

Zimbabwe 2023 Human Rights Report

Executive Summary

Significant developments during the year impacted the human rights situation in Zimbabwe, including August 23-24 national presidential, parliamentary, and local elections that were widely reported not to be fair and free of abuses and irregularities. In addition, in July the government enacted amendments to the Criminal Law Codification and Reform Act, referred to as the Patriot Act, which rights groups condemned as infringing on freedom of expression because it imposed extreme penalties on those convicted of “willfully injuring the sovereignty and national interest of Zimbabwe.”

Significant human rights issues included credible reports of: arbitrary or unlawful killings, including extrajudicial killings; cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest and detention; serious problems with the independence of the judiciary; political prisoners; arbitrary or unlawful interference with privacy; serious restrictions on freedom of expression and media freedom, including violence, threats of violence, and unjustified arrests or prosecutions against journalists, censorship, arrests for libel, and passage of the Patriot Act that had a chilling impact on freedom of expression; substantial interference with the freedom of peaceful assembly

and freedom of association; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on or harassment of domestic and international human rights organizations; extensive gender-based violence, including domestic or intimate partner violence, sexual violence, and child, early, and forced marriage; laws criminalizing consensual same-sex sexual conduct between adults, although they were generally not enforced; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; significant restrictions on workers' freedom of association; and existence of the worst forms of child labor.

The government did not take credible steps to identify, investigate, or prosecute officials who may have committed human rights abuses.

There were credible reports of human rights abuses by criminal gangs in the artisanal and small-scale mining sector. Authorities did not systematically investigate or prosecute such abuses.

Section 1. Respect for the Integrity of the Person

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

There were several reports that the government or its agents committed

arbitrary or unlawful killings, including extrajudicial killings, during the year. On September 15, Persuade Mandara was reportedly killed in Mashonaland Central Province by Zimbabwe Republic Police (ZRP). According to the Human Rights NGO Forum, officers investigating his connection with a grain theft case broke into Mandara's home, assaulted him with burning logs that were being used for cooking, and fired gunshots. The officers took the severely injured Mandara to the police station, and he died in their custody.

On November 11, local media reported the alleged abduction of opposition activist Tapfumaneyi Masaya while he was campaigning for a Citizens' Coalition for Change (CCC) party candidate. Masaya was found dead three days later. An opposition member who claimed to have examined the body reported it had deep cuts and that the victim had been injected with a chemical substance, causing the body to be found in a partially decomposed state. Police claimed they were investigating the incident.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

The constitution prohibited torture and other cruel, inhuman, or degrading

treatment or punishment. Nongovernmental organizations (NGOs) and local media, however, reported security forces assaulted and tortured citizens, including targeted assaults on civil society activists, opposition members, and other perceived opponents of the government. Throughout the year, police used excessive force in apprehending, detaining, and interrogating criminal suspects. Police and military officers used excessive force and violent means to disperse peaceful demonstrations and to disrupt informal trading.

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

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

Investigations into violence from previous years remained pending, including into state-sponsored violence that resulted in the deaths of 17 civilians in 2019 and of seven civilians in postelection violence in 2018.

Despite the recommendations of the Commission of Inquiry into the 2018

postelection violence and an August 2022 High Court ruling demanding respondents pay three million Zimbabwean dollars (\$4,300) to one of the victims, Zakeo Mutimutema, the government had not paid any compensation to the victims or the families of those killed.

Prison and Detention Center Conditions

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

Abusive Physical Conditions: Conditions in prisons, jails, and detention centers were harsh. NGOs reported most prisons were overcrowded due to outdated infrastructure and judicial backlogs. A December 2022 parliamentary report found Harare Remand Prison, with a capacity of 900 inmates, was housing nearly 1,500 inmates and Bindura Prison, with capacity of 20, was housing 87 inmates. In August, Al Jazeera reported that former inmates of the Harare Remand facility claimed they witnessed or suffered violence at the hands of prison guards, with one stating, “Not a day went by without someone getting beaten up for no apparent reason. It was the order of the day.”

Several dozen children younger than age four living with their incarcerated

mothers shared their mothers' food allocation, rather than receiving their own. Women inmates reported violence and sexual abuse. Despite support from NGOs, prison distribution of menstrual hygiene supplies was limited. Women often lacked access to pre and postnatal care and emergency obstetric services. Officials did not provide pregnant women and nursing mothers with additional care or food rations out of the Zimbabwe Prison and Correctional Services (ZPCS) budget, but the ZPCS solicited and received donations from NGOs and donors for additional provisions.

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

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

Detainees depended on family members for essential dietary needs. Those without family or community support were forced to rely on other detainees for survival, although some prisoners identified as malnourished received additional meals. If available at all, blankets and clothing were often unwashed and soiled. A December 2022 report on the state of the country's prisons by the parliament's Committee on Justice, Legal, and Parliamentary Affairs stated Bindura Prison inmates were sleeping directly on the floors without blankets. Lice infestations were common. Although detainees could be transported to hospitals for medical treatment, unsanitary conditions and cold winters led to severe and sometimes fatal medical conditions. Detainees denied bail were often held in severely overcrowded

remand (pretrial) cells for years while awaiting trial.

According to NGOs, food shortages were widespread in prisons but were not life-threatening. The harvest of prison farm products provided meals for prisoners. Protein was in short supply. Prisoners' access to clean water varied by prison. Diarrhea was prevalent in most prisons. Diseases such as measles, tuberculosis, and HIV and AIDS-related illnesses were most common in those prisons with the worst conditions. Lighting and ventilation were inadequate.

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

Administration: The ZPCS inspections and audit unit, charged with assessing prison conditions and improving monitoring of prisoners' rights, did not release the results of its assessments.

Independent Monitoring: The law provided international human rights monitors the right to visit prisons. Church groups and NGOs seeking to provide humanitarian assistance gained access to prisons. Some organizations working in prisons reported meetings with prisoners occurred

without third parties present and with minimal restrictions, but some political prisoners reported no privacy for visits, even with their legal representatives.

d. Arbitrary Arrest or Detention

The constitution and law prohibited arbitrary arrest and detention, although other sections of the law effectively weakened these prohibitions. The government's enforcement of security laws often conflicted with the constitution. Security forces arbitrarily arrested and detained persons, particularly political and civil society activists, labor leaders, street vendors, and journalists perceived as opposing the government.

Arrest Procedures and Treatment of Detainees

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. Police did not always respect these requirements. The law stipulated that arrests required a warrant issued by a court or senior police officer and that police inform an arrested person of the charges before taking the individual into custody. Regulations required a preliminary hearing be held before a court within 48 hours of an arrest. This was not followed consistently. According to the constitution, only a competent court could extend the period of detention.

The law provided that bail be made available for most accused persons. Lower courts commonly denied bail based on previous arrests, including for defendants never convicted of a prior offense.

The government monitored, harassed, intimidated, and arrested human rights lawyers when they attempted to gain access to their clients. A destitute detainee could apply to the government for an attorney, but only for capital offenses. Some opposition party members, civil society activists, journalists, and ordinary citizens had limited or no access to legal counsel.

Arbitrary Arrest: The government regularly used arbitrary arrest and detention as tools of intimidation and harassment, especially against opposition party members, political activists, civil society members, journalists, attorneys, and ordinary citizens asserting their rights.

Security forces frequently arrested individuals during and following meetings and rallies organized by the opposition political party. On January 14, police arrested 25 opposition activists in Budiro, Harare, for holding an “unsanctioned” meeting at a private residence. Detainees were held nearly two weeks before being released on bail and included the CCC party’s National Organizing Secretary and Member of Parliament Amos Chibaya.

e. Denial of Fair Public Trial

The constitution provided for an independent judiciary, but the government often did not respect judicial independence and impartiality. The

government intensified executive influence over the courts and executive interference in court decisions.

The government often refused to abide by judicial decisions and routinely delayed payment of court costs or judgments awarded against it in civil cases. Government officials at times ignored court orders, delayed bail and access to medical care, and selectively enforced court orders related to land disputes favorable to those associated with the government.

