

# CIVIL SOCIETY SECURITY SCOPING STUDY



## ISSUES AND RECOMMENDATIONS



National Association of Non-Governmental organizations

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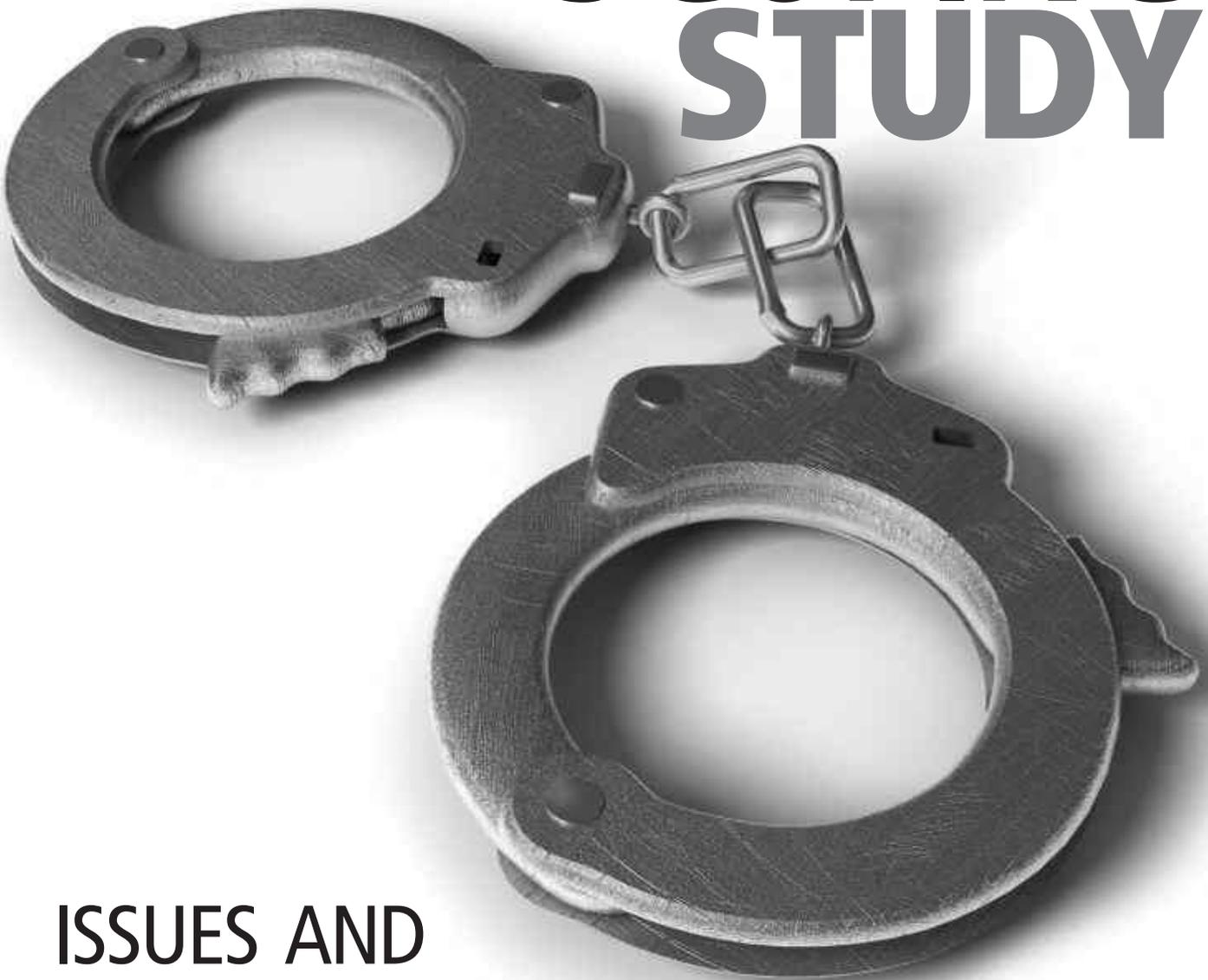
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# Foreword

Zimbabwe's civil society organizations (CSOs) have always been under security threat since independence. The past decade has seen increased and open harassment of CSOs and their members as calls for democracy were met with socio-economic and political violence. Through targeted violence and restrictive legislation such as the Public Order and Security Act, Access to Information and Protection of Privacy Act, Interception of Communications Act and the PVO Act among others, civil society operating space has been shrunk by the day. Significantly the National Association of Non Governmental Organizations (NANGO) carried out a study to analyze the forms and nature of security threats faced by CSOs. An understanding of these would assist CSOs in mainstreaming security issues in their programming. It is NANGO's hope that this study will assist CSOs in identifying specific issues when they advocate for their operating space.

