ZIMBABWE LAWYERS FOR HUMAN RIGHTS
Fostering a culture of human rights

The Legal Monitor

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ZLHR defends record amid fresh attacks



ZLHR Executive Director Roselyn Hanzi speaking at a side-event held during the 51st regular session of the United Nations (UN) Human Rights Council held in Geneva together with Clement Voule, the UN Special Rapporteur on Freedom of Association and Peaceful Assembly, Lisa Majumdar of CIVICUS Alliance and Fiona Iliff, ZLHR Programme Manager for Research and Advocacy. ZLHR organised the side-event together with its long-term partners International Service for Human Rights, CIVICUS Alliance and DefendDefenders

HARARE-Zimbabwe Lawyers for Human Rights (ZLHR) has come under renewed attack, this time for laying bare the deteriorating human rights situation at the just-ended United Nations Human Rights Council session in Geneva.

The 51st session of the United Nations Human Rights Council (UNHRC) held in September was convened under the backdrop of deepening polarisation and intolerance within the Zimbabwean society, worsened by the lack of political will to fully implement provisions of the Constitution adopted nine years ago in 2013.

In her presentation during a side-event held during the UNHRC's 51st session, ZLHR Executive Director, Roselyn Hanzi, expressed extreme concern at the exponential regression on human rights in Zimbabwe under the post-November 2017 government that took over from former longtime president, the late Robert Mugabe.

She mentioned surveillance, intimidation and unprofessional conduct as some of the characteristics of the post-November 2017 government.

Hanzi called on the Executive arm of government to act in good faith and implement its treaty and constitutional obligations. She demanded that the government respect the role of civil society organisations, (CSOs) that have been engaging in good faith. The human rights lawyer also asked the government to withdraw the Private Voluntary Organisations Amendment Bill that is targeting CSOs and start a comprehensive consultative process to draft an enabling law to be enacted that facilitates the work of civil society.

The response to Hanzi's presentation has been a media campaign aimed at demonising ZLHR, an organisation that has become a cornerstone in defending Human Rights Defenders that have been routinely persecuted over the past decades. But Hanzi noted that the attacks were not new despite ZLHR's track record as a non-partisan organisation. She noted that Hon. Ziyambi Ziyambi, the Minister of Justice, Legal and Parliamentary Affairs has made it clear in numerous meetings that he is targeting ZLHR to stop the organisation from conducting its legitimate work, especially litigation.

> "Of concern is the fact that he has continued to engage in a smear campaign of the organisation by alleging that the organisation funds political parties and that the lawyers are overpaid. This is despite the fact that the government has requested for our bank statements and scrutinised them, early this year – 2022," said Hanzi.

She noted that ZLHR was not formally advised of this request although the organisation has rights – according to banking law tenets.

"It has also come to our attention that the Minister is saying the lawyers are being paid obscene legal fees. As a law-based organisation, we believe in evidence based information being disseminated. We are extremely concerned that the Minister of Justice, Legal and Parliamentary Affairs has failed to show any evidence to support his allegations which he continues to repeat. Ordinarily such utterances are tantamount to defamation of character," she said.

Added Hanzi: "For the record and to the world, ZLHR is non-partisan. We have assisted all victims of human rights violations from all political persuasions, including war veterans – targeted for expressing themselves, again we have represented ruling ZANU PF party youths targeted again for expressing themselves. In terms of the right to shelter, ZLHR represented and assisted former farm workers in ZANU PF constituencies."

Please turn to page 2 for Hanzi's full presentation at the side-event held during UNHRC's 51st session in Geneva.

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The state of civic space in Zimbabwe: HRDs and CSOs

Below are excerpts from the presentation by ZLHR Executive Director Roselyn Hanzi at a side event held on the margins of the 51st regular session of United Nations Human Rights Council in Geneva, Switzerland.