Judicial corruption was widespread. NGOs reported that during the past several years, senior government officials gave homes, farms, agricultural machinery, and other perks to numerous judges. Prior to the August 23-24 elections, media also reported that the executive branch gave judges and magistrates loans of up to \$400,000, which were not part of their regular conditions of service nor provided for in the national budget. Legal experts called the loans “bribes” since the judges did not sign loan repayment agreements.

NGOs reported the chief magistrate often routed cases involving human rights defenders to specific anti-corruption magistrates in the lower courts even if the cases were unrelated to corruption. Legal experts claimed defendants in politically sensitive cases were less likely to receive a fair hearing from magistrates, who heard most cases, than from higher courts. In lower courts, justices were more likely to make politicized decisions due to the use of threats and intimidation to force magistrates to rule in the

government's favor, particularly in rural areas. In politically charged cases, other judicial officers such as prosecutors and private attorneys faced pressure from high-ranking judges and officials of the ruling party, including harassment and intimidation.

Certain high court justices made apparently independent rulings and granted opposition party members and civil society activists' bail.

Trial Procedures

The constitution provided for the right to a fair and public trial, but corruption and executive control over the judiciary increasingly compromised this right. By law, defendants enjoyed a presumption of innocence, although courts often did not respect this right. Government and ruling party officials used social media to imply guilt ahead of a court ruling in politically charged cases. Trials were usually open to the public except in cases involving juveniles or state security matters. Government officials liberally interpreted state security matters to include trials and hearings for defendants who protested the government or reported on government corruption.

Defendants had the right to a lawyer of their choice, but most defendants in magistrates' courts did not have legal representation due to costs or onerous administrative hurdles. In criminal cases, a destitute defendant could apply to have the government provide an attorney, but requests were

rarely granted except in capital cases in which the government provided an attorney for all defendants unable to afford one. The Zimbabwe Women Lawyers Association also provided some free legal assistance to women and youth. The right to adequate time and facilities to prepare a defense was also provided for by law but was often lacking. Although any person arrested or detained for an alleged offense had the right to remain silent and could not be compelled to confess, authorities did not always respect these rights and courts were permitted to draw adverse inferences from defendants' silence. Authorities sometimes denied or significantly delayed attorneys' access to their clients or falsely claimed the attorneys' clients were being held at another facility.

Political Prisoners and Detainees

There were reports of individuals arrested for political reasons, including opposition party officials and their supporters. On April 28, the Harare magistrate convicted and sentenced to four years in prison opposition political party Transform Zimbabwe leader Jacob Ngarivhume for incitement to public violence related to anti-corruption protests he organized in July 2020, effectively prohibiting him from participating in the August 23-24 elections. The High Court overturned the conviction and he was released in December after spending eight months in prison. CCC Deputy National Chairman and parliamentarian Job Sikhala, imprisoned since June 2022 for obstruction of justice, incitement to public violence, and disorderly conduct

after he allegedly implicated the ruling party in the death of an activist, remained in jail at year's end awaiting his sentencing after authorities denied him bail on numerous occasions.

Charges against government critics included incitement to violence and illegal gatherings. Authorities sometimes detained such individuals for one or two days and released them without charge. Political prisoners and detainees did not receive the same standard of treatment as other prisoners or detainees. Human rights or humanitarian organizations were provided access to political prisoners. There were reports police physically abused political activists and journalists while in detention.

Unlike normal criminal proceedings, which moved from investigation to trial within months, prosecutors regularly took an abnormally long time to submit cases involving members of the political opposition or civil society critics of the government. Hearings were sometimes scheduled when presiding judges were unavailable, causing unnecessary delays due to rescheduling. Prosecutors in political cases often were "unprepared to proceed" and received numerous extensions. When authorities granted bail to government opponents, they frequently did not conclude investigations and set a trial date but chose to "proceed by way of summons." This left the threat of impending prosecution remaining, with the accused eventually being called to court, only to be informed of further delays. Magistrates sometimes delayed making case records available to deliberately delay

appeals for bail in the High Court.

In July the High Court dropped charges against three opposition activists who had been in and out of court numerous times following their 2020 arrest for allegedly faking an abduction after they were taken from a Harare police station and later released in another town. Following their release, government prosecutors announced they would appeal the judgement.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

The constitution protected property rights, but the government frequently violated this right. On January 7, media reported two ruling party Zimbabwe African National Union-Popular Front (ZANU-PF) activists seized a sugar plantation belonging to a white commercial farmer in Mwenezi, Masvingo Province, leaving the owners and scores of workers and their children homeless.

The constitution stipulated the government had to compensate persons for improvements made on land taken by the government, but it did not set a timeline for providing compensation. The government rarely provided restitution or compensation for the confiscation of private property, and police generally did not act against individuals who seized private property

without having secured authorization from the state to do so.

Commercial farmers reported the government had still not compensated them for losses suffered from the land resettlement program in the early 2000s. In 2020 the government, the Commercial Farmers Union, and other farmers' groups signed a \$3.5 billion compensation deal for farms expropriated in the decades following independence. The deal promised half of the payments after one year and the remainder over the course of the next four years. In 2021, the government made a \$1 million token payment to commercial farmers but continued to delay additional compensation payments as of year's end. Despite the negotiated agreement, government officials continued to seize and downsize farms without fair compensation.

The Commercial Farmers Union estimated there were fewer than 400 active white commercial farmers still living in the country. Some reported they continued to be targeted, harassed, threatened with eviction, and evicted by unemployed youth and individuals hired by politically connected individuals standing to benefit from farm seizures.

High-level ZANU-PF officials, meanwhile, registered numerous farms in the names of officials' 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. Media commonly reported high-level government officials possessed large farm

holdings. In May, divorce proceedings for Bona Mugabe, former President Robert Mugabe's daughter, revealed that she owned 21 farms.

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

The constitution and law prohibited arbitrary interference with privacy, family, or home, but local NGOs reported the government did not respect this right.

While the post and telecommunications authority reportedly was barred from monitoring content, communications laws permitted eavesdropping and call interception by state security personnel. The laws allowed authorities to apply to the responsible minister or director of the Cybersecurity and Monitoring of Interception of Communications Center housed in the Office of the President, without legal oversight from the judiciary, for a warrant authorizing them to intercept communications, including calls, emails, and other digital messages. Regulations allowed officers to apply for interception warrants if they knew the identities of individuals whose calls and messages they wanted to intercept. There were no known or reported applications of this provision during the year. Civil liberties advocates claimed the government used the law to stifle freedom of speech and target political and civil society activists (see section 2.a.).

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

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

Freedom of Expression: There were restrictions on individuals criticizing the government or discussing matters of public interest. Authorities were sensitive to criticism of the government and the ruling ZANU-PF party.

In May authorities disrupted a media conference at a local university where journalists, academics, civil society, and political activists criticized the government for its failure to implement political and economic reforms. On July 14, the government amended the Criminal Law Codification and Reform Act (Criminal Code) to include a provision known as the Patriot Act, introducing heavy penalties for citizens at home and abroad and permanent residents convicted of “willfully injuring the sovereignty and national interest of Zimbabwe.” This included participating in meetings with foreign

governments whose intentions involved consideration of a military or armed intervention, subverting, upsetting, overthrowing, or overturning the country's constitutional government, or enacting a trade boycott or sanctions. Penalties for violating the law ranged from a \$2,000 fine to 10 or more years' imprisonment, loss of citizenship for dual citizens, loss of residency, loss of office, denial of the right to vote or hold office for five to 15 years, and in the most extreme cases, the death penalty.

Violence and Harassment: Security forces, officials, and supporters of the ruling party routinely harassed journalists. On July 17, ZANU-PF members assaulted three Voice of America journalists in Bulawayo as they carried out their work covering clashes between ZANU-PF members and street traders. The journalists reported the matter to police, but police made no arrests. The 2023 *Global Press Freedom Index* report stated although violence against journalists declined, police often used force, and in some cases confiscated journalists' equipment.

