

ZIMBABWE 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Zimbabwe is constitutionally a republic. President Robert Mugabe, his Zimbabwe African National Union-Patriotic Front (ZANU-PF) party, and its authoritarian security sector have dominated the country since independence in 1980. Presidential and parliamentary elections held in 2013 were free of the widespread violence of the 2008 elections, but the process was neither fair nor credible. There were numerous factors that contributed to a deeply flawed election process: A unilateral declaration of the election date by the hastily convened and politically compromised Constitutional Court, formed after the country adopted a new constitution; a heavily biased state media; a voter registration process that did not comply with the law and that skewed registration towards supporters of the ruling party; partisan statements and actions by security forces, and active-duty personnel standing for office in contravention of the law; limitations on international observers; failure to provide a publicly useful voters' register; and a chaotic separate voting process for the security sector. Two of the three partners in the 2009 coalition government opposed the election date, citing the lack of previously agreed reforms in the Southern African Development Community (SADC)-mediated Global Political Agreement (GPA). The courts dismissed challenges filed after the elections by non-ZANU-PF parties. The elections resulted in the formation of a unitary ZANU-PF government led by President Mugabe and Vice President Joice Mujuru, and ZANU-PF supermajorities in both houses of Parliament. Authorities failed at times to maintain effective control over the security forces.

The most important human rights problems remained the government's targeting for torture, abuse, arrest, and harassment members of non-ZANU-PF parties and civil society activists; partisan application of the rule of law by security forces and the judiciary; and restrictions on civil liberties.

There were many other human rights problems. Prison conditions were harsh. Lengthy pretrial detention, denial of bail, and lack of access to legal representation were problems. The government's expropriation of private property continued. Executive political influence and interference in the judiciary continued, and the government infringed on citizens' privacy rights. The government generally failed to investigate or prosecute state security or ZANU-PF supporters responsible for violence. Authorities restricted freedoms of speech, press, assembly, association, and movement. The government continued to evict citizens; invade farms, private

businesses and properties; and demolish informal marketplaces and settlements. Security forces beat, arrested, and detained internally displaced persons (IDPs). The government impeded efforts by nongovernmental organizations (NGOs) to assist those displaced and other vulnerable populations. The government arrested, detained, prosecuted, and harassed NGO members. Government corruption remained widespread, including at the local level. Violence and discrimination against women; child abuse; trafficking of women and children; and discrimination against persons with disabilities, racial and ethnic minorities, lesbian, gay, bisexual, and transgender (LGBT) persons, and persons with HIV/AIDS were problems. The government interfered with labor-related events.

The government took limited steps to punish security sector officials and ZANU-PF supporters who committed violations, but impunity continued to be a problem.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

Unlike in the previous year, there were reports the government or its agents committed arbitrary or unlawful killings. Progress in cases that occurred in previous years was slow, and most cases remained open. Police units sometimes organized or participated in political violence. Security sector impunity stemming from politically motivated abuses remained a problem.

On November 1, state-owned media reported that three Zimbabwe Republic Police (ZRP) officers fatally assaulted Mugove Manonge, a taxi driver, following a dispute at a police roadblock over a \$10 bribe. Authorities arrested the three police officers on November 3. On November 6, the officers appeared before the magistrate's court facing murder charges and were remanded in custody pending their next hearing.

With few exceptions, investigations remained pending for previous cases of violence resulting in death committed by security forces and ZANU-PF supporters.

During the year police closed the 2013 case of 12-year-old Christpower Maisiri due to insufficient evidence. Maisiri, the son of a well known local Movement for Democratic Change-Tsvangirai (MDC-T) activist in Makoni, was killed when the family's hut was firebombed. ZANU-PF supporters had previously targeted the Maisiri family on multiple occasions.

Police and the prosecutor general failed to arrest or prosecute senior or well known ZANU-PF supporters for violence in previous years.

Impunity for past politically motivated violence remained a problem.

There were limited advances in holding legally accountable those responsible for the killings of at least 19 citizens who died of injuries sustained during the 2008 political violence that targeted opposition party members; more than 270 others were also killed that year. Observers believed the primary perpetrators of the violence were members of ZANU-PF, including the party's youth militia, and individuals identifying themselves as war veterans. In July the High Court convicted and sentenced to 15 years' imprisonment four ZANU-PF youths for the 2008 killing of an MDC-T supporter in Kadoma.

Unwillingness to acknowledge past atrocities continued to influence Shona-Ndebele relations negatively. In 2012 ZANU-PF then defense minister Emmerson Mnangagwa referred to the 1980s mass killings of Ndebele Zimbabweans known as the Gukurahundi as a "closed chapter." (Approximately 20,000 persons were killed during the 1980s because of a government-sanctioned crackdown on persons believed to be insurgents in the Matabeleland and Midlands regions.)

b. Disappearance

There were credible reports of politically motivated abductions during the year. Human rights groups reported state security agents abducted and tortured MDC-T members as part of an effort to intimidate them. There were no reports of authorities punishing any perpetrators.

On February 16, suspected state security agents abducted three men in two separate incidents. In the first, four men, including two soldiers in uniform, abducted a man wearing an opposition party T-shirt. Soldiers assaulted the man and told him the MDC-T would never rule. The victim later escaped. In the second incident, five men abducted and, according to a credible NGO, tortured two MDC-T party activists, also wearing opposition party T-shirts. The MDC-T activists reported they were thrown into the back of a truck, blindfolded, and transported to a cabin in an unknown location. They reported their abductors beat, water boarded, and trampled them during the interrogation. After the interrogation ceased, the perpetrators left the cabin, and the activists escaped.

There was no progress in the investigation into the 2013 abduction of Steward Utaunashe, the MDC-T district organizing secretary for Tafara. Three men and one woman alleged to be plainclothes police officers from outside his home reportedly abducted Utaunashe, held him in a vehicle, interrogated and physically abused him, and released him in Rusape six days later.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the constitution prohibits torture and other cruel, inhuman, or degrading treatment or punishment, security forces continued to engage in such practices with impunity and with the implicit support of officials affiliated with ZANU-PF. Police used excessive force in apprehending, detaining, and interrogating criminal suspects. According to NGOs, security forces reportedly assaulted and tortured citizens in custody, including perceived opponents of ZANU-PF. In some cases police arrested the victims of violence and charged them with inciting public violence.

Human rights groups reported the continuance of physical and psychological torture perpetrated by security agents and ZANU-PF supporters. Human rights groups reported torture methods included beating victims with sticks, clubs, whips, cables, and sjamboks (a heavy whip); burning; falanga (beating the soles of the feet); use of electric shocks; solitary confinement; and sleep deprivation.

From January through September, according to one NGO, 139 persons sought treatment for injuries and trauma sustained from security force abuse, compared with 70 persons in 2013. During the same period, the NGO reported that 65 persons sought treatment for injuries and trauma sustained from abuse by ZANU-PF supporters, compared with 284 persons in 2013. Observers attributed the change to ZANU-PF's victory in the 2013 election and the weakened state of the political opposition. Nearly 40 percent of the cases took place in Harare, and the vast majority of the victims were affiliated with the MDC-T.

On May 30, members of an apostolic sect allegedly assaulted police after the president of the Apostolic Christian Council of Zimbabwe informed members their church had been banned for committing abuses of women and girls. By June 2, police supported by ZANU-PF youth arrested 24 members of the church for assaulting the police officers. According to a credible NGO, those arrested alleged police torture while in custody, and the arrested received treatment following their release on bail. The treatment was for serious injuries including ruptured eardrums

and injuries to the soles of the feet. On November 12, the magistrate's court found 11 worshippers guilty of assault and sentenced them to four years in prison. The judge acquitted 26 worshippers for lack of evidence.

Unlike in the previous year, authorities took some action against police accused of torture. According to NGO and media reports, on February 19, a Mutare magistrate ordered two Nyanga-based police officers to pay \$3,000 (U.S. currency used in the country) in damages for torturing Tsitsi Chimhutu in 2013. Police tortured Chimhutu to extract a confession in connection with money stolen from a hotel and casino.

ZANU-PF supporters—often with tacit support from police—continued to assault and mistreat scores of persons, including suspected and known Movement for Democratic Change (MDC) members, their families, civil society activists, and student leaders, especially in neighborhoods of Harare and nearby towns. Violent confrontations between various youth groups aligned with ZANU-PF (known as “Chipangano”), the MDC-T, or the Movement for Democratic Change--Ncube (MDC-N) continued, particularly in urban areas. ZANU-PF supporters were the primary instigators of political violence. Police sometimes arrested the victims of the violence rather than the perpetrators.

On May 4, ZANU-PF supporters attacked 15 MDC-T supporters in Epworth during a political rally led by Morgan Tsvangirai. The victims reported being attacked with metal rods, pelted with rocks, pulled from moving vehicles by their assailants, and assaulted as they were leaving the venue. Police allegedly watched the attack without intervening. When the victims reported the incident at the police station, police arrested and charged them with political violence. Two of the victims were hospitalized for serious head and chest injuries following the assault.

Police occasionally used excessive force to disperse demonstrators, resulting in injuries (see section 2.b.).

Unlike in the previous year, the courts punished ZANU-PF supporters accused of political violence and ordered compensation to the victims. According to court documents, in April the High Court ordered two ZANU-PF supporters from Manicaland to pay \$3,000 in compensation for facilitating the severe assault of Nyasha Gutsire in 2008, whom they suspected of supporting the MDC.

Prison and Detention Center Conditions

Prison conditions remained harsh, partly due to overcrowding in older urban remand facilities, and the renamed Zimbabwe Prison and Correctional Services (ZPCS) struggled to provide adequate food and sanitary conditions. The country's new constitution changed the name of the former Zimbabwe Prison Service and shifted its focus to include rehabilitative as well as punitive measures.

Physical Conditions: There were approximately 17,500 prisoners, including approximately 350 women and 50 juveniles, spread across 47 main prisons and 25 satellite prisons. While some prisons operated below capacity, NGOs reported overcrowding continued due to outdated infrastructure and judicial backlogs. On February 12, President Mugabe issued his expected postelection presidential amnesty for more than 2,000 prisoners. The pardon was widely viewed as a means to reduce overcrowding and the costs of running the prison system.

Prison guards occasionally beat and abused prisoners, but NGOs reported the use of excessive force by prison guards was not systematic and that senior prison officials increased efforts to address the problem.

On June 5, the constitutional court ruled in favor of the NGO Women of Zimbabwe Arise (WOZA) in a case related to their detention in 2011. The court found police violated the constitutional rights of the four WOZA leaders by holding them in overcrowded and inhuman conditions at the Harare Central Police Station. The court ordered authorities to improve physical conditions for those in police custody.

Food shortages were widespread but not life threatening. Prisoners identified as malnourished received additional meals. The harvest of prison farm products provided meals for prisoners, while the sale of some high-value crops such as tobacco allowed authorities to address some supply shortages. Prisoners had limited access to clean water.

Poor sanitary conditions contributed to disease, including diarrhea, measles, tuberculosis, and HIV/AIDS-related illnesses. Lighting and ventilation were inadequate. There were insufficient mattresses, blankets, warm clothing, sanitary supplies, and hygiene products.

Prisoners had access to very basic medical care, with a clinic and doctor at every facility. The ZPCS offered peer education on HIV/AIDS and tested prisoners for HIV only when requested by prisoners or prison doctors. 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. In contrast with the previous year, there were no cases of prisoners with HIV/AIDS being denied access to antiretroviral drugs.

NGOs reported that female prisoners generally fared better than male prisoners did. Authorities held women in separate prison wings and provided for female guards. Prison officials also appeared to have prioritized food distribution to women; moreover, women generally received more food from their families than did male prisoners. The several dozen children under the age of three living with their incarcerated mothers, however, were required to share their mothers' food allocation. NGOs were unaware of female inmates reporting rapes or physical abuse, which were more common among the male inmate population. NGOs suggested that female guards might have been more diligent about protecting female prisoners from abuse or that female prisoners might not have reported abuse. Prisons, with support from NGOs, provided sanitary supplies for women. Officials did not provide pregnant and nursing mothers with additional care or food rations, but the ZPCS solicited donations from NGOs and donors for additional provisions.

There was one juvenile prison. Authorities held juveniles in adult prisons throughout the country while in remand or when older juveniles would benefit from remaining closer to their families. Officials generally tried to place younger juvenile inmates in separate cells. Authorities generally sent juveniles to prison rather than to reformatory homes, as stipulated in the law. Juveniles were particularly vulnerable to abuse by prison officials and other prisoners.

According to the ZPCS, remand prisons were overcrowded, and conditions were by design harsher than in newer facilities. Authorities often held pretrial detainees with convicted prisoners until their bail hearings.

Officials held many detainees in severely overcrowded police facilities. Police used cruel, inhuman, or degrading treatment or punishment against those in custody. Those detained for politically motivated reasons were kept at police stations for days or weeks while their court dates or bail hearings were pending.

Administration: There was no prison ombudsman, but there were statutory mechanisms to allow alternatives to incarceration for nonviolent offenders. Approximately 130 probation officers under the Ministry of Labor and Social Services addressed the status and circumstances of confinement for juvenile

offenders. International monitors noted the professionalism of the ZPCS' recordkeeping procedures, including ensuring prisoners did not serve beyond the maximum sentence for the relevant offense.

Officials generally sent prisoners with confirmed mental disabilities to one of two mental institutions run by the ZPCS, which were separate from mainstream mental health institutions (see section 6).

