating terrorism poses a **threat to freedom of association**.

*Source: FIDH, Zimbabwe: President Mnangagwa must reject Private Voluntary Organisations Admendment Bill restricting freedom of association, March 2<sup>nd</sup> 2023*

“On February 1, 2023, the Zimbabwean Senate passed the PVO Bill. The bill now only awaits the signature of Zimbabwe’s President Emmerson Mnangagwa to be enacted into law. **Although the official purpose** of the PVO Bill is allegedly to **fight money laundering and terrorism, civil society organisations as well as the UN Special Rapporteur on Freedom of Association and Peaceful**

Assembly have warned that **the Bill violates fundamental rights and gives the government unjustifiable control over civil society groups**. In a special report published in January 2022, Zimbabwe Human Rights Association (ZimRights) warned that **the PVO Bill is an attack against active citizenship as it undermines citizen engagement**. [...]

Above all, **the bill contains provisions that allow for the banning of civil society organisations from ‘engaging in political activities’**, a broad and vague concept that could potentially **include legitimate human rights activities**. [...]

The Observatory expresses its concern over the dire **impact** this amendment will have on **civic space and freedom of association** in the country if enacted. The Observatory is further concerned by the fact that this bill is being discussed and passed in the lead-up to the 2023 general elections in Zimbabwe, and will have the effect of **muzzling independent civil society, which plays a crucial role in guaranteeing participatory and transparent elections**.”

Source: Amnesty international, *Zimbabwe: further information: Civil society under attack with next draft law*, April 2024

“On 1 March, Zimbabwe’s government gazetted the Private Voluntary Organisation (PVO) Amendment Bill 2024 to allegedly ‘curb money-laundering and financing of terrorism and to ensure that Non-Governmental Organisations do not undertake political lobbying.’ [...] **[T]he new bill reflects that most of the issues raised were not addressed and it still contains provisions which will negatively impact civic space and threaten the continued existence and operations of Civil Society Organisations**.”

## 4.2. Against LGBTQ rights organizations

**LGBTQI+ organizations are under attacks** led by protesters, often driven by religious motivations.

Source: Washington Blade, *Protesters vandalize Zimbabwean LGBTQ rights group’s offices*, June 2024

“**A handful of protesters** over this past weekend **vandalized the offices of Zimbabwe’s largest LGBTQ rights organization**. [...]

GALZ said it has filed an **official police report**, and is **‘cooperating fully with the ongoing investigations’**. [...]

GALZ also said it remains steadfast in its commitment to LGBTQ rights, and **urged religious and political leaders to be at the forefront of fostering unity** in Zimbabwe.”

Source: New Zimbabwe, *Utterly unacceptable, - GALZ says every anti-gay protestors target Harare offices*, 11th June 2024.

“Gays and Lesbians Association of Zimbabwe (GALZ) has condemned **the intimidation and vandalism by a small group of protestors at its Harare office on Sunday**. [...]

The protestors, who claimed to be representing various church organisations **painted “hateful” graffiti on the walls while chanting slogans against the LGBTQi community**.

GALZ, an association of LGBTI People in Zimbabwe, categorically condemns the **acts of vandalism and intimidation that occurred 09 June 2024** at our Harare office around 3:30 pm. [...]

**‘This act of violence has not been committed in isolation, it is a stark reminder of the ongoing discrimination and hostility that our community faces’,** said GALZ. [...]

**Recently a group led by the National Chairman of the Voice of Laity Advocacy in Zimbabwe staged an anti-homosexuality protest in Harare.”**

Source: Human rights watch, *Zimbabwe: End Attacks on LGBT People : Police harass activists with treats, raids, beatings and arrests*, August 27 2012 :

**‘Police officers entered and occupied the offices of GALZ in Harare for six hours, producing a warrant only after the GALZ lawyers demanded it. They confiscated documents, advocacy materials, and computers. [...]**

**‘This latest police raid on the country’s leading LGBT group shows the government’s intolerance of the rights of Zimbabwe’s sexual and gender minorities,’** said Monica Tabengwa, LGBT researcher at Human Rights Watch. **‘By intimidating and harassing members of GALZ, the authorities are violating their rights to freedom of expression and association.’ [...]**

In the past decade, **Zimbabwean authorities have intensified attacks against members of GALZ including intimidation, arbitrary arrests, and beatings. [...]**

During the raid, police briefly **detained 44 GALZ members, assaulting them with batons, slaps, and punches.** A number of injured members **needed medical treatment.** Police took the names and addresses of all 44 members before releasing them without charge. **The following week, police went to some of the members’ homes and took them to police headquarters for further questioning.”**

### **4.3. Liberty of speech**

State media particularly **portrays LGBTQI+ individuals negatively**, while private medias are divided: some express **strong resentment**, others are supportive, and some remain neutral.

Source: *Excerpt: How Zimbabwe’s LGBTQI+ Community fights queerphobia on social media*, June 13 2022

**‘Using various online platforms, queer Zimbabweans are able to quickly and easily raise awareness of their experiences and highlight the need for their freedom. They not only challenge cisheteronormativity but also confront cyberbullies who use threats of violence since too often, queer visibility tends to embolden their hatred. [...]**

**‘Social Media offers a relatively safe space to tackle issues not usually spoken about in the mainstream media,’** Trevor tells *Unbias the News*. [...]

As part of its advocacy, the Purple Hand Africa team travels to different parts of Zimbabwe and chats with queer folks about their experiences. **The stories shared are documented on YouTube where the organization has set up a channel that can be accessed by anyone.”**

Source: GALZ, *LGBTI Violation report 2021, 2022*

“**The private media** in 2021 has been largely **polarised** with some giving salience and sympathy to the plight of LGBTI in Zimbabwe while some have **maintained a strong resentment for LGBTI people**. Visual media in particular **Youtube** have **promoted** LGBTI rights SlyMedia, Bustop TV, and The Naked Truth are strong examples of this case whereby iconic community members have been interviewed and given a platform to openly discuss sexuality. On **Facebook**, however, there has been a **strong backlash against the community** which is the **opposite of Instagram** whereby the community has been relatively embraced and accepted. In **privately-owned Newspapers** such as Newsday, they have **maintained a neutral perception on LGBTI issues**, neither criticizing nor openly promoting their rights or existence. [...]

