

ZIMBABWE 2016 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. Numerous factors contributed to a deeply flawed election process: a hastily convened and politically compromised Constitutional Court that unilaterally declared the election date before key electoral reforms were in place; 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, including active-duty personnel running 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. The elections resulted in the formation of a unitary ZANU-PF government led by President Mugabe and ZANU-PF supermajorities in both houses of parliament. ZANU-PF used intimidation and targeted violence again to retain some parliamentary seats during by-elections.

Civilian authorities failed at times to maintain effective control over the security forces.

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

There were many other human rights problems. Prison conditions were harsh. The government's expropriation of private property continued. Executive political influence on 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 expression, press, assembly, association, and movement. The government evicted citizens, invaded farms and private businesses and properties, and demolished informal marketplaces and settlements. The government arrested, detained, prosecuted, and harassed

members of civil society, including members of nongovernmental organizations (NGOs). Government corruption remained widespread, including at the local level. Violence and discrimination against women; child abuse; and trafficking of men, women, and children were problems. Discrimination against persons with disabilities; racial and ethnic minorities; lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; and persons with HIV/AIDS continued. The government also interfered with labor-related events.

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

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

a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

There were reports the government or its agents committed arbitrary or unlawful killings. Police units sometimes organized or participated in political violence. Security sector impunity for politically motivated abuses remained a problem.

For example, on February 5, police detectives reportedly shot and killed Passmore Mazariro, whom police suspected of cell phone theft, at his home in Harare. They forced entry into Mazariro's house and ordered him to lie on his stomach. One of the detectives then allegedly shot and killed him.

Impunity for past politically motivated violence remained a problem. Investigations continued of prior years' cases of violence resulting in death committed by security forces and ZANU-PF supporters, but by year's end no one had been arrested or charged in these cases.

There were no advances in holding legally accountable those responsible for the deaths 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.

Unwillingness to acknowledge past atrocities or seek justice for victims continued to influence Shona-Ndebele relations negatively. 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 no reports of long-term politically motivated disappearances. Although the High Court ordered the government to provide updates on the 2015 disappearance of democracy activist Itai Dzamara, government officials failed to do so. There were no reports of authorities punishing any perpetrators of previous acts of disappearance.

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 engaged 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 assaulted and tortured citizens in custody, including perceived opponents of ZANU-PF. In some cases police arrested and charged the victims of violence instead of perpetrators.

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

According to one NGO, from January through August, 493 victims of organized violence and torture sought medical treatment and counseling after sustaining injuries in separate incidents across the country. The NGO reported the Zimbabwe Republic Police (ZRP) was responsible for 66 percent of the violations, while ZANU-PF supporters were responsible for 25 percent of the violations. Nearly 49 percent of the cases occurred in the capital, Harare. Although the majority of victims did not indicate their political affiliation, more than 30 percent of all victims associated themselves with the Movement for Democratic Change-Tsvangirai (MDC-T), Zimbabwe People First, or other opposition political parties.

On February 17, state security agents allegedly abducted a People's Democratic Party (PDP) official in the town of Gwanda. An NGO reported they forced the

victim into a truck and drove off. State security agents allegedly tortured the victim, releasing him after PDP officials made a report to the Gwanda police.

On September 12, six alleged state security agents abducted Tajumuka/Sesjikile activist Sylvanos Mudzvova from his Harare home in view of his wife and children. These men reportedly blindfolded Mudzvova and subjected him to electric shocks to his feet and genitals while interrogating him. He was left unconscious several miles outside of Harare.

Police used excessive force to disperse demonstrators, resulting in injuries.

For example, on February 18, police used tear gas and water cannon to disperse hundreds of war veterans planning a march on ZANU-PF's headquarters.

On August 26, police used tear gas, water cannons, and batons to disperse an estimated crowd of 150 demonstrators who gathered for a march calling for electoral reforms. According to one NGO, 43 persons sought medical assistance after sustaining injuries while participating in the demonstration. The NGO reported police arrested 70 persons, 20 of whom sustained injuries that required medical attention.

ZANU-PF supporters--often with tacit support from police or government officials--continued to assault and mistreat scores of persons, including civil society activists and known opposition political party members and their families, especially in Harare neighborhoods and nearby towns. Presidential Spokesman and Information Ministry Permanent Secretary George Charamba threatened to deploy ZANU-PF militia on antigovernment protesters instead of regular police. Violent confrontations between youth groups of the ZANU-PF (known as "Chipangano") and opposition political parties continued, particularly in urban areas. ZANU-PF supporters were the primary instigators of political violence.

On September 26, media reported ZANU-PF activists tortured and detained peaceful marchers at ZANU-PF headquarters, including MDC-T legislators protesting against Mugabe, before releasing them to police.

The courts punished some ZANU-PF supporters accused of political violence. Police investigated and arrested four ZANU-PF activists implicated in abducting, torturing, and robbing MDC-T supporter Stewart Chandimhara on June 18. On September 9, the Rusape Magistrates' Court charged the four men with kidnapping and robbery. Their cases were pending at year's end.

Prison and Detention Center Conditions

Prison conditions remained harsh, partly due to overcrowding in older urban remand facilities, and the Zimbabwe Prison and Correctional Services (ZPCS) struggled to provide adequate food and sanitary conditions. The 2013 constitution added prisoner rehabilitation and reintegration into society to ZPCS responsibilities.

Physical Conditions: There were approximately 17,000 prisoners, spread across 46 main prisons and 26 satellite prisons. While some prisons operated below capacity, NGOs reported overcrowding continued due to outdated infrastructure and judicial backlogs.

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

NGOs reported female prisoners generally fared better than male prisoners. Authorities held women in separate prison wings and provided women guards. Women generally received more food from their families than did male prisoners. The several dozen children under age three living with their incarcerated mothers were required to share their mothers' food allocation. NGOs were unaware of women inmates reporting rapes or other physical abuse. NGOs suggested either women guards were more diligent in protecting women prisoners from abuse or that female prisoners did not report abuse. With support from NGOs, prisons distributed some sanitary supplies for women, although prison officials often reserved some of these supplies for themselves. Officials did not provide pregnant women 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 housing boys only. Girls were held together with women. Authorities held boys in adult prisons throughout the country while in remand. Officials generally tried to place younger boys 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. Conditions in prisons, jails, and detention centers were often harsh. Authorities often held pretrial detainees with convicted prisoners until their bail hearings.

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. 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. In partnership with NGOs, the ZPCS offered peer education on HIV/AIDS. The ZPCS 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.

Those detained for politically motivated reasons were held at police stations for days while their court dates or bail hearings were pending.

Administration: The ZPCS established an inspections and audit unit to assess prison conditions and improve monitoring of prisoners' rights, but the unit did not release the results of such assessments. The Zimbabwe Human Rights Commission (ZHRC) increased the number of monitoring visits it conducted in prisons. There was no prison ombudsman, but there were statutory mechanisms to allow alternatives to incarceration for nonviolent offenders.

Record keeping on prisoners was inadequate. Prisoners moved from one facility to another were occasionally lost in the ZPCS' administrative system for weeks or months. Authorities permitted prisoners to submit complaints without censorship, but investigations were rare.

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 meetings with prisoners occurred without third parties present and with minimal restrictions.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, although other sections of the law effectively weakened these prohibitions. The government enforced security laws in conflict with the constitution. Security forces arbitrarily arrested and detained persons, particularly political and civil society activists perceived as opposing the ZANU-PF party. Security forces frequently arrested large numbers of persons during antigovernment protests. State security agents often arrested opposition activists from their homes at night, refused to identify themselves, and used unmarked and untraceable vehicles.

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 matters. The ZRP is responsible for maintaining internal law and order. The Department of Immigration and the ZRP are primarily responsible for migration and border enforcement. 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 under the Ministry of Defense. The armed forces are responsible for external security, but the government sometimes deployed them as a back-up to the police as a show of force. For example, in July the Zimbabwe Defense Forces deployed army personnel in response to the riots at the Beitbridge border post. The Central Intelligence Organization (CIO), under the Office of the Vice President, 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.

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 provisions of the constitution also compromised the quality of police work. Police were ill equipped, underpaid (frequently in arrears),

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. The government changed pay dates for security forces on a month-to-month basis.