Political and social economic context

- Zimbabwe is now in full scale election mode. Harmonised elections are due to take place in 2023. During the first quarter of this year, several by elections were held for National Assembly and local government constituencies.
- There have been disturbing patterns of human rights violations targeting the main opposition. This has included arrests, banning or disruption of rallies or gatherings. Other incidents of serious violations have been recorded over the last 12 months that include politically motivated violence leading to a number of deaths of opposition supporters. In one incident, the victim was fatally stabbed.
- Freedom of association and assembly remains elusive to those supporting the opposition or deemed to be holding dissenting views or critical of the ruling party.
- Civil society has also not been spared, with staff members of organisations being arrested and prosecuted for conducting meetings.
- We have confirmed cases of increased surveillance of civil society actors. It has also remained very difficult for CSOs and human rights defenders to freely express themselves with notable arrests of journalists, continued persecution through prosecution of journalists including HRDs.
- To compound this situation is the depressed economy and lack of tangible action by responsible authorities to arrest the economic decline. Consequently, there have been calls for peaceful protests, to express views by citizens, and in most cases, those who notify the police (law enforcement agents) have been denied the right – (Maintenance of Peace and Order Act)

One recurring trend in all these developments or rather unfortunate situation is the level of polarisation and intolerance within Zimbabwean society. Which has led to non-acceptance of each other's diverse views and the complementarity that this brings to society.

This is also compounded by the failure or rather lack of political will to fully implement the Constitution.

Reforms

Institutional, and legislative remain outstanding. And for the law reforms (the action cannot really be termed as reforms to enable constitutional compliance. When it comes to civic space, especially civil society regulation, one can safely state that there has been legislative regression.

Retrogressive laws have been introduced or are being proposed affecting civil society operations

PVO Amendment Bill was first introduced on 5 November 2021 and it was "refined" in June 2022. When introduced on 5 November 2021 – in that version the sponsoring Minister justified it as necessary to

1. Comply with the Financial Action Task Force (FATF) recommendations
2. Streamline administrative procedures for regulation and registration
3. Prohibit PVOs from 'political involvement'

In a common position paper, CSOs said that the impact of the PVO Amendment Bill, was

- Over-regulation and undue targeting of NGOs
- Arbitrary criminalisation and punitive civil liability
- Lack of security for continued operations of NGOs.
- Consolidation of powers of Registrar's Office (Public Service) – not independent.
- Excessive executive powers to interfere in internal affairs of NGOs
- Lack of compliance with criminal/ labour laws/ synchronisation with AML/CTF laws – no due process, presumption of innocence
- Violation of freedom of association - regulation of foreign funding.
- Risk assessment process non-FATF compliant does not involve CSOs, impacts the whole of the sector.
- Impact on legitimate activities of human rights/ development/ humanitarian organisations. Persons in distress requiring support not provided by government, will be deprived of assistance in violation of their fundamental rights.

1. The CSOs engaged Parliament and Executive members of government. This was during the public hearings and also submitting written submission to relevant parliamentary committees.
2. The executive arms, particularly the Minister of Justice, Legal and Parliamentary Affairs following one consultation on 11 April, committed to review the proposed Bill and take into account views of civil society. On 7 June, however, he introduced further amendments that completely disregarded civil society submissions. In fact, he capitalised on civil society bonafide engagement to identify additional possible clauses to strengthen the proposed law to completely control civil society and effectively make the organisations an extension of government.
3. 7 June amendments seek to increase control of Executive over registration, re-registration and deregistration.
4. Registrar can encourage organisations with similar mandate to work together – forced alliances – or should I say forced marriages.
5. Give government officials extra-territorial powers to check who is registered as a PVO in another country and operating in Zimbabwe.
6. Introduces a crime of proliferation of weapons of mass destruction with penalty of US$25 million or 35 years in prison.
7. The Minister of Justice, Legal and Parliamentary Affairs has continued to engage in a smear campaign of ZLHR.
8. For the record and to the world, ZLHR is non-partisan. We have assisted all victims of human rights violations from all political persuasions, including war veterans – targeted for expressing themselves. Again, we have represented ZANU PF party youths targeted again for expressing themselves.
9. War veterans for protesting as recent as this year.
10. Right to shelter – former farm workers in ZANU PF party constituencies have been assisted.