An analysis of **state-operated media in 2021** shows that **there is no change in reportage of LGBTI-related human rights violations**. They have **not paid little to no attention to these violations**. Rather they have **focused more on high-profile cases with 'sodomy' being a major headline in the majority of the state-operated media newspapers**. This indicates that **state-controlled media still aligns any same-sex relations with misconduct or worse criminalism.**”

## **Question 5: Women’s rights, in general**

Women are victims of **multiple human rights violations such as gender-based violence and obligation to marry as a child (5.1)**. They **don’t have access to sexual education** and suffer from **strict laws on abortion**, which impact the **maternal mortality rate (5.2)**. Moreover, in some fields like politics **they are under-represented (5.3)**.

### **5.1. Gender-based violence**

Many women are facing **gender-based violence, either psychological, physical or sexual**. However, reports show a **decrease** of these violences in the last few years. Women are also facing **online and offline violence**.

Source: World bank blogs, *Supporting women in Zimbabwe in their quest for equal opportunities*, 11 March 2024

“In Zimbabwe, the recently published Zimbabwe Gender-Based Violence (GBV) Assessment paints a **disturbing picture**, showing **many women** are still **facing danger in their own homes**. **GBV remains pervasive**, with **high rates of physical violence**. Approximately **39.4% of women** have experienced **physical violence**, and an estimated **11.6%** have experienced **sexual violence**. Although child marriage rates have declined, **16.2%** of women were **married before the age of 18** in 2022. [...]

Significant progress has been made towards enhancing legislative and policy frameworks with the objective of addressing GBV. However, **gender inequality** remains a **persistent** challenge, driven by **unequal human behaviors, gaps in economic opportunities** and **asset ownership and control**, as well as **disparities in voice and agency** between men and women.”



Source: UNFPA, *UNFPA supports stepped-up efforts to prevent adolescent pregnancy in Zimbabwe*, 16 October 2024

“Since 1988, Musasa – the **non-governmental organization** where Ms. Nyangasi received support – has been **providing safe shelter, medical and legal services, and psychosocial counselling to survivors of gender-based violence.**”

Source: Zimbabwe National Statistics Agency, *Women and Men in Zimbabwe Report 2019*, October 2020

“[T]he **Constitution** protects the **right to life, human dignity and personal security** and in case of the latter, specifically mentions in Section 52, that this right is protected against both **private and public sources of violence** [...] the **Domestic Violence Act** [Chapter 5:16] deals extensively with **gender based violence** arising from the **domestic sphere**. The dimensions of violence include **physical, sexual, psychological/emotional and economic violence** occurring **in the family and community**, including **violence condoned by the community**. [...]

Data from the Police Victim Friendly Unit shows that cases of **domestic violence** have been on an **increase between 2012 and 2019** before **dropping in 2019**. [...]

Data from the previous rounds of ZDHS and MICS show that incidences of **physical and sexual violence** among **women aged 15-49** years are generally on the **decrease**. In **2011** about **18 percent of women experienced physical violence in the 12 months preceding the survey** compared to about **6 percent** in **2019**.”

Source: ACHPR, *Press Statement on Women's Political Participation in the Run-up to the August 2023 Presidential Elections in Zimbabwe*, 1<sup>st</sup> August 2023

“[The ACHPR] expresses deep concern over reports of alleged escalating **political tension** and incidents that have resulted in **offline and online attacks** targeting voters and members of political parties, with a particular focus on **women**. The ACHPR notes that allegations of **persistent online violence targeting women**”

## **5.2. Sexual and reproductive rights**

There is a **lack of education about sexual health** in Zimbabwe. **Contraception is not used** by the majority of girls, which can lead to **unexpected pregnancies** and potential **pressure into marriage**. **Abortion is hardly restricted** and the **maternal mortality rate is high**.

Source: Amnesty International, *The State of the World's Human rights, Zimbabwe*, April 2024

“The **government failed** to take **measures** to prevent and fully respond to the treatment needs of those **suffering from obstetric fistula**. Specifically, it **did not develop an adequate policy framework** or ensure adequate funding for **maternal health**, despite calls from civil society organizations to do so, and despite the issue being raised in parliament as a matter of national importance. **Gaps** in the legal framework relating to **access to sexual and reproductive health services for adolescents persisted**. **Parliament** continued to **fail** to make the necessary amendments to the Public Health Act **to allow health workers to provide sexual and reproductive health services** to adolescents without their parents' consent. In addition, the **cost of essential healthcare services proved prohibitive for many women and girls** and there was a **failure to provide comprehensive sex education in schools**. **Teenage pregnancy** remained **prevalent**, with 108 live

births per 1,000 women and girls aged between 15 and 19. The government's pledge to reduce it to 100 per 1,000 women by 2022 was **still unrealized in 2023**. **Maternal mortality** remained **high**, with **462 deaths per 100,000 live births**, according to the most recent statistics from the UN Population Fund. [...]

**Child marriage** was **common**. An estimated **33% of women between the ages of 20 and 24 were first married under the age of 18.**"

Source: Think Global health, *Zimbabwe's Review of restrictive abortion laws*, 20 June 2024

"The **Termination of Pregnancy Act (TOP Act)**, passed in 1977, has been **increasingly attacked** by human rights activists, victims, and legislators because **it minimizes access to reproductive health for vulnerable women and girls** in Zimbabwe. [...]

Currently, the **law only allows the lawful termination of pregnancy** when the pregnancy **endangers the life of the mother**, if the **unborn child is at risk of physical or mental defects** that could pose a **serious risk** to both mother and child, or if **rape or incest** is a reasonable possibility. [...]

**Despite** the existence of the TOP Act, some women who **were eligible for lawful procedures** still sought **unsafe abortions** each year, which has contributed to a **16% increase in maternal deaths since 2021**. An **abortion conducted illegally** can result in a **jail** term not exceeding **five years**, a **fine** of 5,000 Zimbabwean dollars (around \$13), or both."

Source: UNFPA, *UNFPA supports stepped-up efforts to prevent adolescent pregnancy in Zimbabwe*, 16 October 2024

"**Pregnancy and childbirth** are among the world's top drivers of **preventable death** for **adolescent girls**. And in Zimbabwe, **girls** who become **unexpectedly pregnant** often find themselves **pressured into marriage, even as children**. [...]

One of the most effective means of preventing unplanned pregnancy is through **contraceptives**. Yet **less than half of sexually active married girls aged 15 to 19** and **fewer than four in ten of their unmarried counterparts** are **using modern contraceptives**, according to UNFPA research."

### 5.3. Representation of women

In general **women are under-represented**, especially in the **political field**. Gender parity is not achieved in most areas, however, there has been in school enrollment.