The constitution calls for a government body to investigate complaints against the police. Despite this provision, there were no internal or external entities to investigate abuse by the security forces. Authorities reportedly investigated and arrested corrupt police officers for criminal activity but also punished or arrested police officers 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.

Arrest Procedures and Treatment of Detainees

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

The law provides for bail for most accused persons. In 2015 the Constitutional Court declared section 121(3) of the Criminal Procedures and Evidence Act unconstitutional. According to human rights attorneys, it allowed prosecutors to veto bail decisions made by the courts and keep accused persons in custody for up to seven days based on the prosecution's stated intent to appeal bail. Despite the Constitutional Court ruling against section 121(3), the government amended the law by including provisions that allow prosecutors a veto over judicial bail decisions. Prosecutors relied on the provisions to extend the detention of opposition political activists.

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 or

those with authority to grant access were unavailable. An indigent detainee may apply to the government for an attorney in criminal cases, but requests were rarely granted except in capital cases. This occurred with cases involving opposition party members, civil society activists, and ordinary citizens. In contrast with previous years, there were no reported cases of detainees held incommunicado.

The government also harassed and intimidated human rights lawyers when they attempted to gain access to their clients.

Arbitrary Arrest: The government used arbitrary arrest and detention as tools of intimidation and harassment, especially against political activists, civil society members, 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.

After a nationwide protest in July, police arrested Pastor Evan Mawarire, leader of the social media movement #ThisFlag. He was initially charged with inciting violence after he organized the protest and later charged with “attempting to overthrow the government by unconstitutional means.” Police also arrested protest leader Promise Mkwanziri several times during a three-month period, detaining him on charges ranging from failure to stop at a police checkpoint to public violence.

In September police arrested opposition Member of Parliament for Mutasa North Trevor Saruwaka for leading an antigovernment demonstration organized by a coalition of opposition parties.

Pretrial Detention: Prolonged pretrial detention was limited for nonpolitical prisoners. Delays in pretrial procedures were common, however, due to a shortage of magistrates and court interpreters, poor bureaucratic procedures, the low capacity of court officials, and a lack of resources. The constitution provides for the right to bail for detained suspects. Despite this provision, the government routinely opposed bail for political detainees. For example, after the arrest in early July of Occupy Africa Unity Square movement leader Linda Masarira, the government denied her bail for nearly three months while she awaited her trial.

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” that authorizes them to waive bail for destitute prisoners. Lawyers reported juveniles usually spent more time in

pretrial detention than adults 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.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: The law provides arrested persons with the right to be brought before the courts within 48 hours of arrest. Political and civic leaders routinely challenged the lawfulness of their arrests in court. In July police arrested Pastor Evan Mawarire on charges of inciting violence. His lawyers argued successfully that prosecutors then presented different charges to the court from those read out to Mawarire when he was first arrested. The magistrate ruled that prosecutors must read out charges against an accused person at the first appearance in court.

The law absolves individual security agents from criminal liability regarding unlawful arrests and detention. Police officers routinely argued that they merely followed orders in conducting arrests and were not responsible for compensating victims of unlawful arrests.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but executive influence and interference remained a problem. For example, on September 3, President Mugabe publicly criticized judges as "negligent and reckless" for having approved public protests during his absence from the country. As was the case in 2015, however, there were instances where the judiciary demonstrated its independence despite being under intense pressure to conform to government policies.

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. For example, NGOs reported senior government officials undermined 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, in which justices were more likely to make politicized decisions. 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 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 opposition party members and civil society activists bail against the government's wishes.

Trial Procedures

The constitution provides for the right to a fair public trial, but political pressure and corruption frequently compromised this right. By law defendants enjoy a presumption of innocence, although courts did not always respect this right. Magistrates or judges held trials without juries. 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 conviction of an offense could result in a death penalty or lengthy prison sentence. Defendants have the right to a lawyer of their 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 requests were rarely granted except in capital cases, in which the government provided an attorney for all defendants unable to afford one. Individuals in civil cases may request free legal assistance from the Legal Resources Foundation or the Zimbabwe Lawyers for Human Rights (ZLHR). The Zimbabwe Women Lawyers Association also provides some free legal assistance to women and youth. Free interpretation is provided for by law, and Shona-English interpretation was generally available. The right to adequate time and facilities to prepare a defense is also provided for by law but was often lacking.

Authorities sometimes denied attorneys access to their clients, especially in cases in which those detained were alleging torture. Defendants have the right to present witnesses and evidence on their own behalf and to confront adverse witnesses. Any person arrested or detained for an alleged offense has the right to remain silent and may not be compelled to confess. Defendants and their attorneys have the right to access all government-held evidence relevant to their cases. Authorities did not always respect these rights.

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. No groups were denied those rights.

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 submit their cases for trial. As with many other cases in which authorities granted bail to government opponents (see section 1.d.), they 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, 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.

Government officials frequently ignored court orders in such cases, delayed bail and access to medical care, and selectively enforced court orders related to land disputes favorable to those associated with ZANU-PF.

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, including opposition party officials, their supporters, NGO workers, and civil society activists. Authorities held many such individuals for one or two days and released them. 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. There were reports police beat and physically abused political and civil society activists while they were in detention.

On September 17, police arrested six protesters participating in demonstrations organized by the National Electoral Reform Agenda. While appearing at the Mbare Magistrates’ Court two days later, the protesters’ lawyers took pictures of their clients’ lacerated backsides. The protesters reported police beat them while in detention with rubber truncheons and denied them medical attention.

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 individuals and organizations seeking remedies for violations of human rights.

Lack of judicial and police resources contributed to problems enforcing domestic court orders.

Property Restitution

The constitution stipulates the government must compensate persons for improvements made on land subsequently taken by the government, but it 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.

Support was uneven and inconsistent for households resettled from the diamond mining grounds of Marange in Chiadzwa to a government-owned agricultural estate outside Mutare. Since 2010 authorities relocated more than 1,800 families. Each household was entitled to receive \$1,000 for relocation, although reportedly only a handful received the money. Most of the relocated families had not received compensation of any kind, including agricultural land, 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. The government held mining companies responsible for restitution and did not complete appraisal of the land and property lost by each family for the purpose of property restitution. The mining companies insisted the government was responsible. Relocated families reportedly did not have access to adequate social services, including education and health facilities. In addition an estimated 2,510 families remained without a timeframe or destination for their impending relocation at year’s end.

The government also failed to compensate most of the internally displaced persons (IDPs) relocated forcibly from the Tokwe-Mukosi area during flooding in 2014. Approximately 3,125 families were legally entitled to compensation.

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

The constitution and law prohibit such actions, but the government did not respect these prohibitions. Government officials pressured local chiefs and ZANU-PF loyalists to monitor and report on persons suspected of supporting political parties other than ZANU-PF. Through threats and intimidation, local chiefs and ZANU-PF loyalists also compelled individuals, mostly in rural areas, to contribute money toward President Mugabe’s birthday celebrations.

Government entities manipulated the distribution of government-provided food aid, agricultural inputs, and access to other government assistance programs such as education assistance to exclude suspected political opposition supporters and to compel support for ZANU-PF.

In September the Zimbabwe Human Rights Commission announced ZANU-PF was interfering in the distribution of government food aid for personal political gain at the expense of deserving beneficiaries. An NGO reported that more than 122 incidents of partisan distribution of food aid took place across the country from January to July.

The government forcibly displaced persons from their homes, often without providing adequate notice, consulting victims, or providing alternative accommodation. According to local human rights and humanitarian NGOs, sporadic evictions continued. In September police evicted approximately 50 families from a farm in Darwendale. Media reported police accused the families of illegal settlement and burned the families' houses, personal property, and food.

Land seizures remained a serious problem. 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 effectively became state property. According to the Commercial Farmers Union of Zimbabwe, after authorities gazetted a property, it was transferred to a politically connected individual at the first available opportunity. The exact number of remaining white commercial farmers was unknown; those remaining 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 and with the collusion of high-ranking government officials and provincial ZANU-PF party structures and leaders.

Titleholders who lost their homes or properties--where most of their life earnings were invested--were not compensated. By 2013 between 180 and 230 farmers had accepted settlements worth 5 to 10 percent of the value of their investments. As a result, like their former farm workers whom the new farm owners 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 titleholders.