Authorities permitted prisoners religious observance, and all prisons engaged locally based chaplains to provide basic services. Church groups trained chaplains to provide religious services and life skills classes for prisoners. Churches also conducted spiritual programs in prisons.

Authorities permitted prisoners to submit complaints, but investigations were rare. The ZPCS continued to assess prison conditions periodically but did not release the results of such assessments.

Prisoners and detainees had relatively unrestricted access to visitors, except in maximum-security prisons, where geographic constraints hampered access by relatives of prisoners.

Independent Monitoring: The law provides international human rights monitors the right to visit prisons. Church groups and NGOs seeking to provide humanitarian assistance gained access. All organizations working in prisons reported that their meetings with prisoners occurred without third parties present, and there were minimal restrictions on how they operated within the prisons.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, although some laws effectively weakened these prohibitions. Despite the law, security forces arbitrarily arrested and detained persons, particularly political and civil society activists perceived as opposing the ZANU-PF party. The government continued to enforce laws in conflict with the constitution.

Role of the Police and Security Apparatus

The constitution provides for a National Security Council (NSC) composed of the president, vice president, and selected ministers and members of the security services. The NSC, chaired by the president, is responsible for setting security

policies and advises the government on all security-related problems. The ZRP is responsible for maintaining law and order. Although the ZRP is officially under the authority of the Ministry of Home Affairs, the Office of the President controlled some ZRP roles and missions. The Zimbabwe National Army and Air Force constitute the Zimbabwe Defense Forces (ZDF), under the Ministry of Defense. They are responsible for external security, but the government sometimes used them for domestic operations. The Central Intelligence Organization (CIO), under the minister of state for presidential affairs, is responsible for internal and external security. All security sector chiefs report directly to the president, who is commander in chief of all security services.

The police were ill equipped, underpaid, and poorly trained, particularly at the lower levels. A lack of sufficient fuel and resources reduced police effectiveness. Poor working conditions, low salaries, and high rates of dismissal resulted in corruption and high turnover. Implicit assurances of impunity and a culture of disregard for human rights contributed to police use of excessive force in apprehending and detaining criminal suspects. Ignorance of the new provisions of the constitution compromised the quality of police work.

Authorities infrequently held security forces accountable for abuses. Senior government officials often dismissed allegations of excessive force and physical abuse, claiming such actions were necessary to maintain public order. Authorities routinely ignored court orders for investigations into allegations of abuse. ZRP leadership loyal to ZANU-PF stifled, derailed, or did not authorize the efforts of those police who sought to investigate political violence and corruption. Police were reluctant or refused to record reports of politically motivated violence or property destruction perpetrated by ZANU-PF-aligned individuals against political opponents, often blaming the lack of fuel for vehicles for their failure to investigate.

The continued politicization of the ZRP's upper echelons, mostly composed of war veterans loyal to ZANU-PF, made it difficult for lower-ranking police to remain politically impartial. There were reports of police and army personnel suspected of being sympathetic to the MDC's or other political parties' being threatened with demotion, suspension, incarceration, or transfer to remote areas. Most low-ranking personnel lived in ZRP-provided housing, which allowed the monitoring of their personal activities. Many security officers openly wore ZANU-PF regalia on and off duty, especially in rural areas. Media reported ZRP personnel were ordered to buy ZANU-PF electronic membership cards.

There were reports authorities investigated and arrested corrupt police officials for criminal activity during the year, as well as reports of police officers who were punished or arrested on arbitrary charges for failing to obtain or share illicitly gained funds.

Government efforts to reform the security forces were minimal, and there were no reports of disciplinary actions against security officers who erred in ZANU-PF's favor in their official conduct. Training on allegiance to ZANU-PF for securing the country's sovereignty was commonplace, while authorities rarely provided training on nonpartisan implementation of the rule of law or human rights.

There were no internal or external entities to investigate abuse by the security forces.

The ZRP and ZDF did not recruit new members at high rates, but both organizations continued to make frequent exceptions for potential recruits who did not meet typical requisite academic and physical requirements. Both the ZDF and ZRF used quotas to balance ethnic group representation as required by law. Authorities made little effort to include women in the upper echelons of the security services.

Arrest Procedures and Treatment of Detainees

The law stipulates that arrests require a warrant issued either by a court or senior police officer and that police inform an arrested person of the charges before taking the individual into custody, but police did not respect these rights. The law requires a preliminary hearing before a magistrate within 48 hours of an arrest. According to the constitution, only a competent court can extend the period of detention.

The law provides for bail for most accused persons. High court judges at times granted bail independently. In some cases persons arrested and denied bail were detained for weeks or months.

Authorities often did not allow detainees prompt or regular access to their lawyers and often informed lawyers who attempted to visit their clients that detainees were unavailable. This occurred with cases involving MDC members, civil society activists, and ordinary citizens. Police denied IDPs arrested at the Chingwizi transit camp access to their attorneys for two days. Authorities sometimes denied family members access unless accompanied by an attorney, and at times family

members were denied access in politically sensitive cases. In contrast with the previous year, there were few cases of detainees, particularly high-profile detainees, being held incommunicado.

The government also continued to harass and intimidate human rights lawyers when they attempted to gain access to their clients. In 2013 Beatrice Mtetwa, a well known lawyer and human rights defender, was arrested when she demanded to see a copy of the search warrant at the home of a client that was being searched. A court acquitted Mtetwa but prosecutors appealed the decision.

On May 8, authorities arrested Trust Maanda, a respected human rights lawyer, and charged him with obstructing justice. Maanda was representing former diamond mining employees suing the government for compensation stemming from their inhuman and degrading treatment by police.

Arbitrary Arrest: The government continued to use arbitrary arrest and detention as tools of intimidation and harassment, especially against non-ZANU-PF government officials, political activists, civil society members, student activists, journalists, and ordinary citizens asserting their rights. There were numerous reports that security forces arbitrarily arrested political and civil society activists and then released them the next day without charge.

For example, on January 28, police arrested and detained for two days five civil society leaders for attending a meeting with residents of Chitungwiza concerning the proposed demolition of their homes. Police charged the five with failing to notify police of their intention to hold a public gathering. Authorities declined to prosecute the civil society leaders after conceding none of those arrested convened the meeting.

Between May 30 and June 2, police arrested 24 apostolic sect worshippers accused of assaulting police officers in Budiriro. The arrests were reportedly indiscriminate, and police made no effort to identify which worshippers participated in the assault. Lawyers for the accused complained police rounded up any worshipper found in the area.

On August 2, police arrested nearly 300 IDPs at the Chingwizi transit camp after some resisted efforts by the government to resettle them before providing compensation for their lost properties in the Tokwe-Mukosi area. The government charged 29 of those arrested with public violence.

Pretrial Detention: In contrast with the previous year, prolonged pretrial detention was more limited. Delays in pretrial procedures were still common due to a continued shortage of magistrates and court interpreters, poor bureaucratic procedures, the low capacity of court officials, and a lack of resources. Four of 29 MDC-T activists arrested in 2011 were denied bail on six occasions and remained in custody for 33 months before their release in January. Rebecca Mafikeni, MDC-T Youth Assembly deputy organizing secretary, died of illness in August 2013 while in detention.

Other prisoners remained in prison because they could not afford to pay bail, which remained exorbitant in view of economic conditions in the country. Magistrates rarely exercised the “free bail option” in which they have discretion to waive bail for destitute prisoners. Lawyers reported juveniles usually spent more time in pretrial detention than adults did because they could not attend court unless a parent or guardian accompanied them. Authorities occasionally did not notify parents of a juvenile’s arrest or the closest kin of an adult detainee’s arrest.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but executive influence and interference remained a problem. In contrast with the previous year, the judiciary demonstrated greater independence and, despite being under intense pressure to conform to government policies, courts ruled in favor of citizens seeking to realize their constitutionally mandated rights.

For example, on August 6, the Harare High Court found the purported police ban on demonstrations planned by railway unions unlawful and a violation of the constitution. Railway workers conducted demonstrations subsequent to the ruling.

The government often refused to abide by judicial decisions and routinely delayed payment of court costs or judgments awarded against it in civil cases. Judicial corruption was widespread, extending beyond magistrates and judges. NGOs reported that senior government officials continued to undermine judicial independence, including by giving farms and homes to judges.

Magistrates heard the vast majority of cases. Legal experts claimed defendants in politically sensitive cases were more likely to receive a fair hearing in magistrates’ courts than in higher courts, where justices were more likely to make politicized decisions. In contrast with previous years, high court judges overturned some convictions of opposition party defendants by magistrates’ courts. ZANU-PF

sympathizers used threats and intimidation to force magistrates, particularly rural magistrates, to rule in the government's favor. In politically charged cases, other judicial officers not covered by the law, such as prosecutors and private attorneys, also faced pressure, including harassment and intimidation. Some urban-based junior magistrates demonstrated a greater degree of independence and granted MDC and civil society activists bail against the government's wishes.

Trial Procedures

The constitution provides for the right to a fair trial, but political pressure frequently compromised this right. Defendants enjoy a presumption of innocence under the law, although courts did not always respect this right. Magistrates or judges held trials without juries, and trials were open to the public except in cases involving minors or state security matters. Assessors, in lieu of juries, could be appointed in cases in which the offense could result in a death penalty or lengthy prison sentence. Every defendant has the right to a lawyer of his or her choosing, but most defendants in magistrates' courts did not have legal representation. In criminal cases an indigent defendant may apply to have the government provide an attorney, but this request was rarely granted except in capital cases, where the government provided an attorney for all defendants unable to afford one. Litigants in civil cases may request free legal assistance from the Legal Resources Foundation or the Zimbabwe Lawyers for Human Rights (ZLHR).

Authorities sometimes denied attorneys access to their clients, especially in cases involving MDC members or civil society activists and occasionally in cases involving ordinary citizens. Defendants have the right to present witnesses and evidence on their own behalf and to confront adverse witnesses, but these rights were not always observed. Defendants and their attorneys have the right to access all government-held evidence relevant to their cases, although this right often was not respected. Conviction requires proof beyond a reasonable doubt, and the prosecution bears the burden of proof. The right to appeal against both conviction and sentence exists in all cases, and it is automatic in cases in which the death penalty is imposed.

Unlike in normal criminal proceedings, which proceed from investigation to trial within months, in cases of members of political parties or civil society critical of ZANU-PF, prosecuting agents regularly took abnormally long to bring accused persons to trial. As with many other cases in which government opponents were granted bail (see section 1.d.), the state did not conclude investigations and set a trial date, but instead chose to "proceed by way of summons." This left the threat

of impending prosecution remaining over the accused person, with the accused person eventually being called to court, only to be informed of further delays. The prosecutors and police routinely retained material confiscated from the accused as evidence.

Abel Chikomo, the head of the human rights NGO Forum, was summoned nearly a dozen times to attend various trial dates for a case that began in early 2011. Each time he appeared at court, he was informed the matter was adjourned and the court would “proceed by way of summons,” or the hearing would be postponed another week or month. In late 2013 a court acquitted Chikomo of all charges. Leaders of some of the country’s prominent human rights organizations were similarly waiting for a summons to answer to charges, typically related to their organization’s registration.

Government officials frequently ignored court orders in such cases, delayed bail and access to medical care, and refused to enforce court orders related to land disputes.

The public had fair access to the courts of law, particularly the magistrates’ courts, although observers reported occasional physical and procedural impediments.

Political Prisoners and Detainees

There were reports of individuals arrested for political reasons throughout the year, including MDC officials, their supporters, NGO workers, and civil society activists; however, such reports were fewer in number than in 2013. Authorities held many such individuals for one or two days and released them, while they held others for weeks. Political prisoners and detainees did not receive the same standard of treatment as other prisoners or detainees, and prison authorities arbitrarily denied access to political prisoners. Unlike in the previous year, there were no reports police beat and physically abused political and civil society activists while they were in detention.

In November 2013, after spending three months in pretrial detention, a court found Morgen Komichi, MDC-T deputy national chair, guilty of electoral fraud and sentenced him to community service in lieu of 18 months’ imprisonment. In 2013 police arrested Komichi after he reported irregularities during the special voting process to the Zimbabwe Electoral Commission (ZEC). Komichi’s observations--that ineligible persons were able to vote and that ZEC officials had recorded some police officers as having voted when they had not done so--as well as his delivery

of an envelope containing the voting papers of a specific officer who had not voted, resulted in his arrest.

Civil Judicial Procedures and Remedies

Civil judicial procedures allow for an independent and impartial judiciary, but the judiciary was subject to political influence and intimidation, particularly in cases involving high-ranking government officials, politically connected individuals, or violations of human rights.

Lack of judicial and police resources contributed to problems enforcing domestic court orders. In contrast to the previous year, the government paid restitution to numerous individuals who won their cases during the year.

Regional Human Rights Court Decisions

The African Commission on Human and People's Rights based in The Gambia and mandated by the African Union (AU) hears cases when member countries' internal remedies have been exhausted or do not exist, although it lacks an enforcement mechanism to ensure compliance.

The SADC Tribunal, suspended in 2010, was re-established in modified form at the 2014 SADC summit of heads of state. The tribunal's mandate is limited to interstate cases, however, and the tribunal is unavailable to SADC citizens.