Source: World bank blogs, *Supporting women in Zimbabwe in their quest for equal opportunities*, 11 March 2024:

"Despite inequalities, there has been notable **advancement** in various indicators of **women's empowerment**. Zimbabwe, in particular, has made positive strides consistently surpassing Sub-Saharan Africa (SSA) averages in measures such as the Gender Inequality Index (GII) and the Women, Business and the Law Index. For example, **gender parity in school enrollment and completion up to lower secondary levels** has been **achieved**, while the gender gap in tertiary education has narrowed since 2016."

Source: Zimbabwe National Statistics Agency, *Women and Men in Zimbabwe Report 2019*, October 2020

“Section 17 of the **Constitution** states that **there must be full gender balance** and the **full participation of women in all spheres** of Zimbabwean society on the basis of equality with men. It also **specifically states** that there shall be **equal representation in all institutions and agencies of government at every level**, including in any Commissions established under the Constitution. [...]

**Women’s participation in political decision** making as full and **equal partners** with men has **not yet been achieved**. [...]

One of the key areas where **women have been underrepresented over the years is the justice delivery system.**”

Source: Amnesty International, *The State of the World’s Human rights, Zimbabwe*, April 2024.

“The August election results **did not bring any significant improvements** to the **underrepresentation of women in decision-making positions**. Only **six of the 26** cabinet members appointed in September were women. **Of the 70 women who stood for election** to National Assembly seats, **only 22 were successful, compared to 637 men.**”

Source: ACHPR, *Special Rapporteur on the Rights of Women in Africa (SRRWA) - 79OS*, 10 May 2024

“46. The 2023 elections in Zimbabwe indicate that **women’s participation in political processes has declined**. There was **only one female presidential candidate** out of **11 candidates**. There was also a **decline in the number of female candidates fielded by the major political parties for direct vote.**”

## **Question 6 : Detention conditions, police efficacy, justice system**

Zimbabwe faces **deplorable and inhuman detention conditions**, marked by **massive violations of both international human rights standards** and the protections enshrined in the **Zimbabwean constitution**. These conditions are primarily driven by **rising inflation, severe overcrowding, and deteriorating infrastructure** (6.1). **Corruption** is rampant in Zimbabwe, especially within the **police force**, where bribes enable criminals to bypass justice (6.2). The justice system in Zimbabwe is being misused, with **malicious arrests posing a threat to security**. Several newly appointed **High Court judges are openly aligned with the ruling party**, further eroding confidence in the system’s fairness (6.3).

### **6.1. Detention conditions**

Detention conditions in Zimbabwe are **deplorable**: severe overcrowding (6.1.1), widespread abuse, violating prisoners' dignity (6.1.2). **Basic rights**, access to adequate bedding, clothing (6.1.3), proper nutrition, are **frequently denied**, with detainees often relying on family for essential food (6.1.4). **Healthcare access is grossly inadequate** (6.1.5), and the right to **education** is routinely **ignored** (6.1.6). Although juveniles are separated from adults, they **lack special safeguards** (6.1.7), and political prisoners face **disparities** in treatment (6.1.8). Privacy during visits (6.1.9) is also **not guaranteed**.

### 6.1.1. Overcrowding

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report*, 2023

“Prison conditions were **harsh and life threatening due to overcrowding, food shortages, lack of water, lice infestations, shortage of blankets** in the cold season, **physical mistreatment of prisoners, and lack of access to personal hygiene products**, as well as **inadequate sanitary conditions and medical care.**”

Source: Aljazeera, ‘*Fit for pigs*’: *Conditions in overcrowded Zimbabwe prisons choke inmates*, 4 august 2023

“The prisons, which have the **capacity to hold 17,000 inmates, were accommodating 23,000 as of March 2021. Harare’s Remand Prison**, built in 1910 for a **capacity of 800 people, now holds about 2,220**, according to the justice ministry.”

Source: Veritas, *Rights behind bars - A Study of Prison Conditions In Zimbabwe*, 2018

“With regards to pre-trial detention, there are adequate domestic and international safeguards with regards to being tried within a reasonable period of time. Despite the fact that there are local cases that have stipulated that **detention without trial for a period of five years is unreasonable and violates the rights of persons deprived of their liberty, some prisoners have been detained without trial for more than 10 years**”.

### 6.1 2. The right to dignity and sanitation

Source: GOV.UK. Foreign, Commonwealth & Development Office. *Guidance. Zimbabwe: prisoner pack Zimbabwe*. Updated 20 september 2024.

“Prison: conditions and daily life. **Zimbabwean remand centres and prisons are overcrowded. Most lack running water and electricity and are generally not well maintained.**”

Source: Veritas, *Rights behind bars - A Study of Prison Conditions In Zimbabwe*, 2018

“There was **overcrowding** in some prisons and the **risks of disease outbreak and spread were very high**. There were **shortages of detergents, soap, body lotion, and other washing aides** were rarely **adequately supplied and inmates relied on what they received from relatives and well wishers**. At many prisons, the **inmates used buckets to flush human waste** either because of **water shortages** or **because the flushing system for the toilets had not been repaired**. At Mutare Farm Prison, **lice** were reported to have become a **serious problem** and there was need for fumigation to fix the situation. There was **no toilet in cells** at Tabudirira Satellite Prison in Mutoko. There was **one bucket** that was put in the cell which inmates used to relieve themselves and the **bucket was now in a dilapidated State.**”

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report*, 2023

“NGOs reported most prisons were overcrowded due to **outdated infrastructure and judicial backlogs**. A December **2022** parliamentary report found Harare Remand Prison, with a **capacity of 900 inmates**, was **housing nearly 1,500 inmates** and Bindura Prison, with **capacity of 20**, was **housing 87 inmates**. In August, Al Jazeera reported that former inmates of the Harare Remand facility claimed **they witnessed or suffered violence at the hands of prison guards**, with one

stating, ‘**Not a day went by without someone getting beaten up for no apparent reason.** It was the **order** of the day’.[...]

**Women inmates reported violence and sexual abuse.”**

Source: Aljazeera, ‘*Fit for pigs*’: *Conditions in overcrowded Zimbabwe prisons choke inmates*, 4 august 2023

“United Nations resolutions on basic treatment of prisoners stipulate that they be treated ‘fairly and with dignity’, regardless of the nature of their crimes. They have set out the basic minimum standards for their treatment, including food, clothing, medical care and access to legal assistance. **But in Zimbabwe, these standards have become nonexistent as the country’s economic woes have worsened, analysts said.**[...]

‘**Not a day went by without someone getting beaten up for no apparent reason.** It was the order of the day’, Kunyenzura said.”