For example, in 2014 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 regarding the 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 eventually forced Conolly off the property. Conolly filed an urgent high court application regarding the seizure of his farm, and Ndhlukula was found in contempt of the court order, which Ndhlukula appealed. On September 13, Lands and Rural Resettlement Minister Douglas Mombeshora filed for Conolly's eviction--giving him seven workdays to vacate the property--even though the case remained before the Supreme Court.

On February 3, a ZANU-PF provincial chairperson reportedly seized a farm in Masvingo belonging to Yvonne Goddard, a widow who had lived on the farm for 45 years. The ZANU-PF official justified the invasion by arguing the seizure was lawful as the farm was underutilized.

ZANU-PF supporters also forcibly seized the property of nonwhite landowners. For example, in August dozens of youth linked to ZANU-PF invaded the farm of Victor Matemadanda, secretary of the Zimbabwe National Liberation War Veterans Association (ZNLWVA), after he lost favor with the ruling party.

There were other 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 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.

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.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedoms of expression and of the media, 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 critics, and journalists practiced self-censorship.

Freedom of Speech and Expression: Security authorities restricted freedom of speech and arrested 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.

Government authorities arrested individuals for violating Section 33 of the Criminal Law (Codification and Reform) Act, routinely invoked against political and human rights activists as well as ordinary citizens for allegedly undermining the authority of or insulting the president.

On July 27, police arrested Douglas Mahiya, the ZNLWVA secretary for information and publicity, as well as four others for denigrating President Mugabe in a communique issued after a July 18 meeting. The government also accused Mahiya of undermining President Mugabe’s authority during an interview with the South African Broadcasting Corporation transmitted on July 21. Their trial was pending at year’s end.

Press and Media Freedoms: The government restricted freedom of the press. The Ministry of Media, Information, and Publicity exercised control over state-run media. High-ranking ZANU-PF officials used these media to threaten violence against critics of the government.

Despite threats and pressure from the government, independent newspapers continued to operate.

Security services also prevented journalists from covering events that would expose government excesses. On January 7, Presidential Spokesman and

Information Ministry Permanent Secretary George Charamba threatened to take action against privately owned media outfits, warning journalists against reporting on allegations of security sector officials interfering with ZANU-PF internal succession politics. Information Minister Christopher Mushohwe also warned journalists not to write on security sector issues.

The Media Institute of Southern Africa-Zimbabwe Chapter (MISA-Zim) issued a statement criticizing the “ongoing police onslaught” against journalists during nationwide protests and demonstrations. MISA-Zim reported police assaulted or harassed more than 12 journalists from local and international media organizations while covering demonstrations between July 6 and September 12. On August 26, police arrested and detained photojournalist James Jemwa for more than five days at Chikurubi Maximum Prison for covering demonstrations in Harare.

The government used accreditation laws to prevent international media journalists’ entry into the country. For example, on July 8, authorities deported two Sky News journalists for entering the country without accreditation. Presidential Spokesman and Information Ministry Permanent Secretary Charamba told AFP “their deportation should serve as a warning to foreign journalists who may attempt to sneak into the country without permits.” Government officials detained the two Sky News journalists overnight at Harare International Airport before deporting them the next morning. Most international media outlets such as CNN, al-Jazeera, and the BBC, however, 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, continued broadcast operations. Despite their perceived allegiance to ZANU-PF, the two stations included independent voices in their programming. Of the eight urban commercial radio stations licensed by the Broadcasting Authority of Zimbabwe (BAZ) in 2015, four had started operating by September.

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

The government-controlled Zimbabwe Broadcasting Corporation, the country’s only domestically based television broadcasting station, operated one television channel. International satellite television broadcasts were available through private firms but were too expensive for most citizens.

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 for allegedly biased reporting that discredited President Mugabe and misrepresented the country's political and economic conditions.

On July 6, Marimba police detained Alpha Media Holdings journalists Elias Mambo, Tafadzwa Ufumeli, and Richard Chidza and freelance journalist Godwin Mangudya, who were covering protests in the Mufakose suburb of Harare. On August 3, members of the riot police assaulted journalists covering protests by unemployed graduates. As the marchers approached parliament, police beat a group of seven journalists with baton sticks.

Censorship or Content Restrictions: The government used the law to control media content and the licensing of journalists, although many provisions of the law are inconsistent with the constitution. The law provides the government with extensive powers to control media and suppress free speech by requiring the registration of journalists and prohibiting the "abuse of free expression."

On July 4, the BAZ issued a warning to broadcasters not to broadcast "programs that incite, encourage, or glamorize violence or brutality." The notice stated that broadcasters must avoid broadcasting "obscene and undesirable comments" from participants, callers, and audiences in accordance with section 26 of the Broadcasting Services (Licensing and Content) Regulations.

Libel/Slander Laws: The Constitutional Court ruled the previous constitution outlaws criminal defamation. Civil defamation laws remain in force.

On February 3, the Constitutional Court ruled all laws assigning criminal penalties for conviction of defamation contradict constitutional provisions for press freedom, including Section 96 of the Criminal Law (Codification and Reform) Act. The ruling was in response to a lawsuit brought by MISA-Zim and four journalists, including Nqaba Matshazi. In 2011 police arrested Matshazi and his editor, Nevanji Madanhire, of the private independent weekly newspaper *The Standard* on charges of criminally defaming Munyaradzi Kereke, chairman of a defunct health insurance company and a prominent ZANU-PF official.

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

National Security: 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. Authorities used these laws to restrict publication of information critical of government policies or public officials.

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 Blackberries registered in the country, including its encrypted messaging service that prevented enforcement of the law, allowing the government to intercept and monitor communications.

Despite the restrictive environment for traditional media, internet and mobile phone communication in the country was widely available. The government, however, threatened to regulate internet and mobile phone communication to curb dissent.

On April 3, the government-controlled *Sunday Mail* newspaper quoted President Mugabe as saying the government needed to stop "abuses on the internet" and would emulate China in the use of security measures to regulate access to certain websites.

The government regularly monitored and interfered with use of social media. For example, on July 6, a local internet service provider (ISP) stated the government instructed local ISPs and mobile telecommunications companies to slow down their service and to hinder the instant messaging platform, WhatsApp, following a planned day of nationwide protests. The government instructed companies to return service to normal later that same day. Government authorities publicly denied having issued the instruction. Telecommunication service providers interviewed by journalists refused to reveal the cause of the outage.

On July 7, the Posts and Telecommunications Authority of Zimbabwe (POTRAZ), the national telecommunications regulator, published a statement warning members of the public against what it termed "social media abuse." POTRAZ announced that any person caught in possession of, generating, sharing, or passing

on “abusive, threatening, subversive, or offensive telecommunication messages” would be arrested and “dealt with accordingly in the national interest.”

Parliamentary and legal watchdog Veritas stated regulations under the Interception of Communications Act (ICA) along with the Postal and Telecommunications (Subscriber Registration) Regulations, 2014 (SI 95 of 2014) facilitated eavesdropping and call interception. Under ICA law, enforcement officers may apply to the responsible minister for a warrant authorizing law enforcement to intercept communications, including calls, e-mails, and messages. Using the statutory instrument, officers may apply for interception warrants if they know the identities of individuals whose calls and messages they want to intercept.

According to the International Telecommunication Union, 16.4 percent of the population used the internet in 2015.

Academic Freedom and Cultural Events

The government restricted academic freedom. The country’s 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 providing disciplinary powers over staff and students to university authorities.

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.

On February 23, the Rural Teachers Union of Zimbabwe (RTUZ) reported security officials routinely visited rural schools ahead of visits by senior ZANU-PF officials to ensure that teachers delivered the “correct lessons” to students. RTUZ representatives stated these actions created significant stress on teachers and negatively affected their performance in classrooms.

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

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

On March 10, the Zimbabwe Censorship Board upheld its 2015 decision to prohibit distribution of a feature-length documentary focused on the drafting of the 2013 constitution. The documentary, *Democrats*, followed two politicians appointed to lead the country through the constitutional reform process. In a March letter to Upfront Films, the acting secretary of the Censorship Board announced DVDs of the film were banned and prohibited because the film “is not suitable for public showing as previously recommended.”