On October 30, South Africa's constitutional court ruled the South African Police Service (SAPS) must investigate allegations of torture committed by Zimbabwean police against opposition party activists following a raid on Harvest House in 2007. The decision settled SAPS' appeal of the 2013 ruling by the South African Supreme Court of Appeals, which had compelled them to investigate the crimes. The dossier that initiated the case named senior security and ruling party officials under the doctrine of command responsibility. The court decision means these officials could be subject to arrest if they visited South Africa; many ZANU-PF officials regularly visited South Africa for business or medical treatment.

Property Restitution

The constitution stipulates the government must compensate persons for improvements made on land subsequently taken by the government but does not set a timeline for the delivery of compensation. The government rarely provided

restitution or compensation for the taking of private property, and police did not take action against individuals who seized private property without having secured sanction from the state to do so.

Overall, support was uneven and inconsistent for households resettled from the allocated diamond mining grounds of Marange in Chiadzwa to a government-owned agricultural estate outside Mutare. As of year's end, authorities relocated more than 1,400 families, dozens of whom did not obtain houses. Each household was entitled to receive \$1,000 for relocation, although reportedly only a handful received the money. Most of the relocated families did not receive any compensation, while the government classified them as "people with no recognizable legal rights or claim to the land that they are occupying," citing their former land as now state land, despite customary and traditional rights to the contrary.

Authorities moved some relocated households to lands inappropriate for construction, including wetlands, resulting in damaged homes or unlivable conditions. The relocated households also faced numerous challenges, including lack of access to water, arable land, and employment opportunities as well as shoddily constructed and unsafe houses and loss of livelihoods. As of year's end, the government did not complete appraisal of the land and property lost by each family for the purpose of property restitution. An estimated 2,910 families in the diamond areas of Marange in Chiadzwa remained in limbo without a timeframe or destination for their impending relocation. NGOs noted the diamond mining area had expanded and additional families could be affected. The government prohibited residents from engaging in agriculture or other economic activities around the mining concessions. The government also failed to give land or homes to persons with rural households who worked in urban areas (a common practice in the country), accusing those persons of encroaching in the mining areas, notwithstanding acknowledgement by traditional leaders that such persons were based in the disputed areas for generations. Displaced families do not have security of tenure.

The government also failed to compensate most of the IDPs relocated forcefully from the Tokwe-Mukosi area during February flooding. Approximately 3,125 families required compensation.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, but the government did not respect these prohibitions. Security forces searched homes and offices without warrants or with warrants obtained under false pretenses, and government officials pressured local chiefs and ZANU-PF loyalists to monitor and report on persons suspected of supporting political parties other than ZANU-PF. The government forcibly displaced persons from their homes. Government entities manipulated the distribution of government-provided food aid, agricultural inputs, and access to other government assistance programs to exclude suspected MDC supporters and to compel support for ZANU-PF.

The law permits the interception and monitoring of any communication (including telephone, postal mail, e-mail, and internet traffic) in the course of transmission through a telecommunication, postal, or other system in the country. Civil liberties advocates claimed the government used the law to stifle freedom of speech and target political and civil society activists.

According to local human rights and humanitarian NGOs, sporadic evictions continued during the year. In March police evicted approximately 400 families from farms in Mazowe. Media reported the evictions were carried out to accommodate plans to expand the first family's holdings in the area.

Land seizures remained a serious problem. A 2005 constitutional amendment transferred title of all land previously acquired for resettlement purposes to the government, prohibited court challenges to the acquisitions, and allowed the government to acquire any agricultural land for any purpose simply by publishing a notice of acquisition. The 2006 Gazetted Land (Consequential Provisions) Act requires all farmers whose land the government forcibly seized and who were not in possession of an official offer letter, permit, or lease to cease to occupy, hold, or use that land within 45 days and to vacate their homes within 90 days. Only a small number of farmers received an offer letter or lease. Failure to comply is a criminal offense punishable by a fine and a maximum prison sentence of up to two years. The act primarily was used to target the approximately 4,500 large-scale and primarily white-owned farms in the country for seizure and redistribution to black citizens, particularly ZANU-PF officials and supporters.

The continued use of that act led to instability and lack of confidence in the agriculture sector as well as a shortage in near- and long-term investment for crop production or development. The "offer letters" could be terminated for a variety of reasons, without legal recourse or compensation for any past improvements made

to the land. They cannot be used as collateral for loans with any banks since they are not secure and are nontransferable.

According to the attorney general and Ministry of Lands, every white-owned farm in the country was gazetted (officially announced as available in state media) and was effectively state property. According to the Commercial Farmers Union of Zimbabwe, after a property was gazetted, it was transferred to a politically connected individual at the first available opportunity. The exact number of remaining white commercial farmers was unknown, although they continued to be targeted, harassed, and threatened with eviction by farm beneficiaries, unemployed youth, and individuals hired by those standing to benefit. Abuse of the land reform laws continued, with invasions and seizures of noncommercial land on the privately owned wildlife conservancies in Masvingo Province and with the collusion of high-ranking government officials and provincial ZANU-PF party structures and leaders.

Although most of the white-owned farms were gazetted and forcibly seized, the title deed holders were not compensated for the loss of their homes or properties, where most of their life earnings were invested. Approximately 180 to 230 farmers accepted a settlement worth 5 to 10 percent of the value of their investment. As a result, like their former farm workers whom the new beneficiaries of the farms evicted, there were scores of destitute elderly former farmers.

Farm allocations continued to be politicized and used as a reward for political support to ZANU-PF. Beneficiaries divided many reallocated farms near cities for sale as small residential lots and sold them for personal gain without any compensation to the title deed holders.

On August 2, Raymond Ndhlukula, deputy chief secretary in the president's office, seized a farm near Figtree, Matabeleland South, while police watched. David Conolly, the lawful owner of the property, approached the courts for protection and received a high court injunction against the seizure. When Conolly confronted Ndhlukula about the high court order, Conolly alleged Ndhlukula stated he was a senior civil servant and "white people could not come before the courts of Zimbabwe regarding land matters." Ndhlukula's workers camped out on the property, intimidating Conolly and eventually forcing him off the property. The matter was pending before the courts as of October.

The government continued to threaten ranch owners with expropriation in the Save Valley Conservancy (SVC) in Masvingo. Beginning in 2010 the government created an “indigenization” plan for the SVC. Under the plan the government granted 25-year leases for SVC properties to 37 politically connected partners, including several ZANU-PF supporters. Since 2010 SVC ranch owners resisted acquisition of SVC properties by the partners imposed on them. These “indigenous partners” received a sizable share of the SVC’s hunting permits from the Zimbabwe Parks and Wildlife Management Authority (“Parks”), causing a loss of income for the ranch owners. None of the new partners invested or provided value to the SVC properties and, after complaints by longtime SVC owners and the international community, President Mugabe ordered the problems solved or the SVC would face the risk of nationalization. In May the government announced the hunting permits issued to the partners in the SVC would be rescinded, and in June the government announced Parks would assume control of all SVC properties not protected by bilateral investment agreements.

There were reports of farmers forced off their farms, despite being in possession of a court order allowing them to remain on the property, and denied the opportunity to collect their personal belongings. Black farm workers on white-owned farms were beaten, intimidated, or displaced. Police in most cases did not intervene while invaders and looters carried on their activities, nor did police enforce court judgments evicting squatters on illegally seized properties.

On May 10, individuals with axes attacked an elderly farmer and his daughter, Malcolm and Catherine Francis, on their farm Mashonaland Central. Both died in the hospital from injuries suffered during the attack. Motivations for the attack were unclear, but NGOs and others suspected the involvement of politicians who might have hired someone to kill the family after realizing they could not take the farm legally because the Francis family had an offer letter.

On August 19, an intruder broke into the home of David and Mary Ann Passaportis at their game ranch in Mashonaland West. The intruder assaulted the couple with a club, fractured David Passaportis’ skull, and severely injured his wife. According to media reports, a magistrate sentenced three individuals to 12 years’ imprisonment for assaulting and robbing the couple. Media also reported the three were linked to the killings of other farmers, including Malcolm and Catherine Francis.

Farmers’ unions and NGOs believed invasions intensified after the SADC’s 2010 decision to suspend its tribunal. In previous years the tribunal found the

government in contempt of a 2008 tribunal ruling by allowing invasions, arrests, and prosecutions of evicted commercial farmers.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and press, but the law limits these freedoms in the “interest of defense, public safety, public order, state economic interests, public morality, and public health.” The government continued to arrest, detain, and harass its critics, and journalists practiced self-censorship.

Freedom of Speech: Security authorities continued to restrict freedom of speech and arrest individuals, particularly those who made or publicized comments critical of President Mugabe or made political statements opposing ZANU-PF or the government’s agenda. CIO agents and informers routinely monitored political and other meetings. Authorities targeted persons deemed to be critical of the government for harassment, abduction, interrogation, and physical abuse.

The ZLHR stated that by September it had assisted more than 106 individuals whom police had arrested for violating Section 33 of the Criminal Law (Codification and Reform) Act, which authorities routinely invoked against political and human rights activists as well as ordinary citizens for allegedly making seemingly innocuous jokes about the president.

On May 3, authorities at the Harare airport denied entry to the musical group Freshly Ground, scheduled to headline the annual Harare International Festival of the Arts. Authorities maintained the group filed their paperwork late, but the media widely reported the group’s 2010 hit song entitled “Chicken to Change,” which criticized President Mugabe, led to the decision.

On July 22, the Constitutional Court ruled that section 31 of the Criminal Law Act, which criminalizes publishing or communicating false statements prejudicial to the state, was unconstitutional. Section 31 made the publication of false statements likely to undermine public confidence in the uniformed forces a crime punishable with a high fine and prison sentence of up to 20 years. In previous years authorities arrested and charged several journalists under the criminal code.

Press Freedoms: The government continued to restrict freedom of the press. The Ministry of Media, Information, and Publicity continued to control the state-run

media tightly. High-ranking ZANU-PF officials used the media to threaten violence against critics of the government.

Despite threats and pressure from the government, independent newspapers continued to operate. The Zimbabwe Media Commission (ZMC), which conducts media regulation, registration, and accreditation licensed independent newspapers. During the year authorities threatened independent media vendors and confiscated copies of their newspapers. Security services also prevented print journalists from covering events that would expose government's excesses.

On March 16, heavily armed police barred a news crew from an independent weekly newspaper, *The Standard*, from covering the eviction of more than 300 persons on a farm in Mazowe, Mashonaland Central Province. Authorities allegedly carried out the evictions to accommodate plans to expand Mugabe's family holdings in the area. According to the newspaper, more than 50 police detained the news crew for an hour and interrogated them about their presence at the farm. Police also took their personal details including residential addresses and telephone numbers. Police seized the crew's camera and deleted images of the eviction. Police then escorted the news crew back to the highway, returned their camera, and ordered them to leave.

In contrast with the previous year, the government appeared to relax accreditation laws used prior to prevent international media organizations' entry into the country if those outlets were perceived to be critical of the authorities. International media outlets such as CNN, al-Jazeera, and the BBC continued to operate in the country.

Radio remained the principal medium of public communication, particularly for the rural majority. Star FM and ZiFM, both radio stations with close links to ZANU-PF and licensed to operate, continued broadcast operations. Despite their perceived allegiance to ZANU-PF, the two stations continued to include independent voices in their programming.

The government did not license any community radio stations during the year despite previous years' promises by government officials to do so.

On June 17, state security agents raided the offices of Radio Kwelaz, a community radio initiative based in Kwekwe, Midlands Province. The agents accused Radio Kwelaz' staff of broadcasting illegally. A human rights lawyer present during the raid said the security agents claimed to be searching for "subversive material." Police confiscated compact discs, personal laptops and computers, and other

property. On June 19, Radio Kwelaz resumed its operations after police and government inspectors from the Broadcasting Authority of Zimbabwe (BAZ) and Postal and Telecommunications Regulatory Authority of Zimbabwe visited its offices and cleared it of the offense of broadcasting illegally.

In early 2012 the BAZ called for applications for 14 local commercial radio licenses. Applications were due in 2013. The application fees included an initial fee of \$2,500 and a public inquiry fee of \$7,500. On being granted a license, prospective broadcasters were also expected to pay an annual license fee of \$15,000. Hearings for prospective applicants started in some provinces in August. Six of 18 applicants, however, withdrew their applications before the hearings, citing the high cost of the public inquiry fee and the perceived bias of the BAZ.

The government-controlled Zimbabwe Broadcasting Corporation, the country's only domestically based television broadcasting station, operated two television channels. International satellite television broadcasts were available through private firms but were too expensive for most citizens. A growing number of citizens watched satellite channels on the Wiztech decoder. A Wiztech decoder and satellite dish cost approximately \$50 and allowed access (at no monthly charge) to France TV, Press TV, and many religious channels.

Violence and Harassment: Security forces arbitrarily harassed and arrested journalists who reported unfavorably on government policies or security operations. Senior ZANU-PF officials also criticized local and foreign independent media outlets for allegedly biased reporting that discredited President Mugabe and misrepresented the country's political and economic conditions.

On August 18, police assaulted and detained photojournalist Angela Jimu, who was covering an opposition party-led demonstration. Jimu, who works for a privately owned daily newspaper, was photographing efforts by police to suppress the demonstration, including by assault on and arrest of demonstrators. Police seized her camera. Police later released Jimu without charge and returned her camera. An investigation into circumstances surrounding her assault and detention continued.

On October 22, media reported police assaulted and detained reporter Tapwira Zivira, who was video recording police operations against informal vendors in Harare. According to press reports, Zivira said police struck him with batons before detaining him for four hours and deleting his video recordings.