### 6.1.3. Right to an adequate standard of living

Source: Veritas, *Rights behind bars - A Study of Prison Conditions In Zimbabwe*, 2018

“At the domestic level, the Prisons Act explicitly refers to every prisoner’s entitlement to adequate bedding. **Many prisons provide blankets that are arguably sufficient enough to keep each detainee or prisoner, with or without a bed, sufficiently warm even during the winter season.** As far as clothing is concerned, the same provisions that ground the right to bedding also ground the right to adequate clothing. In as far as practice is concerned, it is worth noting that unconvicted prisoners were allowed to wear their own clothes as required by international and national law. Nonetheless, **there were shortages of clothing at many prisons and detainees were often made to do with one uniform which was only replaced when it became seriously torn.** This could be **problematic** when the prisoner wishes to wash their uniform.”

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report*, 2023

“If available at all, **blankets and clothing were often unwashed and soiled.** A December 2022 report on the state of the country’s prisons by the parliament’s Committee on Justice, Legal, and Parliamentary Affairs stated Bindura Prison **inmates were sleeping directly on the floors without blankets. Lice infestations were common.** Although detainees could be transported to hospitals for medical treatment, **unsanitary conditions and cold winters led to severe and sometimes fatal medical conditions.** Detainees denied bail were **often held in severely overcrowded remand (pretrial) cells for years while awaiting trial.**”

Source: GOV.UK. Foreign, Commonwealth & Development Office. *Guidance. Zimbabwe: prisoner pack Zimbabwe*. Updated 20 september 2024

“**Cells are shared and inmates sleep on the concrete floor with a blanket, if lucky.**”

### 6.1.4. Access to sufficient food and clean water

Source: Veritas, *Rights behind bars - A Study of Prison Conditions In Zimbabwe*, 2018

“Some of the few prisons were able to supply basic food items to inmates, but it can **hardly be said** that these prisons fully complied with international and national standards on the provision of

adequate food. The **shortage of food, particularly protein, cooking oil and meals for those on special diet, was reported to be a persistent problem in many of the prisons that were visited.** At Mlondolozhi Prison, food shortages also seriously **affected mental health patients who needed to be consistently taking medication.** [...]

**The main challenge arose in the context of water for use in ablution facilities** and, even then, the problem was not really water shortage. Rather, the problem arose because the **flushing systems for toilets were not working and prisoners had to use buckets to flush human waste.**”

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report, 2023*

“Detainees **depended on family members for essential dietary needs.** Those without family or community support were **forced to rely on other detainees for survival,** although **some prisoners identified as malnourished received additional meals.** [...]

According to NGOs, **food shortages were widespread in prisons** but were not life-threatening. The harvest of prison farm products provided meals for prisoners. Protein was in short supply. Prisoners’ **access to clean water varied by prison.** [...]

**Diarrhea was prevalent in most prisons. Diseases such as measles, tuberculosis, and HIV and AIDS-related illnesses were most common** in those prisons **with the worst conditions. Lighting and ventilation were inadequate.**”

Source: GOV.UK. Foreign, Commonwealth & Development Office. *Guidance. Zimbabwe: prisoner pack Zimbabwe.* Updated 20 september 2024

“**Meals are inadequate** and are often supplemented by food **brought in by relatives, friends or lawyers.** The **same applies to drinking water.** Remand centres and prisons have small shops within the grounds that sell a limited selection of food which can **be purchased by visitors** and given to you.”

Source: Aljazeera, *‘Fit for pigs’: Conditions in overcrowded Zimbabwe prisons choke inmates,* 4 august 2023

“Ever since the country started experiencing an economic meltdown almost two decades ago, **prisons have been failing to perform their mandate of providing a decent diet among other things,**” said Edison Chihota, chief executive of Zimbabwe Association for Crime Prevention and Rehabilitation of the Offender (ZACRO).”

Source: Franceinfo, *Dans l'enfer des prisons mouroirs du Zimbabwe,* juin 2019 [Unofficial translation] *Franceinfo, In the hellish prisons of Zimbabwe, June 2019*

“‘Le régime ne convient pas à ceux qui souffrent de diabète ou d'hypertension’, confirme une détenue. Il n'est même pas suffisant pour ceux qui sont en bonne santé. Il se limite le plus souvent, ont confié les détenus, à une bouillie de maïs en guise de petit-déjeuner et une autre enrichie de quelques légumes à midi et le soir.[...]

“‘*The diet is not suitable for those suffering from diabetes or hypertension*’, confirms one inmate. *It's not even enough for those in good health. Inmates confide that the diet is usually limited to a corn porridge for breakfast, and a porridge enriched with a few vegetables for lunch and dinner.*”

### 6.1.5. Access to health care services

Source: Veritas, *Rights behind bars - A Study of Prison Conditions In Zimbabwe*, 2018

“There is **need for improvement** in the **provision of health care services** for treatment at almost **all prisons**. At many of the prisons visited, **inmates are treated from rooms with no privacy or from buildings with inadequate storage space for medication**. Virtually all prisons visited had a **shortage of ordinary clinical staff, let alone specialist staff such as psychologists, social workers, specialist doctors and the like**. Another trend that emerged from the reports was that the majority of staff servicing prison clinics were **non-residents** (they lived in some other place) and they were **servicing more than one hospital or clinic**. These conditions **violate the right to access to health care services** as provided for in national and international instruments.”

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report*, 2023

“Despite support from NGOs, **prison distribution of menstrual hygiene supplies was limited**. **Women often lacked access to pre and postnatal care and emergency obstetric services**. Officials did **not provide pregnant women and nursing mothers with additional care or food rations** out of the Zimbabwe Prison and Correctional Services (ZPCS) budget, but the ZPCS solicited and **received donations from NGOs and donors for additional provisions**. [...]

Psychiatric sections were available at some prisons but offered **little specialized care**. [...]

Prisoners had **access to very basic medical care**, with a clinic and doctor at nearly every prison. Due to **outdated regulations and a lack of specialized medical personnel and medications**, prisoners suffered from **routine but treatable medical conditions** such as **hypertension, tuberculosis, diabetes, asthma, and respiratory diseases**. The **ZPCS was at times unable to transport prisoners with emergency medical needs to local hospitals**.”

Source: Franceinfo, *Dans l'enfer des prisons mouroirs du Zimbabwe*, 18 juin 2019 [Unofficial translation] *Franceinfo, In the hellish prisons of Zimbabwe, June 18, 2019*

« Ce n'est vraiment pas un endroit idéal pour la prise en charge des personnes qui souffrent de troubles mentaux, insiste Patrick Mhaka. Par manque de transport, ils restent ici des mois après leur décharge, et ils retombent malades. [...]