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

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

The Public Order and Security Act requires organizers to 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 magistrates' court stating the reasons behind the denial. Although many groups did not seek permits, other groups informed police of their planned events, and the police either denied permission or gave no response.

Authorities often denied requests by civil society, trade unions, religious groups, 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 August 24, opposition supporters held a demonstration against police brutality that turned violent when police fired tear gas and water cannons to disperse the crowd. The police used force against passersby not involved in the protest, including one American citizen who was hit with a baton by police. On August 26, police used tear gas and batons to disperse a crowd of demonstrators who gathered for a march calling for electoral reforms. Even though opposition leaders received High Court approval to proceed with the demonstration, police dispersed protesters using tear gas. Less than one week later, the government passed Statutory

Instrument 101a, banning all demonstrations in the Harare Central Police District during a two-week period. Although the High Court ruled the ban unconstitutional on a technicality September 7, police announced a Proposed Prohibition Order on all public demonstrations in central Harare during a one-month period.

On August 15, the RTUZ began a 120-mile march to Harare to protest poor working conditions in rural schools. The RTUZ abandoned its march several days later, citing intimidation by state security agents.

On September 25, police disrupted a peaceful meeting of the Zimbabwe National Students Union (ZINASU) in Mutare and arrested 19 of ZINASU's student leaders. Police released 17 of the 19 leaders after a court found their arrests to be unlawful. The remaining two leaders faced charges of not notifying the police of a public gathering and insulting or undermining the president.

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

For example, on January 19, police disrupted an MDC-T meeting in Mbare. Several ZANU-PF youths entered the complex and reportedly assaulted MDC-T participants, injuring five.

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. In addition to intimidation and harassment, ZANU-PF supporters sometimes burned to the ground the homes of individuals perceived to be associated with opposition political parties.

Persons suspected of being 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 internal movement, 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.

Abuse of Migrants, Refugees, and Stateless Persons: Security forces detained irregular migrants in prisons with convicted criminals. The government provided no alternatives to detention, and prolonged detention for migrants was common. Migrants complained of mistreatment by other prisoners.

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 retained and failed to account for money collected at checkpoints. The government did not account for overall revenue collected as fines from these roadblocks in the national budget.

Foreign Travel: The constitution provides the right for citizens to enter and leave the country and the right to a passport or other travel documents. The Office of the Registrar General imposed administrative obstacles in the passport application process for citizens entitled to dual citizenship, particularly Malawian, Zambian, and Mozambican citizenship. Despite high-profile cases in which courts confirmed the rights of Zimbabweans to hold dual citizenship, many poorer citizens could not afford the legal costs of appealing passport and other travel document denials.

Exile: The constitution prohibits expulsion from the country for all citizens. Nevertheless, a number of persons, including former government officials,

prominent businessmen, human rights activists, opposition party members, and human rights lawyers, left the country and remained in self-imposed exile due to fear of persecution.

Emigration and Repatriation: Many citizens left the country to settle in other countries. The majority of white citizens who lost their farms beginning in 2000 continued to move to other countries. Zambia continued to support white Zimbabwean former farmers by making land available at concessionary rates. In search of employment, young Zimbabweans routinely settled in South Africa and Botswana. Although South Africa and Botswana repatriated hundreds of them each year, a majority of these individuals eventually found their way back to these countries.

Citizenship: The constitution provides for three different classes of citizenship: by birth, by descent, or by registration. The government deprived some sections 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.

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. In contravention of a 2002 High Court ruling that overturned laws barring dual citizenship, independent groups estimated that as many as two million citizens might have been disenfranchised, 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.

Internally Displaced Persons

According to international organizations, approximately 113,000 households were displaced, and more than 250 groups of identified IDPs lived throughout the country. The primary causes of displacement were natural disasters (27.7 percent), localized conflict (13.3 percent), rural evictions (45.7 percent), and urban evictions (13.1 percent). The most significant historical events that created internal displacement included state-sponsored election-related violence, land reform, and Operation Murambatsvina (the government's eviction of citizens from nonfarming areas in 2005). According to one NGO, Murambatsvina resulted in the destruction of homes and livelihoods affecting an estimated 700,000 persons. Until 2009 the government denied the existence of any IDPs.

In 2014 approximately 15,000 persons were displaced from the vicinity of the Tokwe-Mukosi dam in Masvingo Province. Authorities first moved the IDPs to the Chingwizi transit camp and then to resettlement plots. IDPs continued to lack adequate shelter, food, and water. There were also inadequate health, education, and sanitation facilities in the camp.

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 increased due to urban evictions as well as continued farm evictions in rural areas. IDPs from previous years remained in near-emergency conditions, with an overwhelming majority living without basic sanitation. IDPs were among the populations at greatest risk of food insecurity. 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. With the eviction of farm owners, these farm workers were forced to adjacent communal lands and left without employment as well as health and education services.

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.

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 UNHCR, the country hosted approximately 8,800 refugees and asylum seekers during the year.

Freedom of movement: The government maintained a formal encampment policy requiring refugees to live at the Tongogara refugee camp. Nevertheless, at year's end more than 1,000 refugees lived in urban areas, including Harare and Bulawayo.

Employment: Refugees in the informal sector had limited employment options due to the encampment policy requiring all refugees to reside in the Tongogara refugee camp.

Durable Solutions: While the government did not accept refugees from foreign countries for resettlement, 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 allowed Rwandan refugees, who lost prima facie refugee status following implementation of the 2013 Rwandan cessation clause, to remain in the country. Many refugees were unwilling to return to their home countries voluntarily, and resettlement remained the only viable solution for many of them.

Section 3. Freedom to Participate in the Political Process

Although the constitution provides citizens with the right to choose their government in free and fair periodic elections based on universal and equal suffrage and conducted by secret ballot, this right was restricted. The political process continued to be heavily biased in favor of the ruling ZANU-PF party, which has dominated politics and government and manipulated electoral results since independence in 1980.

Elections and Political Participation

Recent Elections: Aside from the Southern African Development Community (SADC) and the African Union (AU), international and local independent observers characterized the 2013 harmonized presidential, parliamentary, and local elections as largely free of violence but not credible reflections 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 Constitutional Court set the 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 Global Political Agreement between ZANU-PF and the two MDCs. Parliament failed to pass laws to improve the fairness of the elections, while certain government elements failed to implement other election laws. Despite a constitutional provision of citizenship, large groups of the population were refused registration as voters because of their foreign ancestry. Other contraventions of the electoral act included a truncated special voter registration period, partisan public statements by senior security force officers, and active-duty police officers running for public office in contravention of the law.

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 Zimbabwe Electoral Commission (ZEC) were 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 it supplied 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 ballots printed and distributed. When the ZEC released the election results, President Mugabe won with more than 61 percent of the vote, and he was inaugurated three weeks later. President 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 free, and the AU followed suit.

Other problems with the elections included restrictions on non-ZANU-PF party candidates, domestic media bias in favor of ZANU-PF, denial of permission for some foreign journalists to cover the elections, the failure of the registrar general and the ZEC to provide for open inspection of voter rolls, the courts' failure to settle electoral matters before the elections' date, and numerous discrepancies with the voter register, such as irregular registration patterns between urban and rural

areas, as well as questionably large numbers of voters older than 100 and very low numbers of youth voters.

The ZEC held numerous by-elections during the year. Most observers found polling days were peaceful and the ZEC administered them well. Numerous irregularities undermined the credibility of the elections, however, including efforts by some traditional leaders to coerce and intimidate their communities into voting for ZANU-PF candidates, sporadic violence and intimidation in the pre-election environment, media coverage skewed toward ZANU-PF, police presence inside polling stations, and allegations of vote buying.

Since the 2013 election, ZANU-PF has won all 34 House of Assembly by-elections. Twenty-seven vacancies arose due to expulsions of party members, and seven vacancies arose due to deaths of incumbents. In the Senate ZANU-PF replaced seven expelled party members and one deceased senator. ZANU-PF also won all local government by-elections in the same period. In September independent candidate for the Norton by-election Temba Mliswa accused the ZEC of failing in its constitutional mandate to provide for an even electoral environment. Mliswa reported police imposed unlawful and unfair conditions on opposition candidates' campaigns but not on ZANU-PF candidates' campaigns. On October 22, Mliswa won the Norton by-election by a significant margin.