Both MDC and ZANU-PF supporters assaulted journalists during the year.

On January 22, a group of ZANU-PF supporters assaulted *Daily News* correspondent Godfrey Mtimba while he covered a Washington Young African Leaders Initiative presentation in Masvingo. Talent Majoni, ZANU-PF youth league national deputy commissar, and 30 others charged into the presentation and began harassing persons. Police made no arrests.

On February 16, MDC-T youth assaulted Watson Ofumeli, a photojournalist with *The Zimbabwean Mail*, while he covered a political rally in Harare. Authorities made no arrests in this case.

Censorship or Content Restrictions: The government continued to use the law to control media content and the licensing of journalists, even though many provisions of the law are inconsistent with the constitution. The main provisions of the law give the government extensive powers to control the media and suppress free speech by requiring the registration of journalists and prohibiting the “abuse of free expression.”

The law grants the government a wide range of legal powers to prosecute persons for political and security crimes that are not clearly defined. For example, the extremely broad Official Secrets Act makes it a crime to divulge any information acquired in the course of official duties.

On June 6, President Mugabe accused Jonathan Moyo, minister of media and broadcasting services, of appointing opposition sympathizers as editors of state-owned newspapers. Moyo, whom President Mugabe appointed in September 2013, had previously served in a similar position between 2000 and 2005 during which time he presided over the enactment of the AIPPA, which allows government, through the ZMC, to oversee media operations in the country. He had also implemented the Broadcasting Services Act, which liberalized the broadcast sector but with stringent content and registration conditions on potential broadcasters. Moyo started his current term as minister aiming to mend relations with all media stakeholders.

On August 10, SW Radio Africa broadcast its last shortwave radio transmission. The station, established in 2001, broadcasted from London after the government blocked its attempt to set up in Zimbabwe following a court ruling that nullified ZBC’s monopoly on radio and television. Funding challenges contributed to the station’s downfall.

Libel Laws/National Security: The constitutional court ruled the constitution outlaws criminal defamation cases. Civil defamation laws remain in force. Criminal defamation laws, until repealed, remain on the statute books. The criminal code makes it an offense to publish or communicate false statements prejudicial to the state. The law allows authorities to monitor and censor “the publication of false statements that will engender feelings of hostility towards--or cause hatred, contempt, or ridicule of--the president or acting president.” Any person who “insults the president or communicates falsehoods” is subject to imprisonment.

Newspapers also exercised self-censorship due to government intimidation and the prospect of prosecution under criminal libel and security laws.

The Media Council continued its activities, but the establishment of the Information and Media Panel of Inquiry in December 2013, which conducted an independent inquiry closely tied to the Ministry of Media and Broadcasting Services, overshadowed its work.

Internet Freedom

The law permits the government to monitor all communications in the country, including internet transmissions, and the government sometimes restricted access to the internet. For example, the government blocked Blackberry’s internet services for Zimbabwean-registered Blackberries, including its messaging service, because these services were encrypted and did not comply with the law allowing the government to intercept and monitor communications.

Despite the restrictive environment for the traditional media, internet and mobile telephone communication in the country were widely available and nominally free from government interference.

On June 13, authorities repealed Statutory Instrument 142 of 2013 on Postal and Telecommunications (Subscriber Registration) regulations that established a central database of personal information about all mobile telephone users in the country. The repeal followed an adverse report by the Parliamentary Legal Committee, which observed the regulations were unconstitutional because they allowed state security agents to access mobile telephone users’ personal data without a court search warrant. Human rights organizations stated the repealed regulations would have increased the ability of the state to monitor citizens and

further restrict free speech. Authorities replaced the repealed regulations with Statutory Instrument 95 of 2014, an updated version of the regulations that require a court warrant in order to release the information to law enforcement officers.

Although there was no concrete evidence of systematic internet filtering in the country, Freedom House reported some instances of surveillance and censorship.

On June 26, police arrested Edmund Kudzayi, editor of the government-controlled *Sunday Mail* newspaper, on charges of “attempting to subvert a constitutionally elected government or alternatively attempting to commit an act of insurgency, banditry, sabotage, or terrorism.” The charges stemmed from posts he allegedly made on Facebook using an account under the name Baba Jukwa. Authorities also charged Kudzayi with undermining the president’s authority. Police reported they were also looking for 10 other individuals they believed to be administrators of the same Facebook account. On July 3, the High Court granted Kudzayi bail with conditions that included reporting twice daily at a police station in Harare and surrendering the password for his Gmail e-mail account. Police also arrested his brother, Phillip Kudzayi, and a university student, Romeo Musemburi, who allegedly emailed Baba Jukwa in 2013 urging an uprising against the government.

The growth of mobile telephone use has seen an increase in internet access by citizens overcoming some barriers that were largely infrastructural and due to low bandwidth. According to the International Telecommunications Union, 17 percent of the population used the internet in 2012, although many more individuals might have had access through their mobile phones.

Academic Freedom and Cultural Events

The government continued to restrict academic freedom. The president is the chancellor of all eight state-run universities and appoints their vice chancellors. The government has oversight of higher education policy at public universities, and ZANU-PF controls the Ministry of Higher Education. The law restricts the independence of universities, subjecting them to government influence and extending the disciplinary powers of university authorities over staff and students.

CIO personnel at times assumed faculty and other positions or posed as students at public and some private universities to intimidate and gather intelligence on faculty and students who criticized government policies and actions. CIO officers regularly attended classes in which noted MDC activists were lecturers or students. In response, both faculty and students often practiced self-censorship.

State-run universities frequently cancelled scheduled events organized by foreign embassies and refused public lectures by senior foreign diplomats.

The government on occasion restricted human rights activists from using cultural platforms to criticize the ruling party, President Mugabe, or political violence.

On August 7 in Harare, police reportedly stopped the screening of the low budget film “Kumasowe” because the film dealt with a “sensitive issue.” The film documented the highly publicized violent clashes between members of a religious group and police officers in May.

The Zimbabwe Censorship Board maintained its ban on the foreign-funded performance of the award winning play *No Voice, No Choice*. Authorities banned the play in August 2012, and an appeal to the Supreme Court remained pending.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for freedom of assembly, but the government restricted this right.

The law requires that organizers notify police of their intention to hold a public gathering--defined as 15 or more individuals--seven days in advance. Failure to do so may result in criminal prosecution as well as civil liability. The law also allows police to prohibit a gathering based on security concerns but requires police to file an affidavit in a magistrate’s court stating the reasons behind the denial. Although many groups did not seek permits, other groups informed the police of their planned events and either were denied permission or received no response.

Authorities often denied requests by civil society, trade unions, or political parties other than ZANU-PF to hold public events if the agenda conflicted with ZANU-PF policy positions. There were few reports of political rallies interrupted by opposing political parties.

On March 5, police banned a demonstration planned by the Zimbabwe Human Rights Organization (ZimRights) against the abuse and misuse of public resources by local authorities and some state-controlled enterprises. ZimRights notified the police of its intention to organize a demonstration in central Harare following

media reports of misappropriation of public funds. Police stated inadequate numbers of personnel were available to escort the demonstrators.

On May 3, police stopped a march to commemorate World Press Freedom Day organized by the Zimbabwe Association of Community Radio Stations and the Media Alliance of Zimbabwe and supported by UNESCO. According to the organizers, police cleared the march on April 16 but then deployed antiriot police at the venue on the day of the march. Police provided journalists with a letter denying permission to march, reportedly because of other events of national interest. Due to negative press coverage, authorities rescheduled the march for May 30, and the march took place peacefully that day.

Authorities took no action against police who forcibly dispersed demonstrations in previous years.

ZANU-PF trained and deployed youths and war veterans to harass and disrupt the activities of MDC members, labor groups, student movements, civic groups, and journalists considered critical of ZANU-PF.

Although the government continued to harass university student unions for protesting against increased tuition fees, arrests of student demonstrators declined somewhat during the year.

Freedom of Association

The constitution and law provide for freedom of association, but the government restricted this right. Although the government did not restrict the formation of political parties or unions, security forces and ZANU-PF supporters continued to interfere with their activities. ZANU-PF supporters, sometimes with government support or acquiescence, intimidated and abused members of organizations perceived to be associated with other political parties. Suspected security force members visited the offices and inquired into the activities of churches, numerous NGOs, and other organizations believed to oppose government policies. Organizations generally were free of governmental interference only if the government viewed their activities as apolitical or supportive of ZANU-PF.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, but the government restricted these rights. The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees, asylum seekers, stateless persons, and other persons of concern, but it interfered with some humanitarian efforts directed at IDPs.

In-country Movement: Police made in-country movement difficult by regularly mounting checkpoints nationwide along most major routes. In urban areas a single road could have several roadblocks in the span of a few miles. Despite court injunctions against “on-the-spot” fines, police levied fines for minor offenses ranging from five to several hundred dollars and demanded immediate payment. Pro-ZANU-PF police chiefs failed to account for and retained the money they collected at checkpoints. Prior to elections in 2013, the finance minister reported to Parliament that the treasury was not receiving its expected revenue from police fines.

Foreign Travel: The constitution provides for specific rights to leave the country and entitlement to travel documentation, such as passports and emergency or temporary travel documents. Nevertheless, the Office of the Registrar General continued to deny passports to citizens based on its interpretation of the law that requires all citizens with a claim to dual citizenship to have renounced their claim to foreign citizenship by January 2002 to retain Zimbabwean citizenship.

Exile: The constitution provides for immunity from expulsion from the country for all citizens. A number of persons, including former government officials, prominent businessmen, human rights activists, MDC-T/N members, and human rights lawyers, left the country and remained in self-imposed exile due to fear of persecution.

Citizenship: The constitution provides for three different classes of citizenship: by birth, by descent, or by registration. The government deprived some sectors of the population of citizenship rights based on the law, which revokes the citizenship of persons who fail to return to the country in any five-year period.

In 2002 the High Court ruled the Office of the Registrar General's interpretation of the act denying dual citizenship did not take into account that persons are not automatically assured foreign citizenship merely because their parents were born in a foreign country, since some countries require persons to confirm their citizenship, in which case they could be rendered stateless. The court further held that it is incorrect to presume that, when persons have a parent or parents born out of the country, they are citizens of the other country by descent. In addition, some countries, including countries in southern Africa, do not have a means to renounce citizenship. Independent groups estimated the law barring dual citizenship might have disenfranchised as many as two million citizens, including those perceived to have anti-ZANU-PF leanings, such as the more than 200,000 former commercial farm workers from neighboring countries and approximately 30,000 mostly white dual nationals. Despite a constitutional provision of citizenship and having voted previously, some persons were denied the right to vote during the 2013 elections because they could not adequately demonstrate their citizenship.

Internally Displaced Persons (IDPs)

According to the Internal Displacement Monitoring Center's 2009 estimate, approximately 600,000 persons remained displaced as a result of government policies, including state-sponsored election-related violence, land reform, and Operation Murambatsvina (the government's evictions of citizens from nonfarming areas in 2005). According to a 2010 assessment, Murambatsvina was the cause of displacement for approximately one-third of the IDPs. More recent estimates were unavailable due to the government's sensitivity to the problem. Until 2009 the government denied the existence of any IDPs.

Approximately 15,000 persons were displaced from the vicinity of the Tokwe-Mukosi dam in Masvingo Province following heavy rains that began in February. Although the flooding directly affected hundreds of families and threatened others, the government forcefully relocated as many as 10,000 additional persons from the area. Many experts believed the government was hoping to use donor funding following the flooding to finance its resettlement plans related to the dam's construction. Those plans required the relocation of thousands of families from the dam's catchment area to accommodate rising waters in the reservoir and to form a buffer zone around the reservoir. Authorities moved IDPs to the Chingwizi transit camp, which lacked adequate shelter, food, and water. There were also inadequate health, educational, and sanitation facilities in the camp. A standoff between the IDPs and government ensued over the government's inability to pay the IDPs

compensation for their lost properties, and the majority of the IDPs refused to move to a permanent resettlement area pending payment.

In early August the standoff at the Chingwizi transit camp escalated into a conflict between IDPs and the government, ending with authorities arresting nearly 300 IDPs. The government barred humanitarian organizations and NGOs from entering the camp while it embarked on a two-week program of forced resettlement. There were reports that the government denied the IDPs food, water, and sanitation facilities for two days and that it assaulted IDPs in Chingwizi in order to force them to move. On August 18, state media reported the relocation exercise was complete except for some “mop-up” work in the transit camp. The permanent resettlement area had inadequate infrastructure to support thousands of persons forcefully moved there. Approximately 15,000 persons, for example, relied on water from only 34 boreholes as of September.

Other recent documented displacements were from disputed farming areas. At year’s end several thousand households in disputed farming areas were at risk of displacement due to verifiable threats or eviction notices. Most of the persons displaced had resided on their land for years without formal offer letters or title deeds. Eviction notices often were served in the presence of police or army personnel. The government’s campaign of forced evictions and the demolition of homes and businesses continued during the year under the land reform policy. The government provided no resettlement assistance to evicted families and depended primarily on international organizations to do so.

The overall rate of displacement remained steady, but IDPs from previous years remained in near-emergency conditions, with an overwhelming majority living without basic sanitation. In addition to improved living conditions, IDPs required regularization of their status. Without needing any official documentation, several generations of farm workers originally from neighboring countries previously resided in insular commercial farming communities that met their health, labor, and education needs.