Les antirétroviraux sont fournis par l'aide internationale, le reste est du ressort d'un Etat étranglé financièrement, donc incapable d'en importer pour ses hôpitaux ou ses prisons. A Chikurubi, la progression du virus VIH est donc contenue, mais les maladies qui l'accompagnent font des ravages. »

*“It's not an ideal place to take care of people suffering from mental disorders,” insists Patrick Mhaka. For lack of transport, they stay here for months after discharge, and then fall ill again. [...]*

*Antiretrovirals are supplied by international aid, while the rest is the responsibility of a financially-strangled state, unable to import them for its hospitals or prisons. In Chikurubi, the spread of the HIV virus has been contained, but the diseases that accompany it are wreaking havoc.”*

#### 6.1.6. Right to education

Source: Veritas, *Rights behind bars - A Study of Prison Conditions In Zimbabwe*, 2018

“It is worth noting that prisoners do not forfeit their right to education by virtue of their committal to custodial institutions. Notwithstanding the fact that **all the 23 juveniles** detained at Harare Remand Prison **were of the school going ages, there were no learning programme or facilities.** The **absence of educational programmes and learning facilities violates detainees’ and prisoners’ right to education.** It **prevents intellectual** development and in the case of sentenced prisoners, **makes full integration upon release impossible.** As far as vocational training is concerned, the idea of workshops implemented at Connemara Prison is very noble as it equips inmates with the skills needed when they are released from prison”

#### 6.1.7. The rights of juveniles to be separated from persons over the age of majority and to be kept in conditions, and treated in a manner that takes into account the child’s age

Source: Veritas, *Rights behind bars - A Study of Prison Conditions In Zimbabwe*, 2018

“With regard to separation of young from adult offenders, it is encouraging that **our prisons comply with the standards** laid down in the Constitution and international law. Even where young offenders are placed at the same custodial institution as adult offenders, the **former are placed in their own section.** [...]

With regards to the young offender’s right to be treated in a manner and kept in conditions that are consistent with their age, anecdotal **evidence suggests that the State has failed to comply with this standard.** The reports demonstrated that notwithstanding the unique nature of Whawha Young Offenders Prison, the institution operated like any other prison, with **no special safeguards for the young inmates.** To comply with international and national standards, the State should ensure that young offenders are not just separated from adult offenders, but are also treated in a manner that takes account of the age”.

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report*, 2023

“Several **dozen children younger than age four living with their incarcerated mothers shared their mothers’ food allocation,** rather than receiving their own. [...]

**Juveniles were vulnerable to abuse by prison officials and other prisoners.”**

#### 6.1.8. Difference of treatments

Source: Zimbabwe Human Rights Association, *2022 Annual Human Rights Report*, 2023.

“However, **political prisoners and detainees did not receive the same standard of treatment** as other prisoners or detainees. There were **reports of police physically abusing political activists and journalists while in detention.**”

#### 6.1.9. Right to visit prisons

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report*, 2023

“Church groups and NGOs seeking to provide humanitarian assistance gained access to prisons. Some organizations working in prisons reported meetings with prisoners occurred without third parties



present and with minimal restrictions, but **some political prisoners reported no privacy for visits, even with their legal representatives.**”

## 6.2. Police efficacy

There is **widespread corruption** in Zimbabwe, particularly within the police force, where bribes allow criminals to escape justice.

Source: Zimbabwe Human Rights Association, *2022 Annual Human Rights Report*, 2023.

“In Mashonaland Central Province, the people expressed their concern about a **variety of human rights issues, including [...] corruption in the police service [...]**

In Mashonaland East province, citizens **raised concerns regarding : corruption [...]**

Similarly, people in Matebeleland South province pinpointed issues of concern including (...) **corruption [...]**

**The culture of impunity persisted as very little was done to investigate, prosecute, and punish perpetrators of human rights abuses, while the government made no meaningful efforts to provide reparation to victims, corruption remains endemic, manifesting in all its forms at all levels from petty corruption involving public officials soliciting bribes from citizens to grand corruption in the higher echelons of government. [...]**

**Corruption in the police :** the Police force in Guruve district, in particular, those servicing Mupinyuri Village Ward 11 were reportedly **practising open corruption** resulting in a lot of criminals getting away with crimes after paying a bribe to the investigating officer and superiors [...]

**Police corruption is usually followed by police brutality.”**

Source: ZimEye *Massive corruption scandal uncovered at Bulawayo Traffic West Police Station*. 19 June 2024.

“A **corruption scandal** has been unearthed at the Bulawayo Traffic West **Police Station**, implicating numerous **officers from the highest ranks down to the junior staff**. According to an alarming letter addressed to President Emmerson Dambudzo Mnangagwa and other top officials, including Commissioner General of the Zimbabwe Police Services Godwin Matanga, extensive bribery and corrupt practices have been taking place.”

Source: HararePost. Police officers arrested for bribery.

“**Two Zimbabwe Republic Police (ZRP) officers have been arrested following a viral social media video in which they were allegedly recorded receiving bribes** from pirate taxis and registered public service vehicles at the Mabvuku turn-off, along the Harare-Mutare Road.”

Source: Katsinde T.J. *Police officers' perceptions about corruption in Zimbabwe: A case of police officers at a University*. International Journal of Peace and Development Studies, February 2021

“**The study investigated police officers' perceptions about corruption in Zimbabwe**

[...] Respondents were asked about the existence of corruption in the police force with **most of them 49 (77%) saying corruption exists in the police force [...]** **Only 2% said there was no corruption in the police force.** The others said it was difficult to say or gave no answer.”

Source: U.S Department of State, *Zimbabwe 2022 Human Rights Report*, 2022

“The constitution prohibits torture and other cruel, inhuman, or degrading treatment or punishment; **however**, there were reports that **security sector officials engaged in such practices with impunity**. Nongovernmental organizations (NGOs) reported **security forces abducted, assaulted, and tortured citizens, including targeted assaults on and torture of civil society activists, labor leaders, opposition members, and other perceived opponents of the government**. Throughout the year, **police used excessive force in apprehending, detaining, and interrogating criminal suspects**. Police and military officers **used excessive force and violent means to disperse peaceful demonstrations and to disrupt informal trading**. On February 26, **police beat opposition supporters with batons and used tear gas and water cannon spray to disperse crowds** at a by-election rally in Gokwe.”