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. In Harare the local government minister blocked the hiring of James Mushore as the town clerk even though the city followed proper procedures to fill the position. The minister temporarily suspended Harare's mayor for insisting that Mushore commence work as town clerk.

The constitution provides specific political rights for all citizens. Laws, however, are not fully consistent with the constitution and allow discrimination in voter registration to continue. Authorities treat citizens with dual citizenship claims as "aliens." These citizens must overcome administrative obstacles in order to renounce their foreign citizenship, which is required before they may register to vote.

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 24 cabinet minister positions in the cabinet, 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. Women held four of 12 minister of state positions and six of 24 deputy minister positions. NGOs noted the cabinet minister positions occupied by women were less influential. Women made up nearly 48 percent of the Senate and 32 percent of the National Assembly. In accordance with the constitution, all 60 seats reserved for women in the National Assembly were filled by female members of parliament. At the local government level, women held approximately 17 percent of councilor positions nationwide. Men also dominated the judiciary; fewer than one-third of Supreme Court and High Court judges were women. Women were 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, one of the party's most powerful organizations. In 2015 the ZANU-PF Women's League passed a resolution calling on the party to amend its constitution to accommodate the appointment of a female vice president, which ZANU-PF's legal affairs department ignored. MDC-T President Morgan Tsvangirai reportedly appointed two additional male vice presidents to neutralize the influence of his longstanding female Vice President Thokozani Khupe. In April, Joice Mujuru formed the Zimbabwe People First political party, becoming the sole female leader of a mainstream opposition party.

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 conviction of corruption, the government did not implement the law effectively or impartially, and officials frequently engaged in corrupt practices with impunity. Despite government pronouncements, corruption remained a severe problem. Transparency International released a report on corruption in the country that found the country was losing at least \$1 billion a year to corruption at citizens' expense. Local-level service delivery--for example, through the police, local councils, vehicle inspection department, and education department--had become the face of corruption, and

paying bribes to access services had become the new norm. Police frequently arrested citizens for low-level corruption while ignoring reports implicating high-level businesspersons and politicians.

Corruption: Corruption occurred at every level of the police force but took different forms, depending on position, rank, or location. At the junior levels, to augment their low salaries, corrupt officers extorted nominal to exorbitant fines from the public for various 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.

In July, Vice President Phelekezela Mhpoko personally ordered the release from a Harare police station of two public officials detained on corruption charges. When police initially resisted Mhpoko's demands, the vice president drove to the police station. His aides reportedly assaulted the police and forced them to release both public officials.

There were reports that ZANU-PF officials in the government discriminated against, harassed, or removed persons perceived to be opposition supporters from the civil service and the military (see section 7.d.). The government reassigned and demoted officials viewed as sympathetic to Zimbabwe People First leader Joice Mujuru.

It remained common for the ZANU-PF minister of local government to appoint ZANU-PF supporters to bureaucratic positions in local governments. City public administrators earned hugely inflated salaries. In most rural areas, the government appointed ZANU-PF activists as "special interest" councilors. In September the

local government minister suspended elected opposition councilors in Bulawayo based on allegations of corruption.

The Minister of Finance announced the government's intention to reduce the rolls of the civil service, but 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, illicit salary payments were made to large numbers of persons who were retired, deceased, or otherwise absent from their place of employment. Uncovered duplicate personally identifiable information in files indicated some persons received more than one salary.

Corruption was especially pervasive in local government, where officials abused their positions and government resources openly and with impunity. Local councilors' allocation of land lots for residential and commercial use led to numerous allegations of bribery attempts. Police arrested and charged some low-level land barons but not politicians benefiting from the deals. Government officials also demanded bribes or excessive fees for "expediting" paperwork, including birth certificates, passports, and driver's licenses. Councilors practiced nepotism in hiring general council workers and in land allocation. Allegations of corruption continued against both ZANU-PF and MDC-T councilors. Most 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. Despite President Mugabe's public allegations of corruption against senior ZANU-PF members, security officials made only a few arrests of low-level party members.

Financial Disclosure: The law does not require elected or appointed officials to disclose income or assets. The government did not enforce its policy requiring officials to disclose interests in transactions that form part of their public mandate. Most government departments failed to meet their statutory reporting obligations to parliament under the Public Finance Management law.

Public Access to Information: Citizens generally were unable to access government information. Although the government asserted that the Access to Information and Protection of Privacy Act was intended to improve public access to government information, the act contains provisions that restrict freedom of

speech and press, and these elements of the act were the ones the government enforced most vigorously. The act restricts the information citizens may request from public offices.

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. In addition citizens often faced burdensome and complicated regulations to obtain access to government buildings where records are kept, including parliament, where security officers often turned away citizens for “wrong dress.”

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 NGOs included the Zimbabwe Human Rights NGO Forum, Zimbabwe Election Support Network, ZLHR, Zimbabwe Peace Project, ZimRights, Students Solidarity Trust, Heal Zimbabwe Trust, and Women and Men of Zimbabwe Arise.

The government harassed NGOs it believed would expose abuses by government personnel or that opposed government policies, and it continued to use government-controlled media to disparage and attack human rights groups. State media reporting typically dismissed the efforts and recommendations of NGOs critical of government, accusing the NGOs of seeking regime change.

Government Human Rights Bodies: The Zimbabwe Human Rights Commission (ZHRC) remained underfunded but managed to fulfill some of its constitutionally mandated functions. For example, the ZHRC stated police violated the rights of citizens through the use of excessive force during demonstrations in August. The ZHRC called upon authorities to prosecute any perpetrators of human rights violations and encouraged members of the public to file formal complaints with the commission if they had suffered police abuse. Government media attacked the ZHRC for the statement. The ZHRC investigated allegations of ZANU-PF officials denying opposition party supporters food aid. In a public statement, the ZHRC chairperson criticized ruling party politicians for interfering in the

distribution of food aid for personal political gain at the expense of deserving beneficiaries.

The constitution calls for the establishment of a National Peace and Reconciliation Commission to operate during a 10-year period with the goal of ensuring post-conflict justice, healing, and reconciliation. On February 24, President Mugabe swore in members of the commission. Although the government presented to parliament a National Peace and Reconciliation Commission bill, civil society organizations and citizens advocated for its withdrawal, citing concerns regarding limitations placed on the commission's authority.

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

Women

Rape and Domestic Violence: While the law criminalizes sexual offenses, including rape and spousal rape, these crimes remained widespread problems. Spousal rape received less attention than physical violence against women. Almost a quarter of married women who had experienced domestic violence reported sexual violence, while 8 percent reported both physical and sexual violence. The 2015 *Demographic Health Survey* (DHS) indicated approximately 35 percent of women had experienced physical violence at some time in their lives, while almost 15 percent had experienced physical violence in the last 12 months. The survey also revealed that married women were more likely to experience physical violence, while husbands/partners were the most commonly reported perpetrator (54 percent), followed by former husbands/partners (23 percent). Lack of education increased women's vulnerability to physical violence.

Although conviction of sexual offenses is punishable by lengthy prison sentences, women's organizations stated that sentences were inconsistent. Rape victims were not consistently afforded protection in court.

Social stigma and societal perceptions that rape was a "fact of life" continued to inhibit reporting of rape. In the case of spousal rape, reporting was even lower due to women's fear of losing economic support or of reprisal, lack of awareness that spousal rape is 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. A lack of adequate and widespread services for rape victims also discouraged reporting.

Government officials, including police, did not always act on reported rape cases if the perpetrators were aligned with ZANU-PF. In one high-profile case, a ZANU-PF legislator in the House of Assembly, Munyaradzi Kereke, was convicted of raping his 11-year-old niece in 2010. In July, Kereke was sentenced to 14 years' imprisonment. The attorney general at the time declined to prosecute the case on the grounds that there was no evidence linking the legislator to the offense. When the victim's guardian conducted a private prosecution, the prosecutor general made further attempts to block prosecution. Finally, the Constitutional Court forced the prosecutor general to grant the requisite permission for private prosecution, resulting in Kereke's subsequent conviction.