Intention on patriotism provisions

11. Over the last few years, government has signified its intention to introduce – the initially termed Patriotic Act
12. Later, it has been advised by relevant senior officials in the Ministry of Justice, Legal and Parliamentary Affairs that they will now amend the Criminal Law (Codification and Reform) Act.
13. The intention is to prevent citizens from meeting with foreign diplomats without permission of the government
14. Prevent communication or dissemination of information on abductions or disappearances.
15. Prevent organisation of protests during key international events
16. The justification is that those who do this are tarnishing the image of the country.
17. All these laws are introduced despite the voluntary commitments of the government having become state party to the International Covenant on Civil and Political Rights as far back as 1987.
18. Being a member of the United Nations comes with the obligation to respect, and fulfill commitments in the Universal Declaration of Human Rights.
19. Zimbabwe has also accepted recommendations in past UPRs on protection of human rights defenders and implementing legal reforms to realise freedom of assembly and association.

We are extremely concerned by the exponential regression on human rights in Zimbabwe under the post November 2017 government. We request that the Executive arm of government must act in good faith and implement its treaty obligations

Respect the role of civil society organisations as they have been engaging in good faith. Government must withdraw the PVO Amendment Bill and start a comprehensive consultative process for an enabling law to be enacted that facilitates the work of civil society.

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ZLHR: A history of engagement with UN



Patrick Chinamasa, who served as Justice, Legal and Parliamentary Affairs Minister gestures after a media briefing which he addressed in May 2012 together with Navi Pillay, who served as United Nations High Commissioner for Human Rights



In May 2012, ZLHR hosted United Nations High Commissioner for Human Rights, Navi Pillay, who conducted the first ever mission by a UN human rights chief to Zimbabwe, at the invitation of government. During her five-day mission, Pillay met the late former President Robert Mugabe, the late former Prime Minister Morgan Tsvangirai, ministers, the Chief Justice, the President and Speaker of Parliament, the Zimbabwe Human Rights Commission and leaders of civil society



Cephas Zinhumwe, the late former Executive Director of National Association of Non-governmental Organisations leads Navi Pillay, who served as United Nations High Commissioner for Human Rights for a meeting with leaders of civil society organisations held at ZLHR offices in Harare in May 2012

GENEVA-Zimbabwe's human rights record has again come under international spotlight, this time at the United Nations Human Rights Council meeting held in September.

Civil society organisations from Zimbabwe and other parts of the world used the recently ended 51st session of the United Nations Human Rights Council in Geneva, Switzerland, to highlight the deteriorating situation in the southern African country. Zimbabwe Lawyers for Human Rights (ZLHR) was one of the organisations represented at the session. This is not the first time that ZLHR has engaged UN agencies or the body's special representatives to bring attention to the situation in Zimbabwe and the need for democratic reform.

For instance, ZLHR was one of the organisations that made representations to Navi Pillay, when she visited Zimbabwe in 2012 as UN High Commissioner for Human Rights. Pillay served as UN High Commissioner for Human Rights from 2008 to 2014 and this was the first ever mission by a UN Human Rights chief to Zimbabwe and the country was heading for an election the following year. Like now, Pillay found that polarisation, political intolerance and gross human rights violations were the biggest impediments to Zimbabwe's reform agenda and a credible election.

"This polarisation is acting as a major impediment on a number of fronts, including the advancement of human rights. Concern is also rising both inside and outside the country that, unless the parties agree quickly on some key major reforms and there is a distinct shift in attitude, the next election which is due sometime in the coming year could turn into a repeat of the 2008 elections which resulted in rampant politically motivated human rights abuses, including killings, torture, rapes, beatings, arbitrary detention, displacements and other violations," Pillay said at a media briefing held at the end of her visit.