Source: U.S Department of State, *Zimbabwe 2023 Human Rights Report*, 2023

“Security forces **often acted in the interest of the ruling party**. On January 14, members of the ZRP **assaulted** Kudzai Kadzere, a member of Zimbabwe Lawyers for Human Rights (ZLHR), in Budiriro while he was responding to a call for legal assistance by a group of opposition supporters. ZLHR stated **police officers used truncheons and fists to assault** Kadzere, leading to **injuries** including a **fractured hand**. [...]

**Impunity for politically motivated violence remained a problem. Impunity was also a significant problem in the security forces including police, military, and intelligence officers; and among civilian authorities who oversaw them.**”

### 6.3. Justice system

The **misuse of the criminal justice system** in Zimbabwe, marked by **malicious arrests, threatens security**. Recent judicial appointments by President Mnangagwa, favoring ZANU-PF loyalists, further **undermine the system's fairness**. Some new **High Court judges** are known **supporters of the ruling party**.

Source: Zimbabwe Human Rights Association, Christmas T, Mukwewa C, Chamahwinya L, *State of Peace Report 2022-2023*, 2023.

“So far, the focus has been on **threats to personal security and peace** stemming from **the misuse of the criminal justice system**, particularly evident through instances of **malicious arrest and prosecution**.”

Source: Matiashe FS. Au Zimbabwe, le président Mnangagwa met les tribunaux au pas. Jeune Afrique. Publié en juillet 2024. [Unofficial translation] *Matiashe FS. In Zimbabwe, President Mnangagwa Brings the Courts to Heel. JeuneAfrique.com. Published July 2024.*

“Au Zimbabwe, le président Mnangagwa met les tribunaux au pas. Les dernières nominations au sein du système judiciaire ont bénéficié à des fidèles du parti au pouvoir, le ZANU-PF. Des promotions qui entachent encore davantage un système qui a la réputation, depuis des décennies, d’être partial et dévoué au régime établi. [...]

Alors qu’ils sont censés traiter des affaires pouvant toucher le gouvernement et impliquer des membres des partis d’opposition, certains des onze nouveaux juges de la Haute Cour du Zimbabwe,

nommés par le président Emmerson Mnangagwa à la mi-juin, sont des sympathisants connus de l'Union nationale africaine du Zimbabwe-Front patriotique (ZANU-PF).”

*“In Zimbabwe, President Mnangagwa Brings the Courts to Heel. **The latest appointments within the judiciary have favored loyalists of the ruling party, ZANU-PF. These promotions further tarnish a system already reputed for decades to be biased and devoted to the established regime.** [...]”*

*While they are supposed to handle cases that may involve the government and members of opposition parties, some of the eleven new High Court judges in Zimbabwe, appointed by President Emmerson Mnangagwa in mid-June, are known sympathizers of the Zimbabwe African National Union-Patriotic Front (ZANU-PF).”*

Source: Transparency International Zimbabwe. *Judicial Corruption in Zimbabwe*. Maja, I., Chirisa, A., & Mundopa, M. (2020).

“Institutions that ought to be at the forefront of combating corruption, such as **the judiciary are also perceived to be compromised and are often distrusted** by citizens they ought to impartially serve. The quality of justice delivery in Zimbabwe and the judicial system in general, have since the turn of the millennia been **challenged as not independent and hence of questionable integrity and transparency**. A judiciary that is corrupt or perceived to be corrupt **corrodes the rule of law, fuels impunity and reduces the quality of justice.** [...]

It highlights the **urgent need to curb what is slowly becoming institutionalised corruption within Zimbabwe’s judicial sector.**

In Zimbabwe, there is **widespread belief that the executive tends to influence judges and magistrates and often interferes in politically contentious issues”.**

## **Question 7: Condition of Health System - psychiatric support**

Zimbabwe faces **significant mental health challenges**, with **54% of the population lacking access to care and fewer than 20 psychiatrists for its 14 million people**, particularly affecting rural areas (7.1). The sector is further strained by socioeconomic instability, **underfunded services**, a **shortage of qualified professionals**, limited facilities, and **outdated legislation**, impacting vulnerable groups like children and adolescents (7.2). However, initiatives implemented by the WHO’s Special Initiative for Mental Health are making progress in raising awareness, training healthcare providers, and integrating mental health care into primary health services (7.3).

### **7.1. Contextual informations**

Zimbabwe faces **major mental health challenges**. Currently, 54% of Zimbabweans lack access to health care and less than 20 psychiatrists are available for the citizens of Zimbabwe. In other words, **the Zimbabwe's 14 million population, especially in rural areas, faces limited mental health care services.**

Source: Mafundikwa Ish, *How counsellor-grandmothers of Zimbabwe are averting a mental health crisis*, Aljazeera, January 2024

“Even today, **the impact of socioeconomic hardships** resulting from a faltering economy, high unemployment and the highest inflation rate in the world along with an **ailing healthcare system** have made the Southern African country fertile ground for **depression, post-traumatic stress disorder, domestic violence and suicide**. According to the World Health Organization (WHO), **Zimbabwe has one of the highest suicide rates in Africa**”.

Source: Alysha Miller, *Initiatives supporting mental health in Zimbabwe*, The Borgen Project, 14 October 2024.

“As of 2024, Zimbabwe’s population stands at approximately **16 million**, highlighting an **urgent need** to support mental health initiatives as more people require access to care. **Currently, 54% of Zimbabweans lack access to health care** and the **suicide rate is 14 per 100,000 people**. With less than **20 psychiatrists available for the citizens of Zimbabwe**, the mental health care gap is **stark**.”

Source: CHIMBWANDA, Tatenda, *Mental Health Revolution in Zimbabwe: FRIENDZ Project Aims to Reach 1 million People*, July 2023.

“Like most Sub-Saharan African countries, Zimbabwe faces **significant challenges in meeting the Mental Health (MH) care needs** of its population. With **only two psychiatric hospitals and one psychiatrist for every one million people**, the vast majority of Zimbabwe's **14 million population, including the 67.8% living in rural areas, have limited access to MH care**. In addition, MH resources are concentrated in major cities and hospitals, making the integration of MH care at the Primary Health Care (PHC) level of paramount importance.”

Source: WHO, *Special initiative for Mental Health - Situational Assessment*, March 2020.

“Human Resources : **Zimbabwe has a severe shortage of human resources for mental health, with an estimated 18 psychiatrists (17 of them in Harare) or approximately 0.1 per 100,000 population**. There are **917 psychiatric nurses (6.5 per 100,000) and 6 psychologists (0.04 per 100,000)**.”