In March, Deputy Chief Secretary in Presidential Communications George Charamba, using social media, cautioned local journalists who reported on the Al Jazeera documentary exposing corruption in the gold industry, saying they would "be sorry" and promised "brickbats." Charamba referred to jailed politician Job Sikhala to express an example of how the government would deal with journalists.

Censorship or Content Restrictions for Members of the Press and Other

Media, Including Online Media: The government maintained censorship through media registration and accreditation laws, although many provisions of the law were inconsistent with the constitution. The law provided 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.” Government-controlled and independent media outlets and journalists practiced self-censorship.

In December 2022, local musician Wallace Chirumiko, professionally known as Winky D, released two songs critiquing social conditions in the country. An economic lobbying group affiliated with the ruling ZANU-PF party accused Winky D of instigating anarchy and demanded that art regulatory bodies ban his songs. On March 4, police raided his concert and forced it to end. In May, Winky D told local media that he had been instructed not to perform particular songs, saying “I have been warned. I have been cautioned and they said if I sing that particular song there is going to be disaster.” Local media reported in July that senior staffers at state-run media outlets including the Zimbabwe Broadcasting Corporation confirmed receiving an unwritten order to not play Winky D’s music.

Libel/Slander Laws: The constitution prohibited criminal defamation.

Although libel, slander, defamation, and blasphemy could be treated only as civil offenses, there were occasional arrests for insulting the president or his family. Civil defamation laws remained in force.

On April 5, authorities convicted CCC Spokesperson and government critic Fadzayi Mahere and fined her \$500 for “publishing or communicating false statements prejudicial to the state” for posting a video on social media alleging that a police officer had killed a baby, even though the law under which she was convicted had been repealed years prior.

National Security: The law granted the government a wide range of legal powers to prosecute persons for political and security crimes that were not clearly defined. For example, the extremely broad Official Secrets Act criminalized the divulging of any information acquired by government employees 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 government at times restricted or disrupted access to the internet or censored online content. The law permitted the government to monitor all communications in the country, including internet transmissions, without judiciary review. The government used social media posts as the basis to arrest opposition leaders on charges such as publishing or communicating false statements prejudicial to the state. During the August elections, independent media reported denial of service attacks. Journalists reported the government and government-aligned media employed paid trolls to attack opposition members, foreign diplomatic missions, and journalists and

to manipulate social media discourse on their accounts.

b. Freedoms of Peaceful Assembly and Association

The constitution provided for the freedoms of peaceful assembly and association, but the government continued to restrict these rights, particularly for the political opposition and government critics.

Freedom of Peaceful Assembly

The government restricted the right to peaceful assembly. The law required organizers to notify police of their intention to hold a procession or public demonstration seven days in advance. It required five days advance notice (or three days during an election period) for a public meeting, defined as more than 15 participants. Failure to do so could result in criminal prosecution as well as civil liability. The law allowed police to prohibit a gathering based on security concerns but required police to file an affidavit in a magistrate's court stating the reasons behind the denial. The government was required to respond to notifications to demonstrate within three days.

Rallies in support of the ruling party were generally unimpeded, as were religious assemblies by groups seen as loyal to the ruling party. Meanwhile, opposition members, unions, civil society activists, and street vendors often faced arrests, and in some cases police violence. On July 7, police denied

the opposition CCC from holding its presidential campaign launch rally in Bindura, claiming the “bushy” venue had poor access and presented a high risk for the spread of communicable disease. The ban was upheld by the High Court July 9. On February 26, police beat and arrested 16 ruling party members who gathered at the Kadoma district administrator’s office where they protested a ban on small unregulated taxis, commonly known as *mushikashika*.

Freedom of Association

The constitution and law provided for freedom of association, but the government restricted this right. Ruling party supporters, sometimes with direct government support or tacit approval, intimidated and harassed members of organizations perceived to be opposed to the government.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally

respected these rights.

Foreign Travel: The constitution provided the right for citizens to enter and leave the country and for the right to a passport or other travel documents. Although dual citizenship was recognized, there were reports the Office of the Registrar General sometimes imposed administrative obstacles in the passport application process for dual citizens, particularly Malawian, Zambian, and Mozambican citizens.

e. Protection of Refugees

The government often cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, and other persons of concern. In August, the government launched the country's first-ever National Migration Policy, which was reportedly designed to respond to emerging global migration dynamics and problems of migrant smuggling, human trafficking, refugee flows, xenophobia, irregular migration, and mass repatriations of nationals.

Access to Asylum: The law provided for granting refugee status and the government established a system for providing protection to refugees. As of July, Tongogara Refugee Camp hosted 15,705 refugees and asylum seekers, despite being designed to host only 3,000.

Abuse of Refugees and Asylum Seekers: Migrants reported that border

officials routinely accepted bribes in exchange for border crossings. Migrants reported arbitrary detention and deportation. Security forces routinely detained migrants who lacked identity documents or permission to be in the country and held them in prisons with convicted criminals, as the country did not have holding facilities for immigrants awaiting deportation. Prolonged detention for undocumented migrants was common. Migrants complained of mistreatment by other prisoners. Local media reported in September that approximately 50 Malawian migrants, arrested while en route to South Africa, had been in Zimbabwean prisons for more than three months due to lack of funds to repatriate them. An unknown number of refugees were held in criminal detention facilities.

Freedom of Movement: The government maintained a formal encampment policy requiring refugees to live at Tongogara Refugee Camp. Nevertheless, as of July, approximately 900 refugees lived in urban areas, including Harare and Bulawayo, and more than 6,500 Mozambican asylum seekers lived among host communities along the porous border with Mozambique.

Employment: The government imposed restrictions on refugees' ability to work. The government maintained an exception to the right to work under the UN refugee convention. Refugees working in the informal sector had limited employment options in Tongogara Refugee Camp.

f. Status and Treatment of Internally Displaced Persons

(IDPs)

International organizations reported more than 60,000 persons were forcibly displaced from their homes for manmade reasons between 2017 and 2022. The primary causes of evictions were economic reasons, such as displacing persons to accommodate mining or other economic activity, and political reasons, including evicting persons not affiliated with the ruling party.

Many IDPs from earlier emergencies, including Cyclone Idai in 2019, continued to live in dire conditions, lacking sufficient access to food, water, and basic sanitation. IDPs were among those at greatest risk of food insecurity.

g. Stateless Persons

The country had a significant number of habitual residents who were stateless or at risk of statelessness. In 2016 international organizations estimated 300,000 persons in the country were stateless. The government conducted a mobile registration campaign during the year resulting in proof of citizenship for an estimated 10,000 individuals. Longstanding migrant labor populations from Mozambique, Malawi, and Zambia lacked documentation. Many migrant workers and their families who had lived in the country for generations, along with thousands of those impacted by the Gukurahundi killings of mainly Ndebele persons in the country's southwest

between 1983 and 1987, remained blocked from accessing national identity documents.

Descendants of victims of the Gukurahundi killings in the 1980s had difficulty securing a birth certificate because they often could not obtain their parents' death certificates, as required.

Stateless persons were often unable to enroll or remain enrolled in school, access formal health-care facilities, or obtain a passport to travel to neighboring countries for work or to visit family.

Section 3. Freedom to Participate in the Political Process

The constitution provided citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage and conducted by secret ballot.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: National presidential, parliamentary, and local elections held August 23-24 were widely reported to not be fair and free of abuses and irregularities. The Southern African Development Community (SADC) Electoral Observation Mission's preliminary statement noted aspects of elections – including curtailed

freedom of assembly and expression and voter intimidation – fell short of the requirements of the constitution, the Electoral Act, and the SADC Principles and Guidelines Governing Democratic Elections (2021). The EU Election Observation Mission (EOM) claimed, “the election fell short of international standards including equality, universality, and transparency,” while The Carter Center reported the election “took place in a restricted political environment” and with “poorly or opaquely implemented processes that reduced the transparency and credibility.” In addition, the EU chief observer strongly criticized disinformation on state media and other efforts to discredit its mission, stating, “The EU EOM deplors an extensive and sustained disinformation and defamation campaign in some media and social platforms against the EU EOM and other international observer missions.”