She emphasised the importance of civil society in entrenching democracy, good governance and a culture of human rights – advice that could come in handy for President Emmerson Mnangagwa, whose administration is in the process of pushing for the enactment of the draconian Private Voluntary Organisations Amendment Bill targeting civic society organisations.

"A vibrant civil society is a crucial part of any democratic society's development, in all spheres including human rights, and it should be strongly supported even if some of its messages make uncomfortable reading for those in authority," Pillay said at the time.

In 2014, ZLHR in collaboration with Zimbabwe Human Rights NGO Forum hosted then UN Special Rapporteur on Independence of Judges and Lawyers Gabriela Knaul. Knaul was the Guest of Honour at ZLHR's Annual Human Rights Day Dinner during the successful visit. Delivering a lecture on the dinner night, Knaul underscored the importance of an independent judiciary in upholding the rule of law-a message that still resonates today. Knaul said the independence of the judiciary is critical in upholding the rule of law.

"Whenever human rights are violated, prosecutors are persecuted and it means the rule of law is at risk. The principle of the independence of the judiciary does not exist for the benefit of judges but to prevent human beings from being subjected to abuse of power," said Knaul during the lecture.

Several years later in 2017, ZLHR hosted the then UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association, Maina Kiai , who undertook an Academic Visit to the country. Two years later, ZLHR engaged the current U.N Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Clément Nyaletsossi Voule, on his visit to Zimbabwe in September 2019. Like with other U.N representatives before, ZLHR raised key issues regarding the shrinking space for civil society organisations. Voule's 10-day visit came at a time when the country had undergone major political changes that saw longtime ruler, the late President Robert Mugabe replaced by his deputy, Emmerson Mnangagwa following a coup in November 2017. Touting itself as a new republic, President Mnangagwa's administration promised democratic reforms that included the rights to freedom of peaceful assembly and of association. However, in his End of Mission Statement, Voule noted that hopes that the government would fulfil its pledges were fading.

"I believe that the long-awaited hopes are fading. The population is now questioning the Government's capacity to bring about such changes. They feel they have not experienced concrete and tangible results. On the contrary, I have perceived from my different meetings around the country that there is a serious deterioration of the political, economic and social environment since August 2018 resulting in fear, frustration and anxiety among a large number of Zimbabweans," said Voule in the statement.

In November 2019, ZLHR and leaders of other civil society organisations met Hilal Elver, the UN Special Rapporteur on the Right to Food, who visited the southern African country on a mission to assess all aspects of the right to food in Zimbabwe. In her report, Elver found that despite the constitutional protection of the right to food and a sophisticated set of human-rights based national laws and policies, man-made starvation was slowly making its way in the country, with more than 60% of the population now considered food-insecure due to extreme poverty, high inflation and poor agricultural productivity, among other causes.

Alena Douhan, the UN Special Rapporteur on Unilateral Coercive Measures in October 2021 met with leaders of civil society organisations including ZLHR and at the end of her visit, urged government to engage in meaningful structured discussions on political reform, the rule of law, human rights and also called for the lifting of targeted restrictions against authorities in Zimbabwe.

Three years after Voule made his observations, Zimbabweans are heading into an election in 2023 with the situation viewed by many to be similar to or worse than the times when Mugabe was in power. For ZLHR, the deteriorating situation underlines the importance of civil society organisations' continued interactions with UN agencies and the world body's representatives.

"Engagement with UN agencies is a core mandate of ZLHR," said Roselyn Hanzi, ZLHR Executive Director.

Zim rights abuses get global attention

...groups say some churches join violence crusade

NEW YORK-Zimbabwe's escalating clampdown on civil society groups has come under global attention, with United Nations experts raising concern that the country is sinking into political turmoil. Civil society has been under pressure since the beginning of the year, with state agents such as the police arresting prominent leaders, ransacking offices and banning pro-democracy activities ahead of a referendum set for March 16 and a subsequent watershed general election.