According to a credible NGO, there were no reports of rape or sexual harassment being used as a political weapon during the year.

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.

The adult rape clinics in public hospitals in Harare and Mutare were run as NGOs and did not receive a substantial amount of financial support from the Ministry of Health. The clinics received referrals from police and NGOs. They administered HIV tests, provided medication for HIV and other sexually transmitted diseases, and provided medical services for pregnancy. Although police referred the majority of reported rapes of women and men who received services from the rape centers for prosecution, very few were prosecuted. 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.

Despite the enactment of the Domestic Violence Act in 2006 that criminalized acts of domestic violence, domestic violence remained a serious problem, especially intimate partner violence perpetrated by men against women. Although conviction of domestic violence is punishable by a fine and a maximum sentence of 10 years' imprisonment, authorities generally considered it a private matter, and prosecution was rare.

Most cases of domestic violence went unreported due to traditional sensitivities, victims' fear of abandonment without support, police reluctance to intervene, and the expectation that perpetrators would not be tried or convicted. There were

newspaper reports of wife killings and a few other media reports of prosecutions and convictions for such crimes.

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

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. While public awareness increased, other problems emerged. For example, the 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 without cost at government health facilities. This requirement prevented many rape victims from receiving necessary medical treatment, including post-exposure prophylaxis to prevent victims from contracting HIV.

A local NGO, Musasa Project, which provides emergency shelter and related services for women and girls, handled a monthly average of 2,100 cases of violence. Musasa reported that 50 percent of their clients were girls under age 18.

Other Harmful Traditional Practices: Virginity testing, although reportedly decreasing, continued to occur in some parts the country during the year.

Sexual Harassment: No specific law criminalizes sexual harassment, but labor law prohibits the practice in the workplace. Media reported that sexual harassment was prevalent in universities, workplaces, and parliament. The Ministry of Women Affairs, Gender, and Community Development acknowledged that lack of sexual harassment policies at higher education institutions was a major cause for concern. This occurred after a student advocacy group, the Female Students Network, revealed incidents of gender-based violence and sexual harassment against students. Female college students reported they routinely encountered unwanted physical contact from male students, lecturers, and nonacademic staff, ranging from touching and inappropriate remarks to rape. Of the 3,425 students' interviewed, 94 percent indicated they had experienced sexual harassment, while 16 percent reported having been forced into unprotected sex with lecturers or other

staff. Some students also reported having been subjected to date rape in relationships with older men, mostly lecturers and other staff. At least 80 percent of tertiary education institutions did not have a sexual harassment policy to protect students. More than half of students said they would not report gender-based violence and sexual harassment because they feared retaliation, among other reasons.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children; manage their reproductive health; and have access to the information and means to do so, free from discrimination, coercion, and violence. According to the 2015 DHS, the contraceptive prevalence rate was 66.5 percent. The DHS also reported that 22 percent of girls and women ages 15 to 19 had begun childbearing. Inadequate medical facilities, an advanced HIV/AIDS epidemic, and a shortage of well-trained health-care professionals contributed to the high maternal mortality rate of 651 deaths per 100,000 live births for the period 2008-15 (DHS estimate). The DHS demonstrated continued improvements in maternal health. The percentage of women who received antenatal care from a trained provider and had skilled birth attendance increased to 93 percent and 78 percent, respectively, up from 90 percent and 66 percent in the 2010-11 DHS report. While antenatal care attendance was almost the same between rural and urban areas, skilled birth attendance was much lower in rural areas, 71 percent compared with 93 percent in urban areas.

Discrimination: The constitution provides for the same legal status and rights for women as for men. The constitution's bill of rights, 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." There is also an institutional framework to address women's rights and gender equality through the Ministry of Women Affairs, Gender, and Community Development and the Gender Commission--one of the independent commissions established under the constitution. Despite the appointment of commissioners in June 2015, the commission received only minimal funding from the government and lacked sufficient independence from the ministry. 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 and from participating equally in the civic and economic life of the country.

The law recognizes a woman's right to own property, but very few women owned property due to the customary practice of patriarchal inheritance. 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. Onerous requirements to register for identification documents disadvantaged women, who often lacked the resources or time to fulfill all requirements. Without proper identification, many women were unable to access services or register to vote.

Women have the right to register their children's births, although either the father or another male relative must be present. If the father or other male relative refuses to register the child, the child may be deprived of a birth certificate, which limits the child's ability to acquire identify documents and enroll in school. Discrimination with respect to women's employment also occurred.

Women and children were 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 occupied primarily administrative positions.

Women remained underrepresented in the media sector, and media coverage of gender and women's issues was very limited. Objectification of women and perpetuation of gender stereotypes were common in the media.

The United Kingdom Department for International Development's *2011 Gender and Social Exclusion Analysis Report* indicated women experienced extensive economic discrimination, including in access to employment, credit, pay, and owning or managing businesses. The 2015 SADC Gender Barometer reported women constituted 54 percent of unskilled labor, while men made up 59 percent of the professional labor force. More than six of 10 women did not own a home or land.

Women also faced higher levels of food insecurity throughout the country, exacerbated by recent drought. Women accounted for 86 percent of farmers, and 59 percent of women engaged in communal farming, making them particularly vulnerable to the effects of climate change.

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. The 2012 population census data showed that just one in three children under age five possessed a birth certificate. Of urban children under age five, 55 percent possessed a birth certificate, while 25 percent of rural children did. Children under the care of parents older than age 20 were significantly more likely to have their births registered than were children of younger parents. Many orphaned children were unable to obtain birth certificates. Children of unregistered parents were also less likely to obtain birth certificates. Lack of birth certificates 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 population census, 87 percent of all children 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. Urban and rural equity in primary school attendance rates disappeared at the secondary school level. Rural secondary education attendance (44 percent) trailed behind urban attendance (72 percent) by a wide margin. Relatively high and increasing school fees were the main reason for lack of attendance after age 14, particularly affecting girls ages 17 and 18. According to the 2012 government-led DHS, only 52 percent of girls age 17 attended school, compared with 64 percent of boys. Reports that schools turned away students with unpaid fees continued.

Child Abuse: Child abuse, including incest, infanticide, child abandonment, and rape, continued to be serious problems. In 2015 the NGO Childline counseled more than 12,000 children directly affected by abuse through their hotline service. Most of the substantive calls concerned sexual and physical abuse, generally inflicted by a relative or someone who lived with the child. A third of all calls related to cases of child neglect, an increase from previous years as families struggled to respond to food insecurity and unemployment issues. Childline also managed more than 7,000 in-person cases at their drop-in facilities throughout the country. Approximately twice as many girls reported abuse as boys. According to the 2011 *National Baseline Survey on Life Experiences of Adolescents Preliminary Report*, approximately 9 percent of girls and slightly less than 2 percent of boys

between ages 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 survey 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 but not girls. 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 nor determined whether it applied to corporal punishment. In addition the Constitutional Court deferred ruling on the constitutionality of caning juvenile offenders as judicial punishment. While the issue remained pending, magistrates may impose corporal punishment on juvenile offenders.

Government efforts to combat child abuse continued to be inadequate and underfunded. The government continued to implement a case management protocol developed in 2013 to guide the provision of child welfare services. In addition there were facilities that served underage victims of sexual assault and abuse.

Early and Forced Marriage: The constitution declares anyone under age 18 a child. On January 20, the Constitutional Court ruled no individual under age 18 may enter into marriage, including customary law unions. The court also struck down a provision of the Marriage Act that allowed girls but not boys to marry at age 16. Despite this ruling, laws on marriage--including the Marriage Act and Customary Law Marriages Act--required further reform in order to align them with the Constitutional Court ruling.

Despite legal prohibitions, mostly rural families continued to force girls to marry. According to the 2012 population census, almost one in four teenage girls were married. Child welfare NGOs reported evidence of underage marriages, particularly in isolated religious communities or among HIV/AIDS orphans who had no relatives willing or able to take care of them. High rates of unemployment, the dropout of girls from school, and the inability of families to earn a stable income were major causes of child marriage.

Families gave girls or young women to other families in marriage to avenge spirits, as compensatory payment in interfamily disputes, or when promised to others--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 2014 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.