Election day was marked by delays in polling station openings in urban areas (where opposition parties were strongest), with the Zimbabwe Election Commission reporting 77 percent of polling stations in Harare, 25 percent in Bulawayo, and 15 percent in Manicaland opened late due to delays in the printing and delivery of ballot papers. Many polling stations did not open until afternoon or evening, or opened but later ran out of ballot papers, forcing the voting to be extended an extra day. Stakeholders expressed concerns that logistical delays may have depressed voter turnout in those areas.

Observers and civil society contacts reported Forever Associates Zimbabwe (FAZ), a group linked to the Central Intelligence Organization, intimidated voters, particularly in rural areas. The group was reported to have deployed to approximately 36,000 villages. FAZ set up “exit polls” outside of many polling stations where staff requested voters’ names and ID numbers. Community organizations reported FAZ intimidated residents to vote in a particular manner and warned that it would be easy to determine who voted against certain parties.

The night of August 23, the ZRP conducted raids at two local observation-related centers, leading to the arrest of 35 members of the Election Resource Centre and Zimbabwe Election Support Network for allegedly planning “to illegally announce” election results. The ZRP also confiscated computers and laptops and visited the homes of two local observers.

State media coverage was heavily biased in favor of ZANU-PF and provided little access to or positive coverage of the opposition. In its preliminary report, the EU EOM noted that state-run Zimbabwe Broadcasting Corporation Television devoted two-thirds of its coverage to the ruling ZANU-PF and state radio dedicated more than 96 percent of radio time to ZANU-PF.

The Election Commission never released the voters roll used to set new voter district boundaries and did not release the voters roll for August elections to the opposition until July 10. Multiple observers assessed ZANU-

PF had access to the voters roll well in advance of the opposition. The activist group Team Pachedu reported many voters roll irregularities, including the Election Commission illegally changing some constituency boundaries to favor the ruling party, such as in Mbare where the change resulted in 7,514 voters being moved from what had been an opposition stronghold to a neighboring constituency.

While voting was largely peaceful, there were targeted incidents of violence and intimidation before and following the elections. On August 3, ZANU-PF supporters threw stones at CCC members preparing for a rally in a Harare suburb, resulting in one death and several injuries. NGO Zimbabwe Peace Project recorded 384 human rights abuses in August, including threats, harassment, intimidation, assault, and arson, two-thirds of which were perpetrated by ZANU-PF members or FAZ. There were persistent reports of ruling party intimidation tactics to make citizens nervous and “stay in line” at the voting booth, including coffins left outside known opposition supporters houses as “warnings” and ZANU-PF rallies held under the guise of community meetings that community members were compelled to attend. In August, opposition leaders reported that police and prison staff engaging in early voting were forced to vote in front of their supervisors.

The Human Rights NGO Forum documented 316 postelection-related cases of intimidation and abuse between August 24 and September 30. This included eight abductions, 32 cases of assault, 153 persons displaced from

their homes due to violence or threats, and 56 cases of arbitrary arrests or unlawful detention, including 16 opposition political figures. While the law required traditional chiefs to be impartial, traditional leaders mobilized voters and canvassed support for ZANU-PF in rural areas. According to local NGOs, traditional leaders and government officials often distributed food aid based on perceived political affiliation. While candidates for president had run in previous elections despite prolonged periods outside the country, the court removed former ZANU-PF minister Savior Kasukuwere from the ballot as a presidential candidate on July 28, citing seldom enforced Electoral Act provisions that required voters to be ordinarily resident in their constituency during the previous 12 to 18 months.

Political Parties and Political Participation: High nomination fees (\$20,000 for presidential aspirants, \$1,000 for members of parliament, and \$200 for local councilors) significantly reduced the number of parties and candidates (from 23 to 11 presidential candidates) able to participate in the most recent elections, compared with the 2018 elections. Journalists and the opposition CCC party reported FAZ helped fund 22 opposition candidates who filed their nomination forms with the Election Commission without the party's authority in order to run against the legitimate CCC candidate, to confuse voters on election day and dilute the opposition vote.

CCC officials claimed the ZRP banned 58 CCC rallies between January and April and five between June 21 and July 11. There was no evidence to

confirm the government's assertion that ZANU-PF also had rallies blocked for noncompliance.

Despite being granted citizenship under the constitution and having voted previously, some persons were denied the right to vote because they could not adequately demonstrate their citizenship. Undocumented individuals could not vote, run for office, or serve as election agents. Large numbers of youth lacked the national identification cards needed to register to vote.

Participation of Women and Members of Marginalized or Vulnerable

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

Women candidates across multiple political parties faced particularly vitriolic gender-based insults online and offline regarding appearance, sexual proclivity, accusations of involvement in sex work, and gender-based stereotypes. They also faced challenges within their party if running against a male candidate in a primary. During the most recent elections, some persons associated with the opposition reported their family members were instructed to declare themselves blind or illiterate to enable a biased person to "assist" them to vote.

Individuals within minority groups such as the San, Tonga, and Doma, as well as communities affected by Cyclone Idai and Gukurahundi, remained undocumented despite a national mobile registration drive in 2022 that targeted some of these communities. A wide range of factors contributed to this problem including clerical errors, limited registration windows, inaccessibility for persons with disabilities, undocumented home births, distance to registrar offices, parental deaths and imprisonment, illiteracy, and onerous age requirements for witnesses.

There were administrative barriers to participation in the electoral processes for persons with disabilities. Administrative arrangements for voter registration at relevant government offices were burdensome, involving long queues, several hours or days of waiting, and necessary return visits. During the August general elections, many polling stations in urban areas opened hours late, including some that opened after nightfall, making the polls inaccessible to many, particularly persons with disabilities. Ballots were not provided in braille or large text.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, but the government did not implement the law effectively or impartially. There were numerous reports of government corruption.

Corruption: The country experienced both petty and grand corruption,

defined respectively by Transparency International Zimbabwe as an “everyday abuse of entrusted power by low- to mid-level public officials” such as by police and local officials and “an abuse of high-level power by political elites.”

In the case of government officials, experts described the problem as “catch and release,” where the Zimbabwe Anti-Corruption Commission (ZACC) arrested some corrupt officials but did not secure convictions through the National Prosecuting Authority, which was responsible for referring all cases to the anti-corruption courts.

Although the country had specialized anti-corruption courts in all 10 provinces, challenges persisted, including perceptions of political interference, delays in concluding high-profile cases, and a low quality of investigations. Independent governmental oversight entities such as the Auditor General’s Office were often constrained politically and lacked the funding and staffing to carry out their mandates.

The constitution mandated that ZACC conduct corruption investigations. According to its annual report, ZACC assessed a total of 684 complaints of suspected corruption cases in 2022, reflecting a 38 percent decrease from 2021. While ZACC had the power to arrest, it did not have the power to prosecute.

Cabinet officials, including then Public Service, Labor, and Social Welfare

Minister Paul Mavima, were involved in several high-profile corruption cases. In February, a National Social Security Authority (NSSA) internal audit alleged Mavima directed the NSSA to purchase a \$359,000 property on his behalf using pension funds, which he claimed he would later repay. The ZACC opened an investigation into Mavima's purchase. Mavima was never officially charged nor arrested, remained in his position until the end of his administration, and was reappointed to the sitting cabinet in a new role.

A four-part investigation by Al Jazeera's investigative unit entitled "*Gold Mafia*" alleged the involvement of high-ranking officials in smuggling gold and money laundering.

A 2022 Transparency International Zimbabwe report identified bribery as rampant and existing within most public institutions. The report identified the ZRP, Registrar General's Office, and Vehicle Inspection Department as the top three bribe-seeking institutions.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* for Zimbabwe, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and

Investigation of Alleged Abuses of Human Rights

Several domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases. Government officials were rarely cooperative or responsive to the views of these groups.