Overall, coordination on IDP issues continued to improve during the year with central, provincial, and local governments engaging in mutual dialogue and coordination with international organizations.

Government-led humanitarian assistance programs were insufficient to meet the needs of targeted populations and subject to increased politicization during the year. Farm inputs and food aid occasionally were channeled through patronage

networks or denied to those perceived as supporting ZANU-PF's opponents. Despite this discrimination, the government generally cooperated with international agencies and NGOs providing humanitarian assistance.

During the year restrictions sometimes occurred at the local level, especially by members of Parliament who sought credit for work done by NGOs. Contractors and NGOs independent of the government that carried out food security and other assessments faced challenges in accessing certain rural districts. In isolated cases local authorities advised organizations against traveling to farms involved in ownership disputes, where aid workers might be at risk.

Protection of Refugees

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. According to the UNHCR, the country hosted approximately 8,400 refugees and asylum seekers during the year.

Refugee Abuse: The government maintained a formal encampment policy requiring refugees to live at the Tongogara refugee camp. Nevertheless, as many as 1,000 refugees lived in Harare and Bulawayo at year's end. Refugees living in urban areas without the permission of the government remained at risk of arrest and return to the refugee camp.

Employment: Refugees in the informal sector had limited employment options due to the strict encampment policy requiring all refugees to reside in the Tongogara refugee camp. Refugees with specialized skills, such as lawyers, laboratory technicians, nurses, and doctors were allowed to obtain work permits and even to work for the government.

Access to Basic Services: Authorities provided refugees in the Tongogara camp access to basic services, such as food, health care, education, security, and accommodation. The UNHCR operated a transit center in Harare to host refugees from Tongogara with serious protection problems, health referrals, those in the process of resettlement, or those newly arriving directly in Harare.

Durable Solutions: While the government did not accept refugees for resettlement from foreign countries, it facilitated the voluntary repatriation of refugees to their home countries by recognizing the Voluntary Repatriation Declaration Form as a valid document for travel purposes. The government also conducted exemption

interviews for Rwandan refugees caught by the Rwandan Cessation Clauses. Many refugees were unwilling to return to their home countries voluntarily, and resettlement remained the only viable solution for many of them.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Although the constitution provides citizens with the right to change their government peacefully, this right was restricted. The political process continued to be biased heavily in favor of President Mugabe's ZANU-PF, which has dominated politics and government and manipulated electoral results since independence in 1980.

Elections and Political Participation

Recent Elections: Aside from the SADC and the AU, international and local independent observers characterized the July 2013 harmonized presidential, parliamentary, and local elections as largely free of violence, but not a credible reflection of the people's will. Before the election, various political parties and civil society organizations complained of widespread voter disenfranchisement in opposition urban strongholds. The pro-ZANU-PF Constitutional Court set the July 2013 date for elections. Participating political parties, including the two MDCs that were part of the coalition government, contested the date in court. ZANU-PF ministers in government opposed and stalled the pre-election legal, political, media, and security sector reforms mandated by the SADC-sponsored GPA. Parliament failed to pass laws promoting the fairness of the election, while certain government elements failed to implement other election laws. For example, despite a constitutional provision of citizenship, large sections of the population were refused registration as voters because of their foreign ancestry. Other contraventions of the country's electoral act included a truncated special voter registration period, partisan public statements by senior security force officers, and active-duty police officials running for public office.

While the law obliges traditional chiefs to be impartial, in rural areas ZANU-PF used traditional leaders to mobilize voters and canvass support. In return, traditional leaders continued to receive farms, vehicles, houses, and other benefits.

The credibility and independence of the ZEC was called into question for allegedly being composed largely of personnel from the pro-ZANU-PF security sector. The ZEC failed to provide an electronic copy of the voter register to any of the

opposition political parties as required by law but managed to supply one hard copy of the voters roll to the MDC-T late on election day. The ZEC also failed to respond, as required by law, to legal and formal complaints by opposition parties with respect to its role in monitoring the media, postal voting procedures, and the number of ballot papers printed and distributed. When the ZEC released the election results, Mugabe won with more than 61 percent of the vote, and he was inaugurated three weeks later. Mugabe's ZANU-PF party won a two-thirds majority in the 350-member Parliament, resulting in a unitary ZANU-PF government weeks after his inauguration. The SADC declared the election to be free, and the AU followed suit.

In the weeks preceding the July 2013 elections, the registrar general and the ZEC did not ensure an open inspection of voter rolls. The courts failed to settle electoral matters brought before them except for those brought on the election date. Most were settled after the election outcome was announced. According to a local NGO that examined available local voter rolls, there were numerous discrepancies with the voter register. These included disproportionate voter registration patterns between urban and rural areas, questionably large numbers of voters older than 100, and very low numbers of youths.

Authorities imposed numerous restrictions on non-ZANU-PF party candidates. Although Tsvangirai was allowed to campaign, police did not permit the MDC-T to hold all of its planned rallies, and some MDC-T activists were intimidated and beaten in the weeks before the election. The government did not grant selected foreign journalists permission to cover the election despite their apparently having met the established requirements. The domestic public media heavily favored Mugabe.

While the country did not allow citizens of most Western countries to observe the July 2013 elections, it allowed election observer missions from regional groups, including the SADC and the AU. Each group subsequently issued statements supportive of the elections, as did the leaders of a number of neighboring countries, including South Africa and Zambia.

The government limited the number of international observers and subjected foreign journalists to vetting and licensing before applying to observe the election. The government permitted foreign diplomatic missions based in Harare a maximum of five observers each, while it permitted local observer groups to apply for any number of observers they wished. There were no widespread reports of observer abuse.

Before the 2013 elections, President Mugabe continued to make unilateral decisions, including those influencing the timing of the elections, without consulting the other two principals in the government, Morgan Tsvangirai (MDC-T) and Arthur Mutambara (MDC-N), as required by the GPA. The August inauguration of the president terminated the inclusive government.

The GPA mandated the writing of a new constitution. The outreach process to solicit public input ended in 2010, despite reported intimidation, disruption, harassment, arrest of MDC-T parliamentarians and supporters, and coaching conducted by ZANU-PF supporters. In 2012 the Constitutional Parliamentary Committee produced a draft constitution signed by all GPA parties. After a referendum in March 2013 approved it, the new constitution became law in May 2013.

In August the president signed into law the Electoral Amendment Bill. After conducting several public meetings to solicit input from civic groups and citizens, Justice, Legal, and Parliamentary Affairs Minister Emmerson Mnangagwa announced to Parliament these contributions would be ignored and only government proposals would be approved. Several provisions of the new law were unclear, including key provisions regarding voter registration.

Political Parties and Political Participation: Although the constitution allows for multiple parties, elements within ZANU-PF and the security forces intimidated and committed abuses against other parties and their supporters and obstructed their activities. In contravention of the law, active members of the police and army openly campaigned for and ran as ZANU-PF candidates in the elections. The government routinely interfered with MDC-T-led local governments.

Participation of Women and Minorities: Women remained largely underrepresented in local and national politics, and men overwhelmingly held most senior positions in the public sector. Following the 2013 elections, women filled three of 26 cabinet minister positions in the new cabinet, or 11.5 percent of ministers, well below their 52 percent share of the population, as recorded in the 2012 census, and well below the equal representation required by the constitution. Three of 13 minister of state positions and five of 24 deputy minister positions were women. NGOs also noted the cabinet minister positions occupied by women were less influential. Sixty women were elected to the House of Assembly through proportional representation in accordance with the constitution, increasing women's share of seats from 20 percent to 35 percent.

The same pattern existed for rural and urban councils. Women were elected to only 323 of 1,958 councilor positions nationwide in 2013, for 16 percent representation. Men also dominated the judiciary, with less than a third of Supreme Court and high court judges being women, as well as a minority among judicial officers, such as prosecutors, in lower courts.

The ZANU-PF congress allotted women one-third of party positions and reserved 50 positions for women on the party's 180-member central committee, which was one of the party's most powerful organizations. NGOs noted that young women were mostly excluded from decision-making structures and processes in all political parties.

Section 4. Corruption and Lack of Transparency in Government

Although the law provides criminal penalties for bribery and corruption, the government did not implement the law effectively or impartially, and officials frequently engaged in corrupt practices with impunity. Corruption was a severe problem.

Corruption: Corruption occurred at every level of the police force but took different forms, depending on position, rank, or location. At the lower levels, to augment their low salaries, corrupt officers extorted nominal to exorbitant fines from the public for varying claimed offenses. Armed police routinely erected roadblocks, claiming to be looking for criminals or smuggled goods. In many cases police arbitrarily seized goods for their own consumption or extracted bribes from commuters. Municipal police in urban areas often raided vendors and confiscated their wares for personal use. Generally no records of the confiscated goods existed, despite the law's requiring it.

Implementation of the government's redistribution of expropriated white-owned commercial farms often favored the ZANU-PF elite and continued to lack transparency (see section 1.f.). High-level ZANU-PF officials selected numerous farms and registered them in the names of family members to evade the government's policy of one farm per official. The government continued to allow individuals aligned with top officials to seize land not designated for acquisition. The government had yet to issue the mandated comprehensive land audit to reflect land ownership accurately. On August 2, a senior official in President Mugabe's office invaded a farm in Figtree despite a high court order barring him from doing so.

Senior executives in state-owned enterprises earned salaries and benefits up to \$500,000 per month. The government alleged corruption and misuse of public funds in the Public Service Medical Aid Society (a medical insurance company), the ZBC, the Grain Marketing Board, and Air Zimbabwe. The individuals implicated were connected politically, and state prosecutors only brought one of the cases--the Air Zimbabwe case--to trial. The case continued as of September. Vice President Mujuru told citizens gathered at a public meeting that investigating corruption was part of a regime change agenda and should be opposed.

There were reports that ZANU-PF officials in the government discriminated against, harassed, or removed persons perceived to be MDC supporters from the civil service and the military (see section 7.d.).

It remained common for ZANU-PF Minister of Local Government Ignatius Chombo to appoint ZANU-PF supporters to bureaucratic positions in local governments. City public administrators reportedly earned hugely inflated salaries. In most rural areas the government appointed ZANU-PF activists as “special interest” councilors.

Unqualified persons employed by the Public Service Commission remained on the state payroll. The majority served as Youth and Gender Officers in various ministries and other public entities. According to the most recent audit, approximately 75,000 of the 188,000 civil servants in the Public Service Commission did not have the requisite minimum qualifications, and only 86,000 civil servants possessed the requisite qualifications for their designated positions. Almost 14,000 names on the payroll were those of persons who were retired, deceased, absconded, transferred, or otherwise absent from their place of employment. The audit also uncovered duplicate personally identifiable information and files missing required documentation.

Corruption was especially pervasive in local government, where officials abused their positions and government resources openly and with impunity. Local councilors’ control of the designation and allocation of new land lots for residential and commercial use led to numerous allegations of bribery attempts and rent-seeking opportunities. Government officials also demanded bribes or excessive fees for “expediting” paperwork, including birth certificates, passports, and licenses. Councilors practiced nepotism in hiring general council workers and in land allocation. Allegations of corruption continued regarding both ZANU-PF and

MDC-T councilors. Most new council employees were members of the political party dominating that council.

Prosecutions for corruption continued but were selective and generally seen as politically motivated. The government targeted MDC-T officials, persons who had fallen out of favor with ZANU-PF, and individuals without high-level political backing.

Financial Disclosure: The law does not require elected or appointed officials to disclose income or assets. While government policy requires officials to disclose interests in transactions that form part of their public mandate, this policy was not enforced. The law requires government departments to submit reports to Parliament, but the majority of departments did not report their expenditure as required. Parliament generally did not review the reports or seek explanations from those charged with managing offending departments. Parliamentary capacity to analyze and assess reports was limited and, as a result, such reports seldom were debated or acted upon.

By law the Comptroller Auditor General (CAG) must investigate the use of all public monies and assets and report independently to Parliament at intervals throughout the year. Despite this mandate the CAG office's lack of resources and capacity resulted in very limited reporting.

The bulk of the budget allotted to the Office of the President and Cabinet was diverted to the CIO, which was not subject to audits or any rules of disclosure. The government often cited security interests when blocking inquiries into public financial management.

Public Access to Information: Citizens generally were unable to access government information. Although the government asserted that the law was intended to improve public access to government information, the law contains provisions that restrict freedom of speech and press, and these elements of the law were the ones the government enforced most vigorously.

Citizens often faced burdensome and complicated regulations to access government buildings, including Parliament, where security officers often turned away citizens for "wrong dress." While the law permits access to some government records, it also imposes nominal fees for administrative costs involved in retrieving the records that many citizens found burdensome.

The government remained secretive about the important business contracts it entered, especially with some private, foreign firms.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases. Such groups were subject to government restrictions, interference, monitoring, confiscation of materials and documentation, and other forms of harassment. Major domestic independent human rights organizations included the Crisis in Zimbabwe Coalition, Zimbabwe Human Rights NGO Forum, Zimbabwe Election Support Network, ZLHR, Zimbabwe Peace Project, ZimRights, National Constitutional Assembly, Students Solidarity Trust, and WOZA.

The government harassed NGOs it believed would expose abuses by government personnel or which opposed government policies, and it continued to use government-controlled media to disparage and attack human rights groups. Articles typically dismissed the efforts and recommendations of NGOs that criticized the government, and writers charged that the real NGO agenda was regime change.