Source: Hailey Dooley, *The impact of friendship benches on mental health in Zimbabwe*, The Borgen Project, 1<sup>st</sup> December 2022.

“Legislation regarding mental health policy is **outdated**, and the World Health Organization (WHO) has reported that **“There is a shortage of human resources for mental health in Zimbabwe, in part a result of the emigration of locally trained professionals due to economic instability.”** Mental health is an important issue for the citizens of any country. Therefore, mental health care and support are a necessary part of a nation’s health system. **UNICEF Zimbabwe has called for more assistance for youth and adolescents in the wake of the COVID-19 pandemic. Still, the country lacks the resources to address the issue in its entirety.**”

## 7.2. Challenges

In addition with the ongoing socioeconomic and political instability, Zimbabwe's mental health sector faces challenges such as **underfunded services, a shortage of qualified professionals, limited facilities, and outdated legislation**. Among people suffering from these conditions : children and adolescents.

Source: Ministère de l’Europe et des Affaires étrangères. France Diplomatie. Zimbabwe- sécurité. [Unofficial translation] *Ministry of Europe and Foreign Affairs. France Diplomatie. Zimbabwe-*

security.

“Le système de santé publique au Zimbabwe est limité en termes d’efficacité et de moyen, et a été dernièrement très éprouvé par la crise du COVID-19. L’accès à des soins de qualité et l’approvisionnement en médicaments, même courants, n’est pas toujours assuré dans les hôpitaux publics. Il est néanmoins possible de se faire soigner dans des cliniques privées, très onéreuses, et de se procurer la plupart des médicaments dans les pharmacies, également à des tarifs très élevés.”

*“Zimbabwe's public health system is limited in terms of efficiency and resources, and has recently been severely shaken by the COVID-19 crisis. Access to quality care and the supply of even standard medicines is not always guaranteed in public hospitals. However, it is possible to receive treatment in private clinics, which are very expensive, and to obtain most medicines from pharmacies, also at very high prices.”*

Source: GOV.UK. Foreign, Commonwealth & Development Office. *Guidance. Zimbabwe: prisoner pack Zimbabwe*. Updated September 2024.

“**Healthcare provision and quality in Zimbabwe is variable and can be very poor** outside of the major cities. There are **shortages of drugs and trained medical staff in hospitals**, making it **difficult** for hospitals **to treat some illnesses and trauma cases**. **Emergency response capabilities are limited**. Private clinics will **not treat patients until they pay and often require large amounts of cash before they will admit emergency cases**, even if you have travel insurance. Many businesses in Zimbabwe will **only accept US dollars in cash**, rather than credit or debit cards. This includes some medical providers. Medical costs, particularly for evacuation, can be high.”

Source: GOV. SPAIN Ministerio de Asuntos Exteriores, Unión Europea y Cooperación. *Recomendaciones de viaje: Zimbabwe*. [Unofficial translation] *Ministry of Foreign Affairs, European Union and Cooperation. Travel Tips: Zimbabwe*.

“Las condiciones del sistema público de salud están muy deterioradas tanto por la carencia de medios como de personal cualificado. La atención médica y hospitalaria sólo es recomendable para dolencias menores; para el resto de los casos es preferible acudir a una clínica privada (como Trauma Center). La atención médica privada se paga por adelantado.”

*“The conditions of the public healthcare system are severely deteriorated due to a lack of resources and qualified personnel. Medical and hospital care is only advisable for minor ailments; in other cases, it is preferable to visit a private clinic (such as Trauma Center). Private medical care must be paid for in advance.”*

Source: WHO, *Special initiative for Mental Health - Situational Assessment*, March 2020.

“**Ongoing socioeconomic and political instability remain a primary challenge**. Psychiatric units outside of Harare need refurbishment and more robust staffing. Additionally, there is a **lack of funding for medication, human resources, and mental health promotion** in both **psychiatric hospitals and community-based care**. [...]

**Governance** : Within the Ministry of Health and Child Care (MoH), **the Department of Mental Health provides general oversight of mental health care in Zimbabwe**. The **head office has three staff members**, including a Deputy Director, a Program Manager, and an Executive Assistant for the Mental Health Review Tribunal; this is the board that oversees aspects of forensic mental health services. At the Provincial level, there are **eight Provincial Mental Health Coordinators**. These

oversee mental health activities in each province and coordinate implementation of mental health programs. They are also supposed to work with district mental health focal persons in each District; these are meant to be mental health nurses, supervised by the District Nursing Officer. Though these positions have technically been appointed, **none are currently funded or operational.** [...]

Economic instability has led to a substantial **brain drain**, with **trained specialists leaving the country or practicing in other areas of medicine.** Though there is a relatively large number of psychiatric nurses in Zimbabwe, **many have diverted to HIV-related care** given increased funding, primarily from international donors, for these areas of health services. [...]

**Healthcare Facilities for Mental Health** : There are only **two psychiatric hospitals**, two psychiatric inpatient units, and seven outpatient mental health facilities **functioning in all of Zimbabwe.** Most are in the public sector. **Some facilities have been closed** or are **low-functioning** due to inadequate resources for maintenance and repair though the Harare Psychiatric Unit has recently been refurbished through a partnership with Médecins Sans Frontières. **Most of the country's rural population is unserved by mental health services.** (...) Both specialist mental hospitals noted **a lack of trained, qualified staff to provide psychosocial interventions.** **Forensic facilities are responsible for a large proportion of mental health services in Zimbabwe; most patients at the forensic hospital sleep on the floor, and prison guards have been asked to care for patients.** [...]

The country faces some complexities in treating people with mental illnesses. **Legislation that supports mental health needs revising, as it has not been revised since 1999.** There is a **shortage of human resources for mental health in Zimbabwe**, in part a result of the emigration of locally trained professionals due to economic instability.”

Source: Ministry Of Health and Child Care, UNICEF and WHO, *A case for mental health of children and adolescents in Zimbabwe*, October 2023.