Retribution against Human Rights Defenders: The government harassed NGOs and specific persons it believed would expose abuses by government personnel or oppose government policies. NGOs reported surveillance missions by unidentified individuals visiting and occasionally raiding NGO offices. According to many human rights NGOs, the state viewed governance, human rights, and media NGOs as regime-change agents supported by the West. Human rights lawyers were also targeted. On September 4, Doug Coltart and Tapiwa Muchineripi with Zimbabwe Lawyers for Human Rights were arrested while representing two CCC members recovering in a hospital from abduction and torture by unknown actors.

Government-controlled media as well as government-associated social media handles disparaged and attacked human rights groups, especially those believed to be funded by western embassies or governments.

Government Human Rights Bodies: The Zimbabwe Human Rights Commission (ZHRC), an independent commission mandated by the constitution to protect, promote, and enforce human rights, fulfilled some

of its functions despite government efforts to constrain its funding and staff. Through its website, a hotline, and mobile legal clinics, the ZHRC conducted public outreach and accepted complaints from the public for investigation. The government, however, did not provide the ZHRC with sufficient personnel to investigate the complaints it received.

The government did not overtly attempt to obstruct the ZHRC's work that was critical of government or security service actions. Some NGOs questioned the ZHRC's independence and effectiveness.

The National Peace and Reconciliation Commission (NPRC), which was established in 2013 with the constitutional mandate to handle matters related to postconflict justice, healing, and reconciliation, made no significant progress, in part due to the government not allocating sufficient funding. The government asserted resources would be made available to finance outcomes developed by chiefs in select provinces with their communities, including access to documentation, counseling and psychological support, exhumations, burials, memorials, reparations, and social security benefits (including pensions, social welfare, education, and health services). The NPRC's 10-year mandate expired during the year and the commission was dissolved, despite not having effectively started operations until 2018, and some of its work was transferred to the ZHRC.

In October 2022, the Zimbabwe Independent Complaints Commission (ZICC) Bill became law, which should have operationalized section 210 (Chapter 11)

of the constitution to, “provide an effective and independent mechanism for receiving and investigating complaints from members of the public concerning misconduct on the part of members of the security services, and for remedying any harm caused by such misconduct.” Security services included “Defense Forces; Police Service; Intelligence Services; and Prisons and Correctional Service, and any other security services established by Act of Parliament.” The government did not issue a call for commissioner nominations, pass a budget, or take the necessary steps to stand up the ZICC.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: While the law criminalized sexual offenses, including rape and spousal rape of women, these crimes remained widespread. The 2019 *Multiple Indicator Cluster Survey* conducted by the Zimbabwe National Statistics Agency reported nearly 40 percent of never-married adolescent girls and women ages 15-49 had experienced physical or sexual violence by their existing or former partners. The 2020 *SADC Gender Protocol Barometer* reported 68 percent of women in the country experienced gender-based violence from partners or caregivers over their lifetime. Women were sexually assaulted while seeking treatment in public hospitals, collecting water from communal boreholes, in religious settings,

and riding in public transportation. Violent gender-based offenses were often committed in private and without any witnesses.

Police and hospitals did not have sufficient training or facilities to collect and store physical evidence of gender-based violence. The country also lacked the laboratory capacity to analyze rape kits. The lack of evidence hampered the effectiveness of the justice system and demotivated survivors to report these cases. Justice for survivors of violence and particularly gender-based violence remained elusive. The Criminal Law Amendment Act of 2023 set minimum sentences for rape and aggravated rape.

Although sexual offenses were punishable by lengthy prison sentences, women's organizations stated that convictions were rare and sentences were inconsistent. Rape survivors were not consistently afforded protection in court. Women's rights activists declared the country's self-defense law was too weak to protect women because the courts could decide whether harm was intended. Women political leaders and human rights activists were targeted physically and online through threats and intimidation via social media. Domestic violence was punishable by a modest fine, a maximum sentence of 10 years' imprisonment, or both. Authorities, however, generally considered it a private matter and rarely prosecuted.

Rape and sexual violence were generally underreported. Social stigma and societal perceptions that rape was a "fact of life" continued to inhibit reporting of rape. Women were less likely to report spousal rape, due to

fear of losing economic support or of reprisal, lack of awareness that spousal rape was a crime, police reluctance to engage with domestic disputes, and bureaucratic hurdles.

Children born from rape suffered stigma and marginalization. Mothers who gave birth after rape were sometimes reluctant to register the births.

Without registration, these children did not have access to social services or national identification cards.

Female Genital Mutilation/Cutting (FGM/C): There were no national statistics available regarding FGM/C, but the practice of labial elongation occurred in at least one minority ethnic community. The country had many different cultures that incorporated this practice in beliefs and ceremonies. Some parts of the population practiced harmful procedures such as pricking, piercing, incising, scraping, and cauterization.

Other Forms of Gender-based Violence or Harassment: Virginity testing was prohibited by law. Although reportedly decreasing, it continued to occur in some regions and in some faith communities. A December 2021 research study published by the Gender Institute at Midlands State University found that virginity testing persisted and was viewed by some as a necessary customary rite, despite legal prohibitions.

Widows, when compelled to relocate to rural areas, were sometimes forcibly married off to an in-law.

While no specific law criminalized all forms of sexual harassment, amendments to the Labor Act in July broadened definitions of and protection of employees against sexual harassment and gender-based violence, instituted criminal penalties for violence and harassment, and extended the scope of coverage to the world of work that included violence that occurred beyond the physical workplace. Prior to these amendments, labor law had prohibited the practice in the workplace. The government, however, did not effectively enforce the law.

A 2019 survey by Transparency International Zimbabwe found 57 percent of the women surveyed reported that they had needed to offer sexual favors in exchange for jobs, medical care, and even when seeking placements at schools for their children. Media reported that sexual harassment was prevalent in universities, workplaces, and parliament.

In July 2022, the Public Service Commission introduced a Public Service Sexual Harassment Policy. On March 23, Information and Publicity Minister Monica Mutsvangwa reported that women journalists had been sexually harassed and sometimes raped by their male bosses. A January 2022 report from the NGO Women in News stated that 40 percent of women media professionals in the country had faced workplace sexual harassment and violence.

Discrimination: The constitution provided the same legal status and rights for women and men, stating 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 was an institutional framework to address women’s rights and gender equality through the Ministry of Women Affairs and the Gender Commission, one of the independent commissions established under the constitution. The commission received minimal support from the government and lacked sufficient independence from the ministry. The law recognized a woman’s right to own property, but very few women owned property, due to the customary practice of patriarchal inheritance. Fewer than 20 percent of women farmers were official landowners or named on government lease agreements. Divorce and alimony laws were equitable, but many women lacked awareness of their rights. In traditional practice, property reverted to the man in case of divorce or to his family in case of his death. When women were not listed on lease agreements, and they could not benefit from most government programs that provided agricultural inputs as a form of economic assistance.

The law afforded civil partnerships or common law marriages the same remedies as legal marriages but recognized only heterosexual civil unions or common-law marriages. The law did not address property rights during marriage.

There were no known formal complaints of wage discrimination filed with the Ministry of Public Service and Labor. Women’s salaries lagged those of men in most sectors. In July, the 2023 Labor Act Amendment stipulated

equal pay for male and female employees for work of equal value. The amendment also removed a provision that an employee had to work for one year before being eligible for maternity leave and made the number of maternity leaves an employee could take unlimited.