Police arrested or detained local NGO members and harassed their leaders, often in connection with NGO meetings or demonstrations.

Unlike in 2013, there were no reports that police seized radios.

Government Human Rights Bodies: The national Human Rights Commission (HRC) remained underfunded and was a largely symbolic institution. The HRC used donor funding and limited government funding to begin the establishment of its secretariat. As of September the HRC had filled 40 of 55 planned positions, including the executive secretary, deputies, and human rights officer positions. The HRC also started receiving complaints from the public and was developing procedures to review and investigate those complaints. Its continued lack of resources and of the necessary legal enforcement mechanisms rendered it unable to fulfill its mandate to investigate and resolve reports of human rights violations.

The constitution called for the Organ of National Healing, a ZANU-PF-connected, president's office-based organization, to evolve into a neutral National Peace and

Reconciliation Commission. The commission was not formed by December due to a lack of political will and funding.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The bill of rights in the constitution provides that no person can be deprived of fundamental rights, such as the right to life, personal liberty, security of person, freedom of assembly and association, equality, and political and socioeconomic rights. It prohibits discrimination based on one's race, tribe, place of origin, political opinion, color, creed, gender, or disability. The bill of rights cannot be arbitrarily amended and, in the section on the rights of women, states that all "laws, customs, traditions, and practices that infringe the rights of women conferred by this constitution are void to the extent of the infringement." Nevertheless, discrimination against women and persons with disabilities persisted. The government and ZANU-PF continued to infringe on the right to due process, citizenship, and property ownership in ways that affected the white minority disproportionately.

Women

Rape and Domestic Violence: While the law criminalizes rape, including spousal rape, the law was not effectively enforced, and rape remained a widespread problem. Sexual offenses, including rape, are punishable by lengthy prison sentences, although women's organizations stated that sentences were inconsistent. Few cases of rape were reported due to social stigma and societal perceptions that rape was simply a "fact of life" that could not be challenged. A lack of services for rape victims also discouraged reporting. Rape victims seldom received protection in court. Victims reported even fewer cases of spousal rape because of fear of losing economic support, fear of reprisal, lack of awareness that spousal rape was a crime, police reluctance to be involved in domestic disputes, and bureaucratic hurdles. Most rural citizens were unfamiliar with laws against domestic violence and sexual offenses. Chiefs of local jurisdictions usually handled gender-based violence in trials applying customary law.

Gender-based violence was prevalent in society. According to Vice President Mujuru, police recorded 3,571 rape cases of adult women between 2012 and March 2014. A Gender Links baseline study on violence against women released in 2013 found that intimate partner violence (IPV)--violence perpetrated by a current or former spouse or partner--was the most commonly reported form of violence against women. Of the 3,326 women surveyed, 33 percent of women

reported experiencing physical IPV and 22 percent sexual IPV in their lifetime. Less than 2 percent of these women reported such incidents to police or sought medical attention following the crime.

The media frequently published stories criticizing rape and reporting convictions. In January a Harare magistrate sentenced Thomas Chirembwe, a serial rapist, to 290 years in prison after being convicted on 21 counts of rape. In February the media reported a court sentenced Robert Martin Gumbura, a prominent local pastor, to 50 years in prison after he was convicted on four counts of rape.

Police sometimes did not act on reported rape cases if the perpetrators were aligned with ZANU-PF or if the rape was used as a political tool against non-ZANU-PF members, as occurred during the 2008 election. Unlike the 2008 elections, which resulted in numerous cases of politically motivated gang rapes, there were very few reports of rape used as a political weapon during the 2013 elections period.

The Judicial Service Commission established a Multi-Sectoral Protocol on Sexual Abuse in 2012 in partnership with 11 government bodies. The protocol details the respective roles and responsibilities of different government agencies in responding to adult and child sexual- and gender-based violence cases. The government must rely upon external funding and assistance to implement the protocol.

On June 19, the government launched an antirape campaign that included a national action plan to combat the problem. The plan focuses on rape prevention, service provision for victims, increasing coordination between government agencies and groups working on the problem, and researching the problem. Women's organizations stated the plan was not likely to be implemented due to government resource constraints.

Children born from rape suffered stigmatization and marginalization. The mothers of children resulting from rape sometimes were reluctant to register the births, and such children did not have access to social services.

There were two adult rape clinics in public hospitals in Harare and Mutare. These facilities were run as NGOs and did not receive a substantial amount of financial support from the Ministry of Health. The clinics were designed to receive referrals from police and NGOs, administer HIV tests, and provide medicines to prevent HIV infection, other sexually transmitted diseases, and pregnancy. Even though police referred the majority of women and men who received services from the

rape centers, very few of these cases resulted in prosecutions. Private clinics and clinics supported by NGOs and bilateral and multilateral development partners emerged in the past few years to provide medical assistance to survivors of rape. There were also NGOs that provided psychosocial support to survivors of sexual and gender-based violence through assistance from the Integrated Support Program, a multi-donor effort funded by international aid donors and managed by the UN Population Fund.

The law criminalizes domestic violence, which was a serious problem, especially IPV perpetrated by men against women. Domestic violence is punishable by a fine and a maximum prison sentence of 10 years, but authorities generally considered domestic violence to be a private matter and convictions were rare. Most cases of domestic violence went unreported due to traditional sensitivities, victims' fear of abandonment without support, and police reluctance to intervene. There were newspaper reports of wife killings and a few reports of prosecutions and convictions for such crimes.

The Anti-Domestic Violence Council as a whole was ineffective due to lack of funding and the unavailability of statistics and information on prevailing trends of domestic violence, although its members were active individually in raising awareness about domestic violence.

The government continued a public awareness campaign against domestic violence. Several women's rights groups worked with law enforcement agencies and provided training and literature on domestic violence as well as shelters and counseling for women. The high turnover rate within the police force demanded a continuous level of training that could not be met, in view of the scarcity of resources. While public awareness increased, other problems emerged. For example, the police form required to report domestic violence was difficult to complete, and victims were often required to make their own photocopies due to police budgetary constraints. The law requires victims of any form of violence to produce a police report to receive treatment at government health facilities without cost. This requirement prevented many rape victims from receiving necessary medical treatment, including postexposure prophylaxis to prevent victims from contracting HIV.

Female Genital Mutilation /Cutting (FGM/C): The law does not prohibit FGM/C. FGM/C is not known to be prevalent in the country.

Other Harmful Traditional Practices: Virginity testing occurred in some parts the country during the year.

Sexual Harassment: Labor legislation prohibits sexual harassment in the workplace, and an employer may be held liable for civil remedies if found to be in violation of provisions against “unfair labor practices,” including sexual harassment. The law does not specify penalties for such violations. Women commonly faced sexual harassment in the workplace. Government enforcement was not effective, and there were no reports of any prosecutions during the year.

In May female candidates from multiple political parties spoke of their experiences with sexual harassment during the 2013 elections at a workshop organized by NGOs. The candidates alleged their male counterparts demanded sexual favors in exchange for their political support. The female candidates also said they were sexually harassed and intimidated in an effort to prevent them from running for constituency-based seats in Parliament.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so free from discrimination, coercion, and violence. According to the 2014 Multiple Indicator Cluster Survey (MICS) of the UN Children’s Fund (UNICEF), the contraceptive prevalence rate was 67 percent. Inadequate medical facilities, an advanced HIV/AIDS epidemic, poorly trained health care professionals, and a shortage of health professionals contributed to a high maternal mortality rate of 614 deaths per 100,000 live births. The MICS reported that maternal health improved significantly between 2010 and 2014. Antenatal care attendance and skilled birth attendance increased to 94 percent and 80 percent respectively. While antenatal care attendance was almost the same between rural and urban areas, skilled birth attendance was much lower in rural areas, 75 percent compared to 93 percent in urban areas. No information was available on whether women were equally diagnosed and treated for sexually transmitted infections.

Discrimination: Despite laws aimed at enhancing women’s rights and countering certain discriminatory traditional practices, women remained disadvantaged in society. Economic dependency and prevailing social norms prevented rural women in particular from combating societal discrimination.

The law recognizes a woman’s right to own property, but very few women did so because of patriarchal inheritance rights under customary practice. Less than 20

percent of female farmers were official landowners or named on government lease agreements. Divorce and maintenance laws were equitable, but many women lacked awareness of their rights. Women have the right to register their children's births, although either the father or a male relative must be present.

Women and children continued to be adversely affected by the government's forced evictions, demolition of homes and businesses, and takeover of commercial farms. Widows, when forced to relocate to rural areas, were sometimes "inherited" into marriages with an in-law after the deaths of their spouses.

The government gave qualified women access to training in the armed forces and national service, where they continued to occupy primarily administrative positions.

The UK Department for International Development's 2011 Gender and Social Exclusion Analysis Report found that women experienced extensive economic discrimination, including in access to employment, credit, pay, and owning or managing businesses, despite being responsible for 53 percent of all economic activity in the country, including 75 percent of all agricultural labor. As a result three-quarters of households headed by a woman were "poor" or "very poor."

Children

Birth Registration: Citizenship is derived from birth in the country and from either parent, and all births are to be registered with the Births and Deaths Registry. According to the 2012 government-led Demographic Health Survey (DHS), 17.7 percent of children under the age of two had a birth certificate and 39 percent had their births registered. The numbers increased with children's age: 40.2 percent of children between the ages of two and four had birth certificates, and 56 percent had their birth registered. Children in urban households were more likely to have their birth registered than were children in rural households. Children under the care of parents older than 20 years were significantly more likely to have their births registered than were children of younger parents. The highest proportion of registered births was in Bulawayo and the lowest in Masvingo. Richer households were more likely than poor households to register children's births. Parents failed to register births for many reasons, including that the birth occurred outside of a hospital, fathers were absent or lacked time to register, parents did not have a national identity card or birth certificate, the high cost of registration, parental lack of knowledge of registration requirements, and the long distance to places of registration. Many orphaned children were unable to obtain birth certificates.

Children of unregistered parents were also less likely to obtain birth certificates. Lack of birth documentation impeded access to public services, such as education and health care, resulting in many children being unable to attend school and increasing their vulnerability to exploitation.

Education: Primary education is not compulsory, free, or universal. The constitution states that every citizen and permanent resident of the country has a right to a basic state-funded education but adds a caveat that the state “must take reasonable legislative and other measures, within the limits of the resources available to it.” According to the 2012 DHS, 94 percent of female and 90 percent of male children between the ages of 10 and 14 attended primary school. School attendance was only slightly higher in urban than in rural areas, and enrollment for children older than 14 was in decline. Relatively high and increasing school fees were the main reason for lack of attendance after age 14, particularly affecting girls ages 17 and 18. Only 52 percent of girls age 17 attended school, compared with 64 percent of boys. Despite a directive from the Ministry of Education that no child should be refused education for not paying school fees, there were reports that schools turned away students with unpaid fees.

The government continued Phase II of its National Action Plan for Orphans and Vulnerable Children, which included a focus on equity and access to quality education for children. The policy prescribed a three-pronged approach to assisting at-risk children, including providing child protection and health services, delivering conditional cash transfers, and continuing the basic education assistance module (BEAM). Donors fulfilled their pledges by sending money for the plan and BEAM, but the government did not manage to fund the program entirely.

Child Abuse: Child abuse, including incest, infanticide, child abandonment, and rape, continued to be serious problems. In 2013 the NGO Childline counseled more than 10,053 children directly affected by abuse. Most of the substantive calls concerned sexual and physical abuse, generally inflicted by a relative or someone who lived with the child. Approximately twice as many girls reported abuse as boys. The ZRP stated there were reports of 1,494 juvenile rape cases between January and May, and 3,297 reports of juvenile rape cases in 2013. According to the 2011 *National Baseline Survey on Life Experiences of Adolescents Preliminary Report* (NBSLEA), approximately 9 percent of girls and slightly less than 2 percent of boys between the ages of 13 and 17 reported experiencing sexual violence in the previous 12 months. Older adolescents reported that one-third of girls and nearly one-tenth of boys experienced sexual violence during childhood.

The NBSLEA defined sexual violence as unwanted sexual touching, unwanted attempted sex, physically forced sex, and pressured sex.

It is legal for parents and schools to inflict corporal punishment on boys. The NBSLEA reported that 47.8 percent of women and 60 percent of men 18 to 24 years of age had experienced physical violence from a parent or adult relative. The same survey showed that 47.3 percent of women and 57.6 percent of men 18 to 24 years of age had experienced physical violence from an adult authority figure. The constitution provides that “no person may be subjected to cruel, inhuman, or degrading treatment or punishment,” but the courts had not interpreted the clause and determined whether it applied to corporal punishment. The deputy minister of primary and secondary education was quoted in the press that corporal punishment in schools was unconstitutional, but existing laws still allowed for the practice.

Government efforts to combat child abuse continued to be inadequate and underfunded, but there were some improvements. In 2013 the government developed a case management protocol to guide the provision of child welfare services and began implementation of the policy during the year. In addition, there were facilities that served underage victims of sexual assault and abuse.

Early and Forced Marriage: Despite legal prohibitions, families primarily among the rural population continued to force girls to marry. Families gave young women to other families in marriage to avenge spirits, as compensatory payment in interfamily disputes, or when promised to others--sometimes before birth--to provide economic protection for the family. Some families sold their daughters as brides in exchange for food, and younger daughters at times married their deceased older sister’s husband as a “replacement” bride. An NGO study published in March found that because of the cultural emphasis placed on virginity, any loss of virginity--real or perceived, consensual or forced--could result in marriage, including early or forced marriage. In some instances, family members forced a girl to marry a man based on the mere suspicion that the two had had sexual intercourse. This cultural practice even applied in cases of rape, and the study found numerous instances in which families concealed rape by facilitating the marriage between rapist and victim.