Navi Pillay, the UN High Commissioner for Human Rights, in her opening speech at the on-going UN Human Rights Council 22nd Session, raised concern that so many State authorities continued to ignore or repress civil society organisations, human rights defenders and the media. Pillay expressed alarm at the unfolding events in countries such as Zimbabwe, where state agents are threatening to steamroll civil society and other human rights defenders. "Such pressure or reprisals against those who rightly sought to engage the international human rights system should never be tolerated,"
she said.

Other top UN monitors joined in the condemnation last week, questioning Zimbabwe's readiness for a fair and fair election in the midst of the crackdown. UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Maina Kiai said it was time to raise the red flag because of the increasing number of cases involving harassment of civil society and individuals.

"In the context of proposed constitutional reforms and the elections, it is disturbing and shocking to learn that civil society organisations that have been operating for years, including election monitoring groups which aim to promote free and fair elections, have been searched by police," said Kiai, a Kenyan national who was recently in Zimbabwe.

"Search procedures must not be applied selectively, and the right to privacy needs to be respected. Otherwise, the independence of associations and the safety of their members will be seriously at risk," he said. He was supported by Margaret



Maina Kiai

Sekaggya, the UN Monitor on the Treatment of Human Rights Campaigners and Freedom of Expression Monitor Frank La Rue, who both said the situation in Zimbabwe was unacceptable. "The on-going practice of arrests against the activists could seriously hamper the right to freedom of expression.

"The Zimbabwean authorities must ensure that such measures are applied in accordance with international standards and everyone is guaranteed the right to speak freely without fear of persecution, arrest and intimidation," said La Rue.Said Sekaggya: "With the referendum less than two weeks away, human rights defenders who promote participation have a critical role to play. They must be protected by the Government and attempts to stifle criticism must end."

Zimbabwean rights groups such as Zimbabwe Human Rights NGO Forum have said they are taking up the escalating harassment to regional body, the Southern African Development Community, which is the guarantor of the power sharing Global Political Agreement. The Forum says the situation could worsen if no immediate action is taken to end the crackdown. On the evidence available and based on previous trends, as the country heads for crucial political processes, the instigation of violence is likely to be both top down and bottom up, the Forum said last week.

"The bottom level violence is likely to be both spontaneous and unpredictable. There is a high likelihood of copycat violence and conditioned responses to any attempts to upset the current political order. Stakes are high and there are large swathes of communities that have blindly bought into the culture of violence including some of the apostolic sects who have vowed to support the President under all circumstances," the Forum warned.

FLASHBACK

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CSOs Petition on the PVO Amendment Bill

To The Honourable Speaker And Members Of Parliament

1. The Private Voluntary Organisations Amendment Bill 2021 (HB 10,2021) ("the PVO Amendment Bill") was published in the Gazette on the 5th November 2021.

2. According to its memorandum, the PVO Amendment Bill is intended to comply with recommendations made by the Financial Action Task Force (FATF) to Zimbabwe in relation to money laundering and the financing of terrorism.

3. The Government of Zimbabwe is a member of FATF, an inter-governmental organisation founded to combat money laundering and the financing of terrorism. As a result of its membership, the Government assumed certain commitments, including ensuring that it prohibits money laundering and funding for terrorism within its territory.

4. The PVO Amendment Bill goes beyond the realm of advancing the interests of Zimbabwe's obligations to the FATF. Indeed the Bill violates several fundamental rights of citizens. Your Petitioners submit that the FATF obligations are addressed by existing legislation that already prohibits the financing of terrorism. In the event that there are perceived inadequacies, these can be addressed through amendments to relevant general legislation. Your Petitioners believe that the current Bill may be intended to, and certainly will, cripple the operation of civil society organisations (CSOs).