Discrimination against women in employment occurred despite being prohibited by law. Women received fewer loans and other forms of financial support, even in informal economic sectors where they outnumbered men, such as in micro and small-scale enterprises and agricultural production. This disparity was partly explained by deficiencies in access to loan collateral and documented years of business experience.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Adolescents, rural residents, LGBTQI+ persons, and survivors of gender-based violence lacked consistent access to reproductive health services. Barriers affecting access to contraception included supply chain and commodity problems, limited access to health facilities in remote areas, religious skepticism of modern medicine among some groups, health worker attitudes to adolescents seeking services, and ambiguity on the age of access to contraception. Emergency contraceptives were not readily available in the public sector. Some public sector facilities did not have enough commodities to provide youth with the free family planning method of their choice. Women could purchase emergency contraceptives at

private pharmacies, but the cost was prohibitive and availability limited. The law, the policy on sexual abuse and violence, and the creation of one-stop centers for survivors of gender-based violence were designed to provide survivors access to sexual and reproductive health services. Lack of resources, however, constrained access.

The *2019 Multiple Indicator Cluster Survey* estimated maternal mortality at 462 deaths per 100,000 live births, down from 651 deaths per 100,000 live births in the *2015 Zimbabwe Demographic and Health Survey*. Nonetheless, the rate was high despite high prenatal care coverage (93 percent), high institutional deliveries (86 percent), and the presence of a skilled health worker at delivery (86 percent). Although these rates of maternal mortality were partly explained by the high prevalence of HIV, maternal and neonatal quality of care were areas of concern.

Ministry of Health guidelines provided for postabortion care for rape survivors, including medical and psychosocial services. These services were not uniform across facilities and were not routinely available.

Few families could afford menstrual hygiene products. Some girls failed to attend school when menstruating, while others used unhygienic rags, leading to infections and illness. Pregnancy and motherhood also impeded girls' access to education.

Systemic Racial or Ethnic Violence and Discrimination

The constitution used strong language to provide for the protection of members of racial and ethnic minorities from violence and discrimination. Implementation, however, was less strong, with some serious gaps in access to personal identity documents for certain ethnic minority groups, and consequent impacts on statelessness and access to services. Discrimination based on race and tribe continued to exist.

According to government statistics, the Shona ethnic group made up 82 percent of the population, the Ndebele 14 percent, Whites and Asians less than 1 percent, and other ethnic and racial groups 3 percent. Historical tension between the Shona majority and the Ndebele minority resulted in marginalization of the Ndebele by the Shona-dominated government. Some employers discriminated against members of minority ethnic groups whom they often perceived as opposition supporters.

Observers expressed concern over President Emmerson Mnangagwa's perceived favoritism towards his own Shona subclan, the Karanga, in senior government appointments, saying the appointments came at the expense of other Shona subgroups and the Ndebele. President Mnangagwa's cabinet included more Karanga than any other ethnic subgroup, and Karanga dominated the leadership of the security forces, including heads of the Central Intelligence Organization, Air Force, Army, and the commander of

the Defense Forces.

Police seldom arrested government officials or charged them with infringing upon minority rights, particularly the property rights of the minority White commercial farmers or wildlife conservancy owners, who continued to be targets of land redistribution programs.

Government development projects reportedly excluded some ethnic minorities in border areas, such as the Tonga people living in Binga. Those living in these areas faced food insecurity and lacked modern infrastructure.

Children

Birth Registration: According to the 2022 census, 72 percent of the population was in possession of a birth certificate, 85 percent in urban areas and 64 percent in rural areas. Birth registration was provided largely on a nondiscriminatory basis, with some exceptions (see section 2.g., Stateless Persons). Lack of birth certificates impeded access to national identity documents and public services such as education and health care, resulting in many children being unable to attend school and increasing their vulnerability to exploitation.

Child Abuse: Child abuse, including incest, infanticide, child abandonment, and rape, was illegal but continued to be a serious problem. In 2022 the NGO Childline logged 18,807 case reports of child abuse, a 24 percent increase from 2021. Approximately 30 percent of all reported cases of

abuse involved sexual abuse, 24 percent involved physical abuse, 19 percent emotional abuse, 18 percent involved neglect, and 8 percent involved forced marriage. More than two-thirds of cases involved girls.

Corporal punishment was illegal. Government efforts to combat child abuse were inadequate. The government continued to implement a case management protocol to guide the provision of child welfare services. Additionally, there were facilities that served underage survivors of sexual assault and abuse.

Child, Early, and Forced Marriage: The constitution declared anyone younger than age 18 was a child. A 2022 law abolished child marriage and aligned the country's marriage laws with the constitution. The marriage law prohibited anyone underage from marriage or entering a civil partnership. The law also criminalized assisting, encouraging, or permitting child marriages or civil partnerships.

Despite legal prohibitions, some rural families and religious groups continued to force girls to marry. High rates of unemployment, the prevalence of girls dropping out of school, and the inability of families to earn a stable income were major causes of child marriage. Child marriages were common, with 34 percent of girls married before reaching age 18.

Families gave girls or young women to other families in marriage to avenge spirits, as compensatory payment in interfamily disputes, or to provide

economic protection for the family. Some families sold their daughters as brides in exchange for food, and sometimes if a wife died, her family offered a younger daughter as a “replacement” bride to the widower.

Sexual Exploitation of Children: Conviction of statutory rape, legally defined as sexual intercourse with a child younger than age 18, carried a penalty of five to 15 years’ imprisonment. In May 2022, the Constitutional Court ruled that laws defining the age of consent as 16 within marriage were unconstitutional. A person in possession of child pornography could be charged with public indecency; convictions resulted in a fine, imprisonment for up to 10 years, or both. There was no information available on whether authorities enforced laws against child pornography. A conviction for procuring a child younger than age 16 for purposes of engaging in unlawful sexual conduct resulted in a fine, up to 10 years’ imprisonment, or both. Persons charged with facilitating child sex trafficking often were also charged with statutory rape. Child sex trafficking, including by a parent or guardian, carried a fine, up to 10 years’ imprisonment, or both.

Antisemitism

An estimated 300 to 350 long-term residents identified as Jewish. There were no reports of antisemitic incidents.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at

<https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: According to the criminal code, any consensual act between men “involving physical contact...that would be regarded by a reasonable person to be an indecent act” was deemed sodomy; conviction carried a fine, one year in prison, or both. The law was rarely enforced, however civil society organizations reported LGBTQI+ persons were disproportionately charged with public indecency and disorderly conduct, in some cases resulting in severe mental health consequences including depression, anxiety, substance abuse, and suicidal ideation.

Violence and Harassment: Police and government agents tolerated violence and abuse against LGBTQI+ persons. LGBTQI+ community leaders reported, however, that state-sanctioned violence targeting LGBTQI+ persons was less frequent than in the previous administration. LGBTQI+ community members continued to report homophobic attacks by the public, which police did not investigate, and intimate partner violence. A 2021

study by Gays and Lesbians of Zimbabwe (GALZ) reported that one in three lesbian, bisexual, and transgender women experienced violence for their sexual orientation or gender identity; 65 percent of respondents never reported violence due to concerns regarding subsequent victimization at the hands of authorities. In a 2022 report, GALZ documented 27 cases of abuse of LGBTQI+ persons, a decline from 41 cases in 2021.

Discrimination: The law did not prohibit discrimination by state or nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. Leading NGOs noted harassment and discrimination against LGBTQI+ persons in education, employment, housing, and health services.

Observers reported LGBTQI+ persons were vulnerable to extortion by police because of the criminalization and stigma associated with same-sex conduct. LGBTQI+ advocacy organizations reported extortion and “outing” as two of the most common forms of repression of LGBTQI+ persons.

LGBTQI+ persons often left school at an early age due to discrimination. Higher education institutions reportedly threatened to expel students based on sexual orientation. LGBTQI+ persons faced discrimination in employment and reported higher rates of unemployment and homelessness. They were also less likely to 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. Health-care workers commonly discriminated against and refused service to LGBTQI+ persons.

Public medical services did not offer hormone treatment or gender-affirming care to transgender persons. A small number of private clinics provided testosterone therapy, but estrogen therapy required patients to purchase treatment privately and self-administer the drugs or travel to neighboring countries where treatment was available but expensive.