**“Children and adolescents are largely overlooked when it comes to mental health issues, also in Zimbabwe.** The 2019 Multiple Indicator Cluster Survey provides one of the rare data available on mental health of children and adolescents in Zimbabwe. It indicates that **among adolescents aged 15-17 years, 2 percent suffer from depression and 3 percent from anxiety** (...) Zimbabwe **continues to fight the HIV epidemic.** Despite significant progress in containing the spread of the disease since the late 1990s, **the prevalence of HIV in Zimbabwe remains higher than the regional average for sub-Saharan Africa.** UNAIDS estimates that nearly **12% of Zimbabweans aged 15–49 are living with HIV.** **A link has been observed between HIV and depression**, as nearly **one third of people living with HIV in sub-Saharan Africa are affected by depression.**”

### **7.3. Projects under the WHO's Special Initiative for Mental health, Zimbabwe**

By supporting local NGOs such as Friendship Bench or Zimbabwe Life Project but also dedicated projects like the Friendz project, the WHO's Special Initiative for Mental Health has made **strides in increasing awareness, training health care providers and integrating mental health care with primary health services.** Moreover, grandmothers revolutionize mental health in Zimbabwe.

Source: World Health Organization, *Zimbabwe : WHO Special Initiative for Mental Health.*

**“In 2020, Zimbabwe brought together over one hundred stakeholders to support the development of its strategy for WHO's Special Initiative for Mental Health.** The strategy focuses on; (i)

**strengthening mental health governance** and leadership; (ii) **sustainable financing** for mental health; (iii) expanding access to **quality and affordable mental health** and allied services (including scale-up of Zimbabwe's Friendship Bench); (iv) **training and management** of the mental health workforce and allied human resources; (v) **strengthening mental health information** management system and research; and (vi) improving the **country's capacity to respond to humanitarian crises**, including COVID-19."

Source: Alysha Miller, *Initiatives supporting mental health in Zimbabwe*, The Borgen Project, 14 October 2024.

"These programs provide **training to equip mental health professionals and caregivers with the skills needed to offer effective mental health support**. Between 2021 and 2022, **the WHO's Special Initiative for Mental Health increased investments in mental health**. Furthermore, it **expanded the capacity of general health staff in primary health care centers to identify and assist Zimbabweans experiencing mental disorders**. The initiative **emphasizes the importance of human rights** for those struggling with mental health, including access to information and the right to privacy. This approach fosters a more inclusive and supportive environment. [...]

**The Zimbabwe Life Project (ZLP), established in 2018, is a nonprofit organization that promotes mental health, well-being and resilience in Zimbabwe**. The organization seeks to develop a **skills exchange program involving mental health professionals in Zimbabwe**. This initiative will **facilitate participatory exchanges of knowledge, skills and experiences**. A primary objective is to **share specialized mental health expertise and foster positive partnerships between mental health professionals in the U.K. and Zimbabwe**. Furthermore, ZLP initiatives focus on **continuous, comprehensive mental health care in Zimbabwe**. In 2019, the organization donated medical equipment worth more than \$20,000 to the nation. [...]

**However, focused efforts are underway to improve mental health systems, foster global collaboration and provide essential knowledge and resources to those in need. International organizations like the WHO have supported Zimbabwe's mental health sector. Indeed, programs like the WHO's Special Initiative for Mental Health and the ZLP have made strides in increasing awareness, training health care providers and integrating mental health care with primary health services**. These initiatives aim to treat mental illness and promote long-term resilience and well-being across communities."

Source: WHO, *Special initiative for Mental Health - Situational Assessment*, March 2020.

"They are a potential resource for delivering mental health services in the context of HIV care. **Zimbabwe's mental health system and strategies also have several strengths**. First, the country has **invested in mental health training for general nurses and doctors in order to decentralize mental health services**. Second, **the prevalence estimates of priority mental disorders in Zimbabwe do not differ significantly from other countries in the southern sub-Saharan region**. Third, Zimbabwe is home to **an innovative program called the Friendship Bench, which receives international funding and attention, and has demonstrated effectiveness at treating people with depressive symptoms through lay counselors**. The program also **functions out of primary health care facilities**. **Zimbabwean researchers in the field of psychiatry are leading contributors to some of the central questions in mental health implementation research, and Zimbabwe continues to build research capacity for African mental health investigators**. At the same time, **implementation of existing mental health policies and strategies may facilitate greater treatment coverage of priority mental disorders and suicide prevention**."

Source: Africa News, Grannies on Friendship Bench help Zimbabweans deal with mental health issues, August 2024.

**“Older people are at the centre of a homegrown form of mental health therapy in Zimbabwe that is now being adopted in places like the United States. (...) The approach involves setting up benches in quiet, discreet corners of community clinics, in some churches, poor neighbourhoods, and at a university. The therapy is inspired by traditional practice in Zimbabwe in which grandmothers were the go-to people for wisdom in rough times. It had been abandoned with urbanisation, the breakdown of tight-knit extended families and modern technology. Now, it is proving useful again as mental health needs grow. (...) The network, which now partners with the health ministry and the World Health Organization, has grown to over 2,000 grandmothers across the country. In 2023, over 200,000 Zimbabweans sat on a bench to get therapy from a trained grandmother the network said.”**

Source: CHIMBWANDA, Tatenda, *Mental Health Revolution in Zimbabwe: FRIENDZ Project Aims to Reach 1 million People*, 17 July 2023.

**“To address the urgent need for expanded MH services at the PHC level, the Ministry of Health, and Child Care (MoHCC) in Zimbabwe, with support from the World Health Organization (WHO) Zimbabwe, officially launched the FRIENDZ project on 12 July 2023. The project aims to scale up the assessment and management of priority mental, neurological, and substance abuse disorders, extending from community to primary and tertiary health care levels in Zimbabwe. The ambitious goal is to reach a total of over one million people by 2025 with quality MH services. The initiative took off during a breakfast meeting at Newlands Country Club in Harare and will be implemented in four provinces, namely, Mashonaland East, Mashonaland Central, Harare, and Matabeleland North, over a three-year period. The FRIENDZ project is part of the Zimbabwe Special Initiative for Mental Health and implemented in partnership with WHO and Friendship Bench.”**

Source: Hailey Dooley, *The impact of friendship benches on mental health in Zimbabwe*, The Borgen Project, 1<sup>st</sup> December 2022.

**“Since 2006, the Friendship Bench has trained more than 600 mentors to offer support on benches in communities around Zimbabwe. These volunteers offer assistance using techniques based on cognitive behavioral therapy and are often from the communities in which they practice. This connection allows a deeper understanding of the struggles that community members face. Citizens engage in positive dialogue with these volunteers, usually in 45-minute segments. In the past 16 years, the project has extended to Malawi, Zanzibar and New York City. In the future, it plans to expand in order to offer more care for youth and adolescents. Results indicated that ‘the group from the Friendship Bench had a significant decrease in depressive symptoms, compared to the control group.’ These impacts on mental health in Zimbabwe prove that projects like this may be effective in countries with poor mental health resources.”**



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