5. Zimbabwe adopted a democratic Constitution in 2013, which among other things deepened human rights, and heightened public expectations that all institutions of government, including Parliament, would work to enhance human rights.

6. Among the fundamental human rights and freedoms enunciated in the Constitution are freedom of association, freedom of assembly, the right to form organisations, and the right to participate in the governance of one's country.

7. Zimbabwe is a member of such multilateral institutions as the United Nations (UN) and the African Union (AU), among many others. Because of its membership in these institutions, Zimbabwe is duty-bound to protect, facilitate and ensure the enjoyment of fundamental rights by its citizens.

8. Several key provisions of the PVO Amendment Bill are inconsistent with the letter and spirit of the Declaration of Rights in the Constitution, as well as the African Charter on Democracy, Elections and Governance, which Zimbabwe has signed and ratified. As enunciated by UN Special Rapporteurs in their communication to His Excellency the President of Zimbabwe on 17th December 2021, these provisions also violate international human rights standards such as those protected in the International Covenant on Civil and Political Rights.

9. These provisions also violate rules and guidelines laid down by FATF itself. FATF Recommendation 8 states that countries should apply focused and proportionate measures, in line with a risk-based approach, towards non-profit organisations. The measures proposed in the Bill do not meet these standards of being focused and appropriate. In its interpretive note to Recommendation 8, FATF says that measures should not disrupt or discourage the organisations' legitimate activities. As already stated, the Bill will cripple the activities of CSOs.

10. A vibrant civil society is vital to democracy and good governance.

11. Section 119 of the Constitution confers on Parliament the role of protecting the Constitution and promoting democratic governance in Zimbabwe. Your Petitioners contend that the PVO Bill violates the Constitution and is inimical to democratic governance.

WHEREFORE your petitioners pray that the Parliament of Zimbabwe will be pleased to take their case into favourable consideration and to not pass the Bill, but instead to urge the GoZ to apply reasonable and proportionate measures in terms of a risk-based, targeted approach in consultation with CSOs, to address any risks in the sector, and apply the existing anti-money laundering and counter-terrorism laws and frameworks to the sector.

PRIVATE VOLUNTARY ORGANISATIONS (AMENDMENT) BILL, 2021

What are Private Voluntary Organisations (PVOS)?

PVOs are groups of persons or institutions that are private, non-profit driven and independent. PVOs play a very important role in supporting governmental efforts in various areas including development and governance.

They assist in areas such as charity work, legal aid and emergency aid in times of natural disasters. For example, during Cyclone Idai, they played a critical role in providing humanitarian support to affected communities and places where government support was not enough. PVOs are regulated by the Private Voluntary Organisations Act [Chapter 17:05]. However, some organisations such as trusts and common law associations are exempt under the Act.

What is the PVO Amendment Bill?

This Bill was gazetted on 5 November 2021. It seeks to amend the PVO Act for reasons which include:

- To comply with the recommendations of the Financial Action Task Force (FATF);
- To facilitate the simplified registration and operation of PVOs and
- To prevent PVOs from engaging in political activities.

How does the FATF relate to the intended amendments?

The FATF is a body that checks to see if countries around the world are taking measures to fight money laundering and terrorist financing (ML/TF).

It has developed 40 standards and these include recommendation 8 which focuses on non-profit organisations (including PVOs). The recommendation requires the government to apply ML/TF measures:

- Only to non-profit organisations / PVOs that have been identified to be at risk (not the whole non-profit / PVO sector);
- That require the government to consult with non-profit organisations / PVOs and
- That are equal, fair, balanced and focused.

Are the amendments fulfilling FATF recommendations 8?

No. The suggested amendments will restrict the work of all PVOs and not just those at risk of ML/TF. In addition, they do not advance FATF measures. Moreover, they violate important human rights and affect communities that depend on the work of PVOs.

The Bill seeks to legalise attacks on those who do not agree with the government or those who may be seen as opponents of the government. It also limits the ability of citizens to access health, legal, humanitarian and other forms of support that is offered by PVOs.