Transgender individuals continued to face challenges when seeking government services. They often encountered difficulties when registering to vote or participating in sporting events because of changes in their appearance, disenfranchising them from political and social processes. One community leader described police indifference when transgender women were beaten or sexually assaulted. She noted that many transgender women were excluded from the workplace and thus relied on commercial sex for their livelihoods, where they encountered high levels of exploitation and vulnerability to HIV and sexually transmitted infections.

Availability of Legal Gender Recognition: Legal gender recognition was not available. A discrepancy between gender presentation and assigned gender could lead state officials, police, or potential employers to believe the individual was committing identity fraud, and potentially lead to criminal arrest.

Involuntary or Coercive Medical or Psychological Practices: Civil society organizations described instances in which families and communities implemented psychological “therapies” to try to change a person’s sexual

orientation or gender identity or expression. These included family members pressuring the person to have intercourse with an arranged person of the opposite sex, arranged marriages, “corrective rape,” and exorcisms performed by traditional healers. Some parents treated their children’s identity as an intellectual disability and forced transgender youth into mental health institutions. Civil society contacts reported many LGBTQI+ persons succumbed to familial pressure, including the threat of disownment and community ostracization, and entered heterosexual marriages.

Medically unnecessary genital normalizing surgeries were performed on intersex persons, including children. While there were no reported cases of such surgeries being performed on nonconsenting adults, civil society organizations observed cases in which adults and adolescents consented to surgery under pressure and coercion from family members, medical doctors, traditional and religious leaders, and societal expectations to conform to the binary concept of gender. Adult intersex individuals and adolescents often acted based on misinformation from medical practitioners regarding the surgery’s implications and traditional perceptions of what their bodies should resemble after surgery. Organizations reported numerous cases of adverse effects from these medical interventions, encompassing physical and psychological complications such as depression leading to suicidal ideation, substance and drug abuse, and other mental health challenges. Physical impacts included permanent scarring and loss of sensitivity.

Additionally, there were reported cases of intersex individuals being sterilized without their consent due to invasive surgeries.

Civil society organizations advocated with government entities and medical practitioners to raise awareness of the risks to children from medically unnecessary surgeries; however, no legal framework existed to limit or prohibit this practice.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no laws prohibiting individuals speaking or media reporting on LGBTQI+ matters, on the ability of LGBTQI+ individuals to assemble in public or private or to form associations, or on the ability of LGBTQI+ organizations to legally register or convene events.

Persons with Disabilities

The constitution and law prohibited discrimination against persons with disabilities in employment, access to public places, and the provision of services, including education and health care. Persons with disabilities, however, could not access education, health services, public buildings, and transportation on an equal basis with others and faced discrimination in employment. The 2021 National Disability Policy mandated the Public Service Commission strive to ensure a minimum of 15 percent of the workforce of all organizations across all sectors be comprised of persons with disabilities. The constitution and law did not specifically address access

to transportation, nor did they distinguish among physical, sensory, mental, or intellectual disabilities.

Prevailing law stipulated government buildings had to be accessible to persons with disabilities, but implementation remained slow. Two senate seats were designated for persons with disabilities.

Persons with disabilities living in rural settings faced even greater challenges. For example, some faced discrimination based on a belief they were bewitched. In extreme cases, families hid children with disabilities from visitors. Mothers of children with disabilities in rural settings were at times viewed negatively and discriminated against.

There were very few government-sponsored schools for persons with disabilities, thus necessitating NGOs to compensate for this in their communities. Organizations such as the Zimbabwe Parents of Handicapped Children Association rotated classroom space and hours to accommodate children with physical and mental disabilities. Sunshine Zimbabwe, the only accredited center offering skill-based training for adults with disabilities, was poorly supported. Some schools refused to accept children with disabilities.

Essential accommodations such as sign language interpreters, braille materials, and ramps were scarce or nonexistent, which prevented children with disabilities from attending school. Many urban children with disabilities obtained informal education through private institutions, but

these options were generally unavailable for children with disabilities in rural areas. Government programs intended to benefit children with disabilities, such as the Basic Education Assistance Module, only provided rudimentary instruction.

Persons with disabilities were often unable to access food assistance distribution sites and were unaware of services available to them. 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 experienced inadequate medical care.

A shortage of drugs and adequately trained mental health professionals resulted in improper diagnoses and inadequate therapy for persons with mental disabilities. There were few certified psychiatrists working in public and private clinics and teaching in the country. NGOs reported gaining access to mental health services was slow and frustrating. They reported persons with mental disabilities experienced extremely poor living conditions, due in part to limited access to food, water, clothing, and sanitation.

The Commonwealth Election Observation Mission commended the government for having reserved seats for persons with disabilities in parliament, for providing ballot templates for visually impaired voters at polling stations, and for the Elections Commission's efforts to accommodate

wheelchair-bound voters.

Other Societal Violence or Discrimination

The government had a national HIV and AIDS policy that prohibited discrimination against persons with HIV, and the law prohibited such discrimination in the private sector and within parastatals. Despite these provisions, societal discrimination against persons with HIV remained a problem. Local NGOs reported persons with HIV faced discrimination in employment, health services, and education. Although there was an active information campaign to destigmatize HIV – organized by international and local NGOs, the Ministry of Health, and the National AIDS Council – ostracism and discrimination continued. In the *2015 Demographic Health Survey*, 22 percent of women and 20 percent of men reported they held discriminatory attitudes towards persons with HIV.

A 2022 law decriminalized willful HIV transmission. According to NGOs, criminalization of willful HIV transmission had been misused as a form of blackmail, particularly in divorce cases.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective

Bargaining

The law provided for the right of private sector workers to form and join unions, bargain collectively, and conduct legal strikes, however the right to strike was limited. The law prohibited antiunion discrimination and empowered the labor court to handle complaints of such discrimination and direct reinstatement of workers fired due to such discrimination. Some provisions in labor laws including in the Labor Act, Public Service Act, and Health Services Act were not fully in line with International Labor Organization (ILO) conventions 87 and 98 on freedom of association and collective bargaining.

Amendments to the Labor Act passed in July repealed ministerial oversight of dues collection and assets purchased with those funds and limited the power of the labor minister to refuse to register a collective bargaining agreement to those cases where the agreement was inconsistent with the law. The amendments also broadened definitions and protection of employees against sexual harassment. The Zimbabwe Congress of Trade Unions (ZCTU), the country's largest trade organization, cited these as positive aspects of the Labor Act Amendment in its analysis of the new legislation.

The labor minister had the authority to appoint an investigator who may, without prior notice, enter trade union premises, question any employee,

and inspect and copy any books, records, or other documents.

Unions were not required to register, but registered unions had additional rights, such as negotiating for their members at the National Employment Council, calling for a strike, and filing a lawsuit. The law limited registration of new unions in enterprises or industries that already had a union.

The law significantly limited the right to strike. The law provided that a majority of employees had to agree to strike by voting in a secret ballot. Strike procedure requirements included a mandatory 30-day reconciliation period and referral to binding arbitration. Following an attempt to resolve a dispute regarding interests not already subject to agreement and a labor officer's issuance of a certificate of no settlement, the party proposing a collective job action had to provide seven days' written notice of intent to resort to the strike or labor action, including specifying the grounds for the intended action, to call a strike legally. Failure to notify authorities regarding a strike or public gathering was punishable with a prison term of one year. The law prohibited employers from hiring permanent replacement workers in the event of a strike, but they were allowed to hire temporary workers. In July, the president signed into law amendments to the Labor Act that prescribed a sentence of up to five years in jail for organizing any strike deemed illegal, which the ZCTU decried as "criminalizing the right to strike."

In January, the government enacted the Health Services Amendment Act

that classified health as an essential service and limited collective job action to an uninterrupted period of 72 hours in any given 14-day period. It also stated that notice of any collective job action had to be given in writing 48 hours before commencement of such collective job action. The act prescribed a fine of up to level four (\$100), imprisonment for up to six months, or both, to any individual who was a member of the governing body of any trade union or representative body of members of the health services that incited any collective job action. Before this, police and army members were the only legally recognized essential services employees and could not strike, but the law allowed the Ministry of Public Service and Labor to declare any nonessential service an essential service if a strike was deemed a danger to the population. The law also allowed employers to sue workers for liability during unlawful strikes, with penalties for conviction that included a fine, up to five years' imprisonment, or both.