Sexual Exploitation of Children: Conviction of statutory rape, legally defined as sexual intercourse with a child under age 12, carries a fine of \$2,000, up to 10 years' imprisonment, or both. A person in possession of child pornography may be charged with public indecency and if convicted faces a fine of \$600, imprisonment up to six months, or both. A person convicted of procuring a child under age 16 for purposes of engaging in unlawful sexual conduct is liable to a fine up to \$5,000, up to 10 years' imprisonment, or both. Persons charged with facilitating the prostitution of a child often were also charged with statutory rape. A parent or guardian convicted of allowing a child under age 18 to associate with or become a prostitute may face up to 10 years' imprisonment. Girls from towns bordering South Africa, Zambia, and Mozambique were subjected to prostitution in brothels that catered to long-distance truck drivers. Increasing economic hardships coupled with the effects of drought also led more girls to turn to prostitution.

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 negatively affected the children's access to health care and schooling.

The UN Children's Fund 2005-10 report estimated 25 percent of children had lost one or both parents to HIV or other causes. The proportion of orphans in the country remained very high. Many orphans were cared for by their extended family or lived in households headed by children.

Orphaned children were more likely to be abused, not enrolled in school, suffer discrimination and social stigma, and 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 birth certificates because they could not provide enough information regarding their parents or afford to travel to offices that issued birth certificates. Orphans were often homeless.

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

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

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. The constitution and law do not specifically address air travel or other transportation. They do not specify physical, sensory, mental, or intellectual disabilities. NGOs continued to lobby to broaden the legal definition of “disabled” to include persons with albinism, epilepsy, and other conditions. 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.

The National Association of Societies for the Care of the Handicapped (NASCOH) drafted a National Policy on Disabilities in 2009, but the government had not approved the policy. Persons with disabilities faced harsh societal discrimination and exclusion, as well as poor service delivery from state bodies. For example, NASCOH 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 especially 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 from visitors. According to NASCOH, the public considered persons with disabilities to be objects of pity rather than persons with rights.

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 with their counterparts without disabilities. Many urban children with disabilities obtained 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. NASCOH reported that 75 percent of children with disabilities had no access to education.

Women with disabilities faced compounded discrimination, resulting in limited access to services, reduced opportunities for civic and economic participation and increased vulnerability to violence.

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 total capacity of more than 1,300 residents, in addition to the three special institutions run by the ZPCS for long-term residents and those considered dangerous to society. Residents in the eight centralized institutions received cursory screening, and most waited for at least one year for a full medical review.

A shortage of drugs and adequately trained mental health professionals resulted in persons with mental disabilities not being properly diagnosed and not receiving

adequate therapy. There were few certified psychiatrists working in public and private clinics and teaching in the country. NGOs reported that getting access to mental health services was slow and frustrating. They reported persons with mental disabilities suffered from 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 families keeping persons with mental disabilities at home where family members cared for them.

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 an individual for release or return to a mental institution. Inmates with mental disabilities routinely waited as long as three years for evaluation.

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 that effectively served to disenfranchise some persons with disabilities. The law permits blind persons to bring an individual with them in marking their ballots.

National/Racial/Ethnic Minorities

According to government statistics, the Shona ethnic group made up 82 percent of the population, Ndebele 14 percent, whites and Asians less than 1 percent, and other ethnic and racial groups 3 percent. ZANU-PF leaders often encouraged hatred of whites through public speeches and 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 Movement for Democratic Change-Ncube (MDC-N) 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, including at least 51 percent indigenous ownership of all businesses. Legal experts criticized the law as unfairly discriminatory and a violation of the constitution.

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 if convicted 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 LGBTI community, rejecting the promotion of LGBTI rights as contrary to the country's values, norms, traditions, and beliefs.

The police reportedly detained and held persons suspected of being gay for up to 48 hours before releasing them. LGBTI advocacy groups also reported police used extortion and threats to intimidate persons based on their sexual orientation. Members of Gays and Lesbians of Zimbabwe, the primary organization dedicated to advancing the rights of LGBTI persons, experienced harassment and discrimination.

Religious leaders in this traditionally conservative and Christian society encouraged discrimination against LGBTI persons. For example, Walter Magaya, leader of the Healing and Deliverance Ministries, continued to host shows on television and radio during which he "healed" members of the LGBTI community.

LGBTI persons reported widespread societal discrimination based on sexual orientation. In response to social pressure, some families subjected their LGBTI

members to “corrective” rape and forced marriages to encourage heterosexual conduct. Women in particular were subjected to rape by male family members. Victims rarely reported such crimes to police.

LGBTI persons often left school at an early age due to discrimination. Higher education institutions reportedly threatened to expel students based on their sexual orientation. Members of the LGBTI community also had higher rates of unemployment and homelessness. Many persons who identified themselves as LGBTI did not seek medical care for sexually transmitted diseases or other health problems due to fear that health-care providers would shun them or report them to authorities. Since the completion of a nation-wide sensitization program for health-care workers, however, the LGBTI community reported an improvement in health service delivery.

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. Local NGOs reported persons affected by HIV/AIDS faced discrimination in health services, education, and employment. 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 2015 DHS, 22 percent of women and 20 percent of men reported they held discriminatory attitudes towards those living with HIV/AIDS.

Other Societal Violence or Discrimination

Inexplicable disappearances and killings, sometimes involving mutilation of the victim, often were 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 media continued to vilify white citizens and blame them for the country's problems. President Mugabe was complicit in vilifying white citizens and urged the eviction of 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 may not form or join trade unions but may form associations that bargain collectively and strike. The law prohibits antiunion discrimination, provides that the labor court handle complaints of such discrimination, and may direct reinstatement of workers fired due to such discrimination.

The law provides for the registrar of the Ministry of Public Service, Labor, and Social Welfare 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 Labor Amendment Act empowers the minister to order an investigation of a trade union or employers' organization and to appoint an administrator to run its affairs. There were no reports of investigations during the year.

The law strictly regulates the right to strike. 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 involves rights). Following an attempt to conciliate a dispute of interest and a labor officer's issuance of a certificate of no settlement, the party proposing a collective job action must provide 14 days' written notice of intent to resort to such action, including specifying the grounds for the intended action, in order legally to call a strike. In April and May, more than 4,000 National Railway of Zimbabwe (NRZ) workers went on a spontaneous strike to protest 15 months of salary arrears.

Members of the police and army are the only legally recognized essential services employees and may not strike, 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 NRZ hired replacement workers when employees went on strike in April and May. The law also allows employers to sue workers for liability during unlawful strikes, with penalties for conviction that include fines, up to five years' imprisonment, or both. The constitution does not extend the right of collective bargaining to security forces. In late 2014 the government, employer organizations, and union representatives, according to the Zimbabwe Federation of Trade Unions (ZFTU), signed an agreement detailing how government security forces should conduct themselves in the event of a strike or other collective action.

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 percent 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 may 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. The Labor Amendment Act expands the minister's power to veto a collective bargaining agreement if the minister deems it to be "contrary to public interest." Workers and employers at the enterprise level also may 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.

Although the law does not permit national civil servants to collectively bargain, the Apex Council, a group of public service associations, represents civil servants in job-related negotiations with the Public Service Commission. In January the council threatened a nationwide strike before successfully negotiating a basic salary adjustment for civil servants.

The Ministry of Public Service, Labor, and Social Welfare did not effectively enforce applicable laws. Penalties for conviction of violations of freedom of association or collective bargaining laws range from a fine to 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 workers' right to form or join unions, strike, and bargain collectively. In January, ZRP officers beat protesters and arrested three RTUZ leaders following a demonstration regarding delayed payment of civil servant salaries and annual bonuses. In July the government publicly threatened violence against anyone participating in a nationwide strike. Worker organizations are loosely affiliated with political parties.

Government interference with trade union activity was common. Authorities frequently withheld or delayed the registration certificate for a number of unions. Police and state intelligence services regularly attended and monitored trade union activities such as meetings. 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 affiliated with the opposition MDC-T.

Although the law does not require unions to notify police of public gatherings, police required such notification. Police permitted the ZCTU to march in the country's six regional capitals early in the year.

In September police twice banned all demonstrations in the Harare Central Police District in response to social movement protests, which included union members.