Who is affected by this Bill?

The Bill affects PVOs, trusts, associations and all organisations providing charitable services. It also affects everyone who benefits from, and supports, the work of these organisations.

What are some of the unfair measures being introduced in the Bill?

- Trusts and common law universitas associations will be ordered to register under the PVO Act. Designated organisations will become unlawful entities unless they register under the Act. These measures are unfair because registration under the PVO Act is a very difficult process.
- Organisations will not be allowed to receive funds and contributions from well-wishers, including those who are outside the country, to support their operations. This will adversely affect their ability to pay their workers. The organisations will effectively be forced to register and disclose their funding. Importantly, the Bill makes it a punishable crime for designated organisations to receive such funds and contributions without registration.
- It bans PVOs from working on issues involving politics. PVOs are not allowed to support or oppose any political parties or candidate in any elections. The Constitution of Zimbabwe, the highest law of the land, gives everyone (including PVOs) important rights to participate in democratic processes and to have a say in local and national issues, including politics. The Bill is not clear on the exact meaning of "support" (or "oppose"). This means that PVOs which assist victims of political violence, conduct voter education, provide legal support to opposition candidates who are victims of rights violations, or support a political party's position that advance good governance and human rights, may be punished or jailed for exercising their rights.
- The Bill allows for suspension and removal of executive committees of PVOs. The Minister of Public Service and Social Welfare is given very wide powers to remove those in charge of running these organisations and replace them with those he/she may choose. This is unlawful because it affects the ability of PVOs to decide their own leaders. The Minister may appoint people who have no interest in advancing the work of PVOs. This violates the right to freedom of assembly, which is protected by the Constitution of Zimbabwe.
- The Minister is given too much power to label any PVO as "high risk" or "vulnerable to" misuse for terrorism funding and impose measures against such PVOs. The Bill fails to show the way or manner in which the Minister may impose such dangerous measures. There is no provision for consultations with PVOs. This violates the law and FATF standards, as it gives unchecked powers to the Minister to do as he/she pleases. These broad powers also allow the Minister to impose harsh measures on individuals/group that are considered to be a threat to the government.

- The Bill forces PVOs to reveal to the Minister any funding that comes from outside of Zimbabwe. This is a violation of the right to privacy which is protected in the Constitution.
- The Bill makes it a duty for organisations to apply to the Registrar for approval for "material changes" in the organisation of PVOs. These changes, concern the Constitution, institutional structure, or composition of the management/ board of PVOs. The Registrar can refuse such changes and deregister organisations. The Registrar can also direct the PVOs to re-register
- The Registrar, who is a civil servant and part of the Public Service, is given very wide powers to interfere with activities of PVOs. The Registrar's office reports to and is controlled by the President. This dynamic can potentially affect the independence of PVOs as they will not be able to speak freely on pertinent issues out of fear of getting on the wrong side of the Registrar.

What happens if this Bill becomes law?

- PVOs will not be able to freely carry out their work. • Human rights violations such as police brutality and political violence would increase without victims getting justice.
- Humanitarian work would cease, or be severely restricted.
- PVOs would not be able to continue with their work due to a lack of funding and support from local and international partners.
- Communities in distress will not get aid and services that they are currently receiving through the work of PVOs

3 Reasons to oppose the Bill

1. **It hurts you and me.** If passed, the Bill would affect the work of all non-profit organisations working in Zimbabwe, including those providing life-saving assistance (examples include sanitary pad drives, community feeding centres and burial societies). It would also affect religious charities, educational services, food aid, water and sanitation assistance, and organisations providing care for vulnerable children and more.
2. **It does not promote our rights.** It limits rights like the right to freedom of association, the right to privacy and political rights, which are protected in Zimbabwe's Constitution.
3. **It is unnecessary.** The Financial Action Task Force (FATF) Recommendations which this Bill claims to respond to have already been addressed in other laws and policies.