The government continued to target Amalgamated Rural Teachers Union of Zimbabwe President Obert Masaraure for advocating for living wages for teachers in rural areas. Since 2022, Masaraure had faced multiple arrests and dubious charges including alleged murder and participating in a protest. The courts, however, did not find him guilty and released him on strict bail conditions forcing the UN special rapporteur in May to express concern, arguing such targeting deterred other human rights defenders from standing up against government repression.

Collective bargaining agreements applied to all workers in an industry, not just union members. Collective bargaining could take place at the enterprise and industry levels. At the enterprise level, workers councils could negotiate collective agreements, which became binding if approved by 50 percent of the workers in the bargaining unit. Industry-level bargaining took place within the framework of National Employment Councils. Unions representing at least 50 percent of the workers could bargain with the authorization of the minister of public service and labor. The law encouraged the creation of employee-controlled workers' committees in enterprises where less than 50 percent of workers were unionized. 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 grievances, notably wages. The minister and the registrar had broad powers to take over the direction of a workers' committee if they believed it was mismanaged. Trade unions regarded the existence of such a parallel body as an arrangement that allowed employers to undermine the role of unions.

The Ministry of Public Service and Labor did not effectively enforce labor laws. Penalties for conviction of violations of freedom of association or collective bargaining laws were not commensurate with those for similar violations. Those charged with violating the law were subject to lengthy judicial delays and appeals. Penalties were rarely applied to violators. The government demonstrated an unwillingness to implement collective

bargaining rights enshrined in the 2013 constitution, including through its limited participation in social dialogue under the Tripartite Negotiating Forum (TNF).

The TNF, a body established by law, formalized dialogue efforts among government, labor leaders, and employers on social and economic policy. During the year, the government appointed a CEO of the TNF and acquired office space under efforts to create an independent secretariat of the TNF. Labor unions, under the leadership of the ZCTU, stated the forum did little to address their demands for wage increases and labor law reform, and the government showed little progress in supporting workers' protections, fairness in addressing labor and national problems, or the peaceful resolution of labor disputes.

Government interference with trade union activity was common, including infiltrating unions to hamper their effectiveness and introducing new unions affiliated with the ruling party. Police and state intelligence services regularly attended and monitored trade union meetings and other activities. Police or ZANU-PF supporters sometimes prevented unions from holding meetings with their members and carrying out organizational activities. Although the law did not require unions to notify police of public gatherings, police demanded such notification.

Parastatal unions were generally perceived as progovernment. The Zimbabwe Federation of Trade Unions was regarded the largest

progovernment trade union and a rival to the ZCTU, which had a history of alignment with opposition parties. The federation was launched in October 1996 with the stated purpose of providing an alternative to the ZCTU. It claimed more than 40 affiliates and to be the largest labor body in the country; however, precise membership numbers were not known.

The April 2022 ILO Direct Contacts Mission to Zimbabwe during the year noted with concern the lack of progress on improving civil liberties and trade union rights, the application of the Maintenance of Peace and Order Act, and measures to curb antiunion discrimination.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at: <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

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

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: Parliament-mandated National Employment Councils set the minimum wage for all industrial sectors through agreement between employers and labor unions. The minimum wage, when paid, seldom exceeded the poverty line due to inflation. Employers paid many agricultural and domestic workers less than minimum wage. Many public servants, including in the education and health sectors, earned salaries that put them below the poverty line due to rampant inflation.

The law did not provide for a standard work week, but it prescribed a minimum of one 24-hour continuous rest period per week. Unions and employers in each sector negotiated the maximum legal work week. No worker could work more than 12 continuous hours. The law prescribed that workers receive not less than twice their standard remuneration for working on a public holiday or on their rest day. The law provided workers paid public holidays and annual leave upon one year of service with an employer.

Wages remained a major point of friction among workers, employers, and government in the TNF. Significant inflation of the local currency led workers to advocate for wages in U.S. dollars.

Occupational Safety and Health: The government set occupational safety

and health (OSH) standards on an industry-specific basis. Occupational safety and health standards were up to date and appropriate for the main industries in the country. The law provided for workers to remove themselves from situations that endangered health or safety without jeopardy to their employment.

The National Social Security Authority (NSSA) reported the country recorded approximately 5,000 injuries every year resulting in \$15 million of lost revenue. According to the NSSA, at least 140 workers died in the mining industry alone and another 100 in other industries annually. Most work-related injuries and deaths occurred in the mining sector due to low investment in occupational safety and health, noncompliance with rules and regulations, and poor awareness of safety and health practices due to lack of training. The growth of the informal mining sector led to increased exposure to chemicals and environmental waste for artisanal miners, including children. For example, civil society groups reported 26 persons died at Redwing Mine in Penhalonga in January, largely a result of mining shaft collapses. A report by the Center for Natural Resource Governance stated that the mine was converted from underground mining to unsafe artisanal mining.

Abuses by management at certain enterprises and companies owned by People's Republic of China (PRC) parastatals and private PRC citizens were reported, including reports of physical, sexual, and emotional abuse of

workers; unsafe working conditions; underpayment or nonpayment of wages; unfair dismissals; firings without notice; failure to abide by collective bargaining agreements; and failure to report health and safety incidents. In February, workers building a steel plant for the Chinese-owned Dinson Iron & Steel Company in Mvuma claimed they were exploited, forced to work in inhuman conditions, and slept crammed eight to a small room on the construction site. The workers told the press they were not provided with safety equipment, had no proper toilets, and were not permitted regular days off to see their families.

Wage, Hour, and OSH Enforcement: The Ministry of Public Service and Labor was responsible for enforcing the minimum wage and work hours laws for each sector. The government did not effectively enforce these laws, particularly in the farming and domestic service sectors. The number of labor inspectors was insufficient to enforce labor laws, including those covering children. Penalties for violations of wage or working hour restrictions were not commensurate with penalties for comparable offenses. Penalties were sometimes applied against violators.

The quasi-governmental Zimbabwe Occupational Safety and Health Council regulated working conditions. Staffing shortages and a limited mandate, however, rendered the council largely ineffective. The law permitted unannounced inspections by the Occupational Safety Council, and penalties for labor violations included taking the company to court, stationing an

official on the company's premises to monitor compliance, and prohibiting the company from operating. The Ministry of Labor reported 8,028 labor inspections conducted in 2022, claiming a 320 percent increase from 2021. The ministry reported it conducted routine inspections as well as targeted inspections based on reports from trade unions and anonymous tips.

Poor health and safety conditions in the workplace were common in both the formal and informal sectors, affecting both workers and nearby residents. Environmental hazards in the gold mining sector included the use of cyanide and river pollution, which endangered public health.

Nearly 88 percent of the country's workers labored in the informal sector according to a July report by the Zimbabwe Statistics Agency. Labor laws technically applied to informal sector workers but were not observed or enforced. Most informal workers worked in agriculture, trading, or mining. According to the Zimbabwe Miners Federation, approximately 500,000 persons worked in the small-scale or artisanal mining sector, but only 40,000 were registered with the Ministry of Mines and Mining Development, according to the Zimbabwe Economic Policy Analysis and Research Unit, an independent think tank. Police frequently clashed with and arrested vendors in Harare's central business district. The district restricted the number of vendors to 6,000 per day but more than 100,000 vendors operated daily as of June. Vendors Initiative for Sustainable Economic Transformation stated authorities arbitrarily confiscated their members'

goods. In January, a town clerk linked to ZANU-PF in the Harare City Council ordered the demolition of informal vendor stalls in Mbare, a township located in the south of Harare. According to a civil society organization, this effort destroyed more than 500 stalls supporting thousands of families.