Although the ministry conducted training for security forces on the Public Order and Security Act, the training did not change security sector attitudes. By law the government could fine and imprison union members for organizing an illegal strike, and unions risked a 12-month suspension of their registration for minor infractions.

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 employers did not recognize their affiliates within the NECs. Workers' committees existed in parallel with trade unions. Their role was to negotiate 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 potentially could 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. Agricultural workers experienced verbal and physical attacks by employers during negotiations. The ZFTU reported 280 cases of physical violence against workers at Chinese-owned companies.

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. The Labor Amendment Act defines forced labor as “any work or services which a person is required to perform against his or her will under the threat of some form of punishment,” the first such legal definition in the country. 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.”

Conviction of forced labor is punishable by a fine, two years' imprisonment, or both; such penalties were insufficient to deter violations. A 2014 law prescribes punishment of not less than 10 years' imprisonment and, with aggravating circumstances, up to imprisonment for life, for conviction of human trafficking--including labor trafficking. The law does not clearly define the crime of trafficking in persons and requires transportation of the victim, which further limits the cases in which the regulation could be applied.

The government did not effectively enforce the law. There were no reports that the government attempted to prevent and eliminate forced labor during the year. There were no data on the numbers of victims removed from forced labor, if any.

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 (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 Labor Amendment Act increases the minimum age for general labor from 13 to 16. The law increases the minimum age for apprenticeship from 15 to 16 and declares void and unenforceable formal apprenticeship contracts entered into by children under age 18 without the assistance of a guardian. The law further states that no person under age 18 shall perform any work likely to jeopardize that person's health, safety, or morals.

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, including 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. In 2015 NGO Coalition against Child Labor in Zimbabwe completed a two-year program wherein it returned 2,150 child laborers to school in the Chiredzi region.

Child labor remained endemic and was on the rise. Child labor occurred primarily in the informal sectors. Inspectors received no training addressing child labor and did not closely monitor it. Children worked in agriculture, fishing, cattle herding, forestry, informal mining, as domestic staff and street vendors, and in other parts of the informal sector. The Vendors Initiative for Social and Economic Transformation conducted a survey of its membership that revealed more than 4,000 child street vendors.

According to a 2014 report compiled by ZimStat, the governmental statistics agency, 30 percent of children ages five to nine and 60 percent of children ages 10 to 14 were engaged in economic activity at least one hour per week. Seven percent of children ages five to nine and 12 percent of children ages 10 to 14 worked 21 hours or more per week in economic child labor. Ninety-seven percent of the

children involved in economic child labor resided in rural areas, and 96 percent were employed in agriculture, forestry, and fisheries.

Children often faced hazards to their health and safety and lacked necessary equipment and training. Working on farms exposed children 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. Exposure to hazardous materials, particularly mercury, was on the rise in the informal mining sector.

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 they were assisting a child from a rural home by providing room 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 domestic workers 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 and Occupation

The law prohibits employment or occupational discrimination based on race, color, gender, tribe, political opinion, creed, place of origin, disability, HIV status, or pregnancy. The law does not expressly prohibit employment discrimination regarding age, language, citizenship, social origin, sexual orientation, gender identity, or non-HIV related communicable diseases. The government did not effectively enforce the law. Discrimination in employment and occupation occurred with respect to race, gender, disability, and sexual orientation (see section 6).

The constitution provides for the same legal status and rights for women as for men. 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 conviction of such violations. Women commonly faced sexual harassment in the workplace (see section 6).

There were no formal complaints of wage discrimination filed with the Ministry of Labor; however, women's salaries lagged behind those of men in most sectors. Unions expressed their concern regarding wage disparity between management and employees.

There was a relative lack of women in decision-making positions, despite a constitutional requirement that both genders be equally represented in all institutions and agencies of government at every level. In 2014 the share of women in wage employment in the nonagricultural sector was 37 percent, while their share in senior and middle management was 24 percent.

Discrimination against migrant workers occurred, especially those employed in the informal sector. Discrimination with respect to political affiliation also occurred. In 2015 a village headman in Marondera was fired for being affiliated with the MDC-T. Also in 2015 a headman in Makoni Central denied a MDC-T-affiliated applicant a job in the rural health clinic because he said the clinic could not employ an opposition party member.

Banks targeted union workers for dismissal, according to the ZCTU. Persons with HIV/AIDS and LGBTI persons faced discrimination in employment. White farmers were sometimes deprived of their livelihoods and property through illegal farm seizures. Employers discriminated against members of minority ethnic groups who they often perceived as opposition supporters. Disabled persons faced social and employment discrimination and lack of access to many workplaces.

e. Acceptable Conditions of Work

The NECs set the minimum wage for all industrial sectors through a bipartite agreement between employers and labor unions. According to the ZCTU, available statistics showed that as of September 2015 the average monthly wage was \$246, down from \$304 in 2013. The lowest paid public service workers earned \$375 a month in 2015. According to ZimStat, the food poverty line for a family of five in April was \$153, and the total consumption poverty line in April was \$481. In 2014, 42 percent of paid employees earned above the food poverty line amounts, while only 4 percent earned above the total consumption poverty line amount.

The law does not provide for a standard workweek, but it prescribes 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. According to the Labor Force Survey, 28 percent of the employed population worked excessive hours, defined as more than 48 hours per week. 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 labor law does not apply to the informal sector, composed of an estimated 95 percent of the labor force. The law applies to migrant laborers if they are in the formal sector. There were no reports of discrimination against migrant laborers in the formal sector.

Occupational safety and health standards were current and appropriate for the main industries in the country. In 2015 the National Social Security Authority (NSSA) commissioned an occupational health center in the capital and a mobile clinic to monitor the health of miners and industrial workers. 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 laws for each sector, but the standards were not enforced effectively due to inadequate monitoring systems and a labor inspector shortage. According to the International Labor Organization, there were fewer than 125 labor inspectors responsible for investigating labor-related violations and for enforcing labor laws, including those covering children. The Zimbabwe Occupational Safety Council, a quasi-governmental advisory body to the 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 range from a fine to 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.

NSSA statistics showed there were 5,380 workplace injuries and 54 fatalities in 2015, down from 5,491 and 98, respectively, in 2014. Most injuries and deaths occurred in the mining sector. The ZFTU reported that workers at iron smelters often suffered burns due to a lack of protective clothing. The NSSA attributed the high injury and fatality rates to low investment in occupational safety and health,

noncompliance with rules and regulations, and low levels of awareness of occupational safety and health matters.

Employers paid many agricultural and domestic workers below the minimum wage. The ZCTU reported many agricultural workers earned \$72 per month. Many public servants also earned less than the poverty line. During the year there was pervasive partial payment or nonpayment of salaries in both the public and private sectors. According to a report by the Labor and Economic Development Research Institute of Zimbabwe that analyzed data from ZCTU-affiliated union representatives at 442 companies, 54 percent of employees had gone at least 13 months without pay. All employees went at least three months without pay, and 16 percent had gone 25 or more months without pay.

There was little or no enforcement of the workhours law, particularly for agricultural and domestic workers. Although workers were generally unlikely to complain to authorities of violations due to fear of losing their jobs, some exceptions occurred. In 2013 Sabout Haulage drivers took their employer to the Constitutional Court for infringing on their right to fair and safe labor practices and the right to be paid overtime. The case was pending at year's end.

Poor health and safety standards in the workplace were common problems faced by workers in both the formal and informal sectors due to lack of enforcement. Abuses by the management at certain foreign-owned enterprises and companies owned by well-connected politicians were common, including physical, sexual, and emotional abuse of workers; poor working conditions; underpayment or nonpayment of wages; unfair dismissal; and firing without notice. Workers' committee members of a foreign-owned mining company reported fear and serious victimization, including arbitrary nonrenewal of contracts, dismissals without charges, late payment of salaries, and insufficient provision of protective clothing. No information was available on the treatment of foreign and migrant workers. The government considered many commercial farm workers to be foreigners because one or both parents were born in another country.

Due to the growth of the informal mining sector, artisanal miners, including children, were increasingly exposed to chemicals and environmental waste. An estimated 1.5 million persons were engaged in artisanal mining, defined as mining activities carried out using low technology or with minimal machinery, according to the Zimbabwe Artisanal and Small-Scale Miners Council.