The legal age for a civil marriage is 18, but girls who are 16 and 17 also can marry with parental approval. Customary marriage, recognized under the law, does not require a minimum marriage age for either boys or girls. The criminal code prohibits sexual relations with persons younger than age 18. According to the DHS study, 21.7 percent of girls between the ages of 15 and 19 were married.

Child welfare NGOs reported that they occasionally saw evidence of underage marriages, particularly in isolated religious communities or among HIV/AIDS orphans who did not have relatives willing or able to take care of them. The constitution declares anyone under the age of 18 a child, but the Customary Marriages Act was not amended to reflect the constitutional change.

Female Genital Mutilation /Cutting (FGM/C): The law does not prohibit FGM/C. FGM/C is not known to be prevalent in the country.

Other Harmful Traditional Practices: Virginity testing occurred in some parts of the country during the year.

Sexual Exploitation of Children: Statutory rape, legally defined as sexual intercourse with a child under the age of 12, carries a fine of \$2,000, imprisonment for up to 10 years, or both. The NGO Childline reported that in 2013 it counseled 154 boys and 1,404 girls specifically for sexual abuse and five boys and 15 girls specifically for child prostitution. A person in possession of child pornography can be charged with public indecency and can face a fine of \$600, imprisonment up to six months, or both. Child prostitution carries a fine of \$200, imprisonment for up to six months, or both. Persons charged with facilitating the prostitution of a child often were also charged with statutory rape. A parent or guardian who causes or allows a child under the age of 18 to associate with or become a prostitute can face up to 10 years in prison. Girls from towns bordering South Africa, Zambia, and Mozambique were subjected to prostitution in brothels that catered to long-distance truck drivers.

Displaced Children: Approximately 10,000 children were displaced from the Tokwe-Mukosi dam area in Masvingo Province (see section 2.d.). The disruption of their parents' livelihoods and health and education services affected these children negatively.

UNICEF's 2005-10 report estimated that one-quarter of all children had lost one or both parents to HIV or other causes. The proportion of orphans in the country per capita remained very high. The vast majority of orphans were cared for by their extended family or lived in households headed by children.

Orphaned children were more likely to be abused; not to be enrolled in school; to have suffered discrimination and social stigma; and to be vulnerable to food insecurity, malnutrition, and HIV/AIDS. Some children were forced to turn to prostitution for income. Orphaned children often were unable to obtain their birth

registration because they did not have enough information about their parents. Orphans often lived in the streets.

A UNICEF report stated that government support of the poor “suffered from a severe lack of human and financial resources in the last decade” and was “in urgent need of review and revival to meet the growing needs of children.”

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

The Jewish community numbered approximately 150 persons. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities in employment, access to public places, and the provision of services, including education and health care. They do not specify physical, sensory, mental, or intellectual disabilities. NGOs continued to lobby to include persons with albinism in the definition of “disabled” under the law. Government institutions often were uninformed and did not implement the law. The lack of resources devoted to training and education severely hampered the ability of persons with disabilities to compete for scarce jobs. The law stipulates that government buildings be accessible to persons with disabilities, but implementation was slow. Persons with disabilities faced harsh societal discrimination and exclusion, as well as poor service delivery from state bodies. For example, the National Council for the Hard of Hearing reported that access to justice in courts was compromised for persons with hearing disabilities due to a lack of sign-language interpreters. Persons with disabilities living in rural settings faced even greater challenges.

Although two senators were elected to represent persons with disabilities, Parliament rarely addressed problems affecting persons with disabilities.

Parliament does not provide specific line items for persons with disabilities in the various social service ministry budgets.

Most persons holding traditional beliefs viewed persons with disabilities as bewitched, and in extreme cases families hid children with disabilities when visitors arrived. According to the National Association of Societies for the Care of the Handicapped, persons with disabilities were regarded as objects of pity rather than rights-holding individuals and were considered a forgotten and invisible group.

There were very few government-sponsored education facilities dedicated to persons with disabilities. Educational institutions discriminated against children with disabilities. Essential services, including sign language interpreters, Braille materials, and ramps, were not available and prevented children with disabilities from attending school. Many schools refused to accept children with certain disabilities. Schools that accepted students with disabilities offered very little in the way of nonacademic facilities for those accepted as compared to their counterparts without disabilities. Many urban children with disabilities accessed informal education through private institutions, but these options were generally unavailable for persons with disabilities in rural areas. Government programs, such as the basic education assistance module, intended to benefit children with disabilities, failed to address adequately the root causes of their systematic exclusion. The National Association of Societies for the Care of the Handicapped reported that 75 percent of children with disabilities had no access to education.

Persons with mental disabilities also suffered from inadequate medical care and a lack of health services. There were eight centralized mental health institutions in the country with a capacity of more than 1,300 patients, in addition to the three special institutions run by the ZPCS for long-term patients and those considered dangerous to society. Inpatients in the eight centralized institutions received cursory screening, and most waited for at least a year for a full medical review.

A shortage of drugs and adequately trained mental health professionals resulted in patients not being properly diagnosed and not receiving adequate therapy. There were four or fewer certified psychiatrists working in public and private clinics and teaching in the country. There was a 50 percent vacancy rate for psychiatric-trained nurses. The mental institution in Bulawayo provided more than 90 percent of the available psychiatric services. NGOs reported that getting access to these services was slow and frustrating. NGOs reported that patients were subjected to extremely poor living conditions due in part to shortages of food, water, clothing,

and sanitation. Budgetary constraints and limited capacity at these institutions resulted in persons with mental disabilities being kept at home, sometimes in chains and without treatment, and cared for by family.

Prison inmates in the three facilities run by the ZPCS were not necessarily convicted prisoners. Two doctors examined inmates with psychiatric conditions. The doctors were required to confirm a mental disability and recommend a patient for release or return to a mental institution. Prisoners with mental disabilities routinely waited as long as three years for evaluation.

A five-year program launched in 2009 by the National Association of Societies for the Care of the Handicapped provided civic education to persons with disabilities with the goal of encouraging greater civic participation. There were minimal legal or administrative safeguards to allow participation in the electoral processes by 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, which effectively served to disenfranchise some persons with disabilities. The organizations reported that only 20 percent of eligible voters with disabilities had the identity documents required to vote. On election day in 2013, voting stations in many rural areas were in places inaccessible to persons with disabilities. While the law permits blind persons to bring an individual to assist in marking their ballots, police officers also witnessed the marking of such ballots, thus infringing on ballot secrecy.

National/Racial/Ethnic Minorities

According to government statistics, the Shona ethnic group makes up 82 percent of the population, Ndebele 14 percent, whites and Asians less than 1 percent, and other ethnic groups 3 percent. ZANU-PF leaders often encouraged hatred against whites through public speeches and other broadcasts. This created tension between ZANU-PF supporters and whites. Historical tension between the Shona majority and the Ndebele minority resulted in marginalization of the Ndebele by the Shona-dominated government. During the 2013 elections, the mainstream MDC-T often accused Welshman Ncube of the MDC-N (an Ndebele) of campaigning on a tribal platform. In turn, the smaller MDC-N complained of continued victimization and neglect of the minority Ndebele by the Shona-dominated MDC-T and ZANU-PF.

The government continued its attempts to blame the country's economic and political problems on the white minority and Western countries. Police seldom arrested ZANU-PF supporters or charged them with infringing upon minority

rights, particularly the property rights of the minority white commercial farmers or wildlife conservancy owners targeted in the land redistribution program.

The government enforced few of the provisions or timelines in the 2007 indigenization law, and no businesses were forced to transfer ownership. The law defines an indigenous Zimbabwean as any person, or the descendant of such person, who before the date of the country's independence in 1980 was disadvantaged. The official purpose of the indigenization law was to increase the participation of indigenous citizens in the economy, with the ultimate objective of at least 51 percent indigenous ownership of all businesses. Legal experts criticized the law as unfairly discriminatory and a violation of the constitution. Critics also asserted that the real purpose of the law was to create patronage for ZANU-PF. Chinese business owners received preferential treatment and generally were exempt from complying with the indigenization laws. For example, Anjin, a Chinese company involved in diamond mining, enjoyed equal rights with Zimbabwean co-owners. Anjin remained exempted from various taxes applicable to other mining companies.

Historically the government discriminated against language minorities through the law, which mandates the teaching of English in schools along with Shona or Ndebele, depending on the region. In 2001 other minority language groups petitioned the government for legal reforms so that their languages could be taught in their schools. In 2009 the government agreed to fund the teaching of all minority languages, but schools lacked the necessary materials to teach such languages. The constitution recognizes all indigenous languages as official languages. Parliament is authorized to recognize any other language as a language of record. In September authorities in Binga banned the teaching of Ndebele in local schools.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The constitution does not prohibit discrimination based on sexual orientation and gender identity. According to the country's criminal code, "any act involving physical contact between men that would be regarded by a reasonable person to be an indecent act" carries a penalty of up to one year in prison or a fine up to \$5,000. Despite that, there were no known cases of prosecutions of consensual same-sex sexual activity. Common law prevents gay men and, to a lesser extent, lesbians from fully expressing their sexual orientation. In some cases it criminalizes the display of affection between men.

President Mugabe and ZANU-PF leaders publicly criticized the LGBT community. In March, President Mugabe declared, “gays have no human rights.” Prosecutor General Johannes Tomana also stated that the country’s laws were weak and not thorough enough for “dealing with” gays and lesbians. In April at Zimbabwe’s Independence Day commemoration President Mugabe threatened to expel foreign diplomats who “promoted” homosexuality.

Members of Gays and Lesbians of Zimbabwe (GALZ), the primary organization dedicated to advancing the rights of LGBT persons, experienced harassment and discrimination. A decrease in scrutiny of the GALZ by the government was attributed to less anti-LGBT rhetoric in the postelection environment.

Religious leaders in a society traditionally conservative and Christian encouraged discrimination against LGBT individuals. In March, Emmanuel Makandiwa, leader of the United Family International Church, described LGBT individuals as “mentally sick.”

On March 12, police officers arrested Natasha Dowell, a volunteer coordinator for the GALZ, and Tawanda Maguze. The two were facilitating a GALZ workshop on social media use at a Harare hotel. Their lawyers said police disrupted the workshop, alleging organizers had not sought police clearance as required under the law. Police charged Dowell with violating the law but released her. Police released Maguze without charge. Authorities indicated they would proceed by way of summons with the case, although Maguze had not been summoned as of the end of November.

In contrast with GALZ, the Bulawayo-based Sexual Rights Center (SRC), an organization similarly dedicated to advancing the rights of “sexual minorities,” faced minimal harassment. In January, however, police arrested one of the SRC’s board members, a transgender woman. While detained at the Bulawayo Central Police Station, police subjected her to degrading treatment, including a nonconsensual medical examination.

LGBT individuals reported widespread societal discrimination based on sexual orientation. In response to social pressure, some families reportedly subjected their LGBT members to “corrective” rape and forced marriages to encourage heterosexual conduct. Such crimes rarely were reported to police. Women in particular were subjected to rape by male family members. LGBT persons often left school at an early age due to discrimination and had higher rates of

unemployment and homelessness. Many persons who identified themselves as LGBT did not seek medical care for sexually transmitted diseases or other health problems due to fear that health providers would shun them.

The LGBT community made some legal advances during the year. GALZ registered a legal victory related to a series of raids conducted by police against their organization in 2012. In 2012 police raided GALZ offices several times, arrested GALZ members, and charged Martha Tholanah, GALZ cochairperson, with running an unregistered organization under a law used by the government to disrupt and harass civil society organizations. During one of the raids, police also confiscated property belonging to GALZ, including computers and documents. Following a lengthy legal process, on January 14, the High Court ruled the 2012 raid was illegal and ordered the Ministry of Home Affairs to return the property to GALZ. On February 26, a local magistrate ruled in favor of Tholanah, citing the High Court's order that the law did not oblige GALZ to register.

HIV and AIDS Social Stigma

The government has a national HIV/AIDS policy that prohibits discrimination against persons with HIV/AIDS, and the law prohibits discrimination against workers with HIV/AIDS in the private sector and parastatals. Despite these provisions, societal discrimination against persons affected by HIV/AIDS remained a problem. Although there was an active information campaign to destigmatize HIV/AIDS by international and local NGOs, the Ministry of Health and Child Welfare, and the National AIDS Council, such ostracism and criticism continued.

In the most recent demographic and health survey (2010-11), 22 percent of women and 20 percent of men reported they held discriminatory attitudes towards those living with HIV.

Other Societal Violence or Discrimination

Inexplicable disappearances and killings, sometimes involving mutilation of the victim, were often attributed to customary or traditional rituals, in some cases involving a healer who requested a human body part to complete a required task. Police generally rejected the "ritual killing" explanation, despite its being commonly used in society and the press.

Promotion of Acts of Discrimination

Throughout the year government-controlled newspapers and radio and television stations continued to vilify white citizens and blame them for the country's problems. President Mugabe was complicit in these actions to vilify white citizens and urged farmers to evict the remaining white farmers.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

While the law provides for the right of private sector workers to form and join unions, conduct legal strikes, and bargain collectively, other provisions of law abrogated these rights. Public sector workers are not allowed to form and join trade unions but may form associations that can bargain collectively and strike without notice. The law prohibits antiunion discrimination, provides that the labor court handle complaints of such discrimination, and may direct that workers fired due to such discrimination be reinstated.

The law gives the registrar of the Ministry of Public Service, Labor, and Social Welfare the power to supervise the election of officers of workers' and employers' organizations, to cancel or postpone elections, and to change the venue of an election. The law also grants the minister extensive powers to regulate union activities. For example, the minister has the authority to veto collective bargaining agreements perceived to be harmful to the economy as well as to appoint an investigator who can, without prior notice, enter trade union premises, question any employee, and inspect and copy any books, records, or other documents.

The right to strike is strictly regulated. Strikes are limited to disputes of interest. The law provides that a majority of the employees must agree to strike by voting in a secret ballot. Strike procedure requirements include a mandatory 30-day reconciliation period and referral to binding arbitration (in essential services and in nonessential services where the parties agree or where the dispute is over rights). A 14-day advance-notice requirement must be observed in order to call a legal strike. Members of the police and army are the only legally recognized "essential services employees" and are prohibited from striking, but the law allows the Ministry of Public Service, Labor, and Social Welfare to declare any nonessential service an essential service if a strike is deemed a danger to the population. No provisions prohibit employers from hiring replacement workers in the event of strike. The law also allows employers to sue workers for liability during unlawful strikes, with penalties that include fines, imprisonment for up to five years, or both.

Collective bargaining agreements applied to all workers in an industry, not just union members. Collective bargaining takes place at the enterprise and industry levels. At the enterprise level, work councils negotiate collective agreements, which become binding if approved by 50 per cent of the workers in the bargaining unit. Industry level bargaining takes place within the framework of the National Employment Councils (NEC). Unions representing at least 50 percent of the workers can bargain with the authorization of the Minister of Public Service, Labor, and Social Welfare. The law encourages the creation of workers' committees in enterprises where less than 50 percent of workers are unionized.

To go into effect, the ministry must announce collective bargaining agreements, thus giving the minister the power to veto the agreement. Workers and employers at the enterprise level also can come to a binding agreement outside of the official framework. Despite this provision, the ministry could block indefinitely any collective bargaining agreement if it was not announced officially. Regulations require that all collective agreements be registered with public authorities at a cost of \$1,000 per agreement.

The Ministry of Public Service, Labor, and Social Welfare did not effectively enforce applicable laws. Penalties for violations of freedom of association or collective bargaining laws ranged from a fine and/or imprisonment for a period not to exceed two years but were insufficient to deter violations. Administrative and judicial procedures often were subject to lengthy delays and appeals.

The government did not respect the worker rights to form or join unions, strike, and bargain collectively. Worker organizations were not independent of the government and/or political parties. The Zimbabwe Federation of Trade Unions, a government-created alternative labor body, was involved in labor-related discussions with employer and labor organizations.

Government interference with trade union activity was common. Public authorities withheld the registration certificate for a number of unions, including the merged National Union of Metal and Allied Industries in Zimbabwe, the Zimbabwe Diamond Workers' Union, and the Zimbabwe Footwear, Tanners and Allied Workers' Union. Police and state intelligence services regularly attended and monitored trade union activities. Police or ZANU-PF supporters sometimes prevented unions from holding meetings with their members and carrying out organizational activities. The International Labor Organization noted that the government took some steps to address the concerns raised by a 2010 commission

of inquiry. The inquiry found the government responsible for serious violations of fundamental rights by its security forces, including a clear pattern of intimidation that included arrests, detentions, violence, and torture, against members nationwide of the Zimbabwe Congress of Trade Unions (ZCTU)--an umbrella group of unions. It urged the government to implement fully the commission's recommendations.

Although the law does not require unions to notify the police of public gatherings, police required such notification. Authorities often denied permission to unions that applied and/or used force to suppress strikes. For example, police banned demonstrations planned for August 2 by National Railways of Zimbabwe employees over the nonpayment of their salaries for 11 months. On August 6, the high court ruled the police had no power to ban the demonstrations and allowed the workers to stage peaceful demonstrations across the country. In July, Chitungwiza municipal workers staged a strike over the nonpayment of their salaries and allowances, an estimated total of \$13 million that accrued over 13 months. City management enlisted the support of riot police to put down the strike and suspended five union leaders for organizing the strike. Police also continued to deny application by the ZCTU to hold ZCTU-organized events.

Although the ministry conducted training for security forces on POSA, the training did not change security sector attitudes. Unions risked suspension of their registration for 12 months for minor infractions, and the government could fine and imprison union members for participating in union activities.

During the year the court told Cosmas Sunguro it would proceed by way of summons with his case regarding his December 2012 arrest. Authorities charged Sunguro and another union leader, Tawanda Zhou, with trespassing while they were leading a union recruitment drive in Chiadzwa for diamond field workers.

There were reports that some ZCTU affiliates were able to engage in collective bargaining with employers without interference from the government. Nevertheless, members of the ZCTU stated that employers did not recognize their affiliates within the NECs. Workers' committees existed in parallel with trade unions. Their role was to negotiate on shop floor grievances, while that of the trade unions was to negotiate industry level problems, notably wages. Trade unions regarded the existence of such a parallel body as an arrangement that employers could potentially use to undermine the role of the unions.

According to International Trade Union Confederation reports, employers frequently abused institutional weakness by creating a deadlock in the bargaining

process, i.e., by forcing the referral of the dispute to arbitration and then to court, forestalling a decision in a reasonable timeframe. The Motor Vehicle Manufacturers Employers Association continued to refuse to bargain in good faith and, as a result, no collective agreement had been reached since 2007. Agricultural workers reportedly experienced verbal and physical attacks by employers during negotiations.

Antiunion discrimination was prevalent in state-owned enterprises. In April the government-owned Agricultural Bank of Zimbabwe refused to allow Fortune Jegede, a member of the Zimbabwe Bankers and Allied Workers' Union and young workers delegate, to attend an international unions' conference and training course. There were no reports of employers using hiring practices (for example, subcontracting or using short-term contracts) to avoid hiring workers with bargaining rights.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, with exceptions for work for the national youth service and forced prison labor. Forced prison labor includes "any labor required in consequence of the sentence or order of a court" as well as what "is reasonably necessary in the interests of hygiene or for the maintenance or management of the place at which he is detained." Forced labor is punishable by a fine, two years' imprisonment, or both; such penalties were insufficient to deter violations. A law passed in June prescribed punishment of not less than 10 years' imprisonment and, with aggravating circumstances, up to imprisonment for life, for human trafficking--including labor trafficking. The law does not clearly define the crime of trafficking in persons, however, but it requires transportation of the victim for the crime to be punished under the regulation.

There were no reports on the government's efforts to prevent and eliminate forced labor during the year. Although the Ministry of Labor and Social Security had a task force charged with investigating Chinese construction companies suspected of abusive employment practices--possibly including forced labor--and ensuring overall compliance with labor law, the task force failed to take concrete action during the year. There were no data on the number of victims removed from forced labor.

Forced labor, including by children, occurred although the extent of the problem was unknown. Adults and children were subjected to forced labor in agriculture

and domestic service in rural areas, as well as domestic servitude in cities and towns (also see section 7.c).

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law provides that a child between the ages of 13 and 15 years can work as an apprentice if the work is an integral part of “a course of training or technical or vocational education.” The law further states that no person under the age of 18 shall perform any work likely to jeopardize that person’s health, safety, or morals. The law does not directly address the status of children between the ages of 15 and 18. As of year’s end, 15 remained the minimum age for light work, work other than apprenticeship, or work associated with vocational education.

The laws were not effectively enforced. The Department of Social Welfare in the Ministry of Labor and Social Welfare is responsible for enforcing child labor laws, but the department lacked personnel and commitment to carry out inspections or other monitoring. Penalties, which include fines not exceeding \$400, imprisonment not exceeding two years, or both, were not sufficient to deter violations. There was no government action to combat child labor during the year. The NGO Childline counseled 28 boys and 50 girls involved in domestic child labor in 2013.

Child labor remained endemic and was on the rise. Concrete data on the extent of child labor remained difficult to confirm and evaluate. According to a nationwide survey conducted in 2011 by ZimStat on child labor and released in 2013, 96 percent of children in economic child labor were employed in agriculture, forestry, and fishing. Child labor occurred primarily in the informal sectors and was not closely monitored by inspectors. Children worked in agriculture (tobacco, sugar, and cotton), cattle herding, forestry, informal gold and chrome mining, as domestic staff and street vendors, and in other parts of the informal sector.

Children often faced hazards to their health and safety and lacked necessary equipment and training. Children working on farms were exposed to bad weather, dangerous chemicals, and the use of heavy machinery. Most children involved in mining worked for themselves, a family member, or someone in the community.

Forced labor by children occurred in the agricultural, artisanal gold and chrome mining, and domestic sectors. Children also were used in the commission of illegal activities, including gambling and drug smuggling. Some employers did not pay wages to child domestic workers, claiming that they were assisting a child from a rural home by providing housing and board. Some employers paid the parents for a child's work. Relatives often took children orphaned by HIV/AIDS into their homes but used them as domestics without pay.

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment or Occupation

The law prohibits discrimination based on race, sex, gender, disability, language, HIV positive status, or social status. The law does not expressly prohibit employment discrimination regarding sexual orientation and/or gender identity. The government did not effectively enforce the law.

Discrimination in employment and occupation occurred with respect to race, sex, gender, disability, and sexual orientation (see section 6). Discrimination against migrant workers occurred, especially those employed in the informal sector. Discrimination with respect to political affiliation also occurred. In March an MDC-T supporter was forced out of a temporary teaching post at an elementary school in Mashonaland East province. The school's headmaster allegedly told the new teacher that he could not work with a known MDC-T supporter because it would jeopardize his relationship with local ZANU-PF leadership.

e. Acceptable Conditions of Work

The NECs set the minimum wage for all industrial sectors through a bipartite agreement between employers and labor unions. Available statistics show that the national average minimum wage, including allowances, at the end of 2013 was \$304.37 per month. In April the government announced a pay increase for the lowest paid public-service workers to \$375 a month. An estimated poverty line for a family of five was \$510 per month at the end of February.

The law does not provide for a standard workweek, but it does prescribe a minimum of one 24-hour continuous rest period a week. The maximum legal workweek is negotiated between unions and employers in each sector. No worker is allowed to work more than 12 continuous hours. The law prescribes that

workers receive not less than twice their standard remuneration for working on a public holiday or on Sunday. The government sets safety and health standards on an industry-specific basis. The public service commission sets conditions of employment in the public sector. Labor law does not differentiate between workers based on sector or industry.

The government sets occupational safety and health standards, and such standards were current and appropriate for the main industries in the country. Workers have the right to remove themselves from situations that endangered health or safety without jeopardy to their employment.

The Ministry of Public Service, Labor, and Social Welfare is responsible for enforcing the minimum wage and work hours law, but the standards were not enforced effectively due to ineffective monitoring systems and a labor inspector shortage. There were approximately 125 labor inspectors responsible for investigating labor-related violations and for enforcing labor laws, including those covering children. The Zimbabwe Occupational Safety Council, a quasigovernmental advisory body to the National Social Security Authority (NSSA), regulated working conditions. Budgetary constraints and staffing shortages, as well as its status as an advisory council, made it largely ineffective. Penalties for violations of wage or hours of work restrictions ranged from a fine and/or imprisonment for a period not to exceed two years. Such penalties were insufficient to deter violations. Penalties for occupational safety and health violations were not harmonized and fall within the jurisdiction of numerous ministries.

The NSSA inspected a total of 7,139 workplaces and 1,342 pieces of equipment in 2013. As a result of these inspections, the NSSA closed 12 worksites--five factories, four construction sites, two timber-processing sites, and one ferrochrome processing site--found not in compliance with safety regulations. In some cases safety inspectors were reluctant to close noncompliant factories associated with government officials.

Many agricultural and domestic workers were paid below the minimum wage. Many public servants also earned less than the poverty line. According to the 2011 labor force survey by ZimStat, only 42 percent of workers earned an income sufficient to support the minimum food requirement (2,100 calories per person per day) for a family of five. During the year there was pervasive partial payment or nonpayment of salaries in both the public and private sectors. As of August

workers for the National Railways of Zimbabwe continued to report to work despite not receiving their salaries for the previous 11 months.

There was little or no enforcement of the work hours law, particularly in agricultural and domestic worker sectors. Nevertheless, workers were unlikely to complain to authorities about violations due to fear of losing their jobs.

Poor health and safety standards in the workplace were common problems faced by workers in both formal and informal sectors due to lack of enforcement. During the year reports emerged of abuses by the management at certain foreign-owned enterprises and companies owned by well connected politicians, including physical, sexual, and emotional abuse of workers; poor working conditions; underpayment or nonpayment of wages; unfair dismissal; and firing without notice. Information on the treatment of foreign and migrant workers was not available. The government considered many commercial farm workers to be foreigners because one or both parents were born in another country.

In 2013 there were 5,666 serious workplace injuries, 76 of which resulted in death. Between January and June, the NSSA reported 2,931 serious injuries and 53 deaths, a much higher rate than in previous years, despite there being fewer jobs and consequently fewer workers. A breakdown of the number of injuries and fatalities by sector was not available.