NANGO would like to thank Oxfam Novib and UNDP for their technical and financial support that enabled the successful undertaking and printing of this study.

Cephas Zinhumwe  
Chief Executive Officer

# Executive summary

## 1.0 Introduction

Due to the volatility of the operating environment leading to political impasse and paranoia, among other factors, civil society in Zimbabwe faces many challenges which include increasing insecurity, harassment and a hostile operating environment. It thus became important for the National Association of Non Governmental Organizations (NANGO), to carry out a study that interrogated the form and nature of risks and threats that are faced by civil society. A comprehensive understanding of these issues would inform planning, programming and budgeting by civil society, funding partners and critical stakeholders.

Security threats against CSOs have existed in Zimbabwe since independence. What perhaps masked them is the fact that for a long time Zimbabwe was under a one party system. The raids on women under the guise of ridding the streets of prostitutes, the attacks on University of Zimbabwe students, and the urban clean up operation are all examples of threats against CSOs. The situation for the past ten years has progressively worsened with activists being harassed, arrested, abducted and ridiculed in the print and electronic media.

The space for CSOs has shrunk especially in the past ten years. The situation has been made worse by repressive legislation such as Public Order and Security Act, Access to Information and Protection of Privacy Act and Interception of Communications Act. These pieces of legislation are used in a partisan manner as Police ban marches and rallies on flimsy grounds such as cholera and ironically allowing much bigger gatherings held by ZANU PF.

## 1.1 Key findings

- 1.2.1 **Fear and insecurity** - The study found out that nearly all civil society organizations (CSOs) are living in fear and insecurity leading to self-censorship, paralysis of programmes, muzzling of free flow of information, brain drain and demobilization. The levels of risk and insecurity vary from sector to sector and also depending on the nature of programmes and activities of a particular organization and individuals within an organization. CSOs are not safe in Zimbabwe in relation to information, finance, staff and Board members, assets and programmes.
- 1.2.2 **Suspicion and mistrust between CSOs and government** - The study revealed worsening relations between CSOs and government with the former accused of pursuing a regime change agenda. In June 2008, a blanket ban was issued for all Non Governmental Organizations (NGOs) stopping them from conducting fieldwork. The ban was interpreted differently with some CSOs closing shop after receiving the ban or being forced to close by ZANU PF youths and war veterans.
- 1.2.3 **Repressive legislation** - Repressive legislation such as the Public Order and Security Act (POSA), Access to Information and Protection of Privacy Act (AIPPA), the outdated Private Voluntary Organizations (PVO) Act, and paraphernalia of other draconian laws are being used to curtail civic activities.
- 1.2.4 **Political impasse**- Apart from the repressive legislation other threats identified include the political impasse occasioned by the disputed March and June 2008 elections, unavailability of funds for programmes, direct attacks on individuals, threats to assets and infiltration. Many Zimbabweans were very hopeful that the March 2008 harmonised elections would usher in a new era and it seemed indeed that this would be the case when MDC won a majority of the House of Assembly seats and Morgan Tsvangirai won the first round of the Presidential elections. Events that followed however dashed all hope as ZANU PF and its structures unleashed a wave of violence that saw women, men and children assaulted, raped, murdered and wanton destruction of property. The June 2008 Presidential runoff was a façade as MDC –T pulled out days before the election. Although ZANU PF went on to claim victory, issues of legitimacy arose and there was wide

condemnation of the result. Despite the political agreement reached by MDC-T, MDC –M and ZANU PF on the 15th of September 2008, the operating environment did not improve significantly. This was made worse by the non implementation of the agreement. Even as SADC Chairperson and President of South Africa announced to the world that all parties had agreed on the 26th of January 2009 to implement the agreement, this was cast in doubt because MDC – T announced that it was not happy with the SADC resolution. There have also been conflicting reports in the media on the position of MDC –T with suggestions that there will be a split due to differences in opinion among the hierarchy.

- 1.2.5 **Interception of communication** - CSOs face interception of communications- bugging of telephones, interference with e mails and mail and leaking of documents.
- 1.2.6 **Difficulties in accessing own local and foreign currency** - In February 2008 the RBZ ordered the surrendering of FCA by NGOs ostensibly for better monitoring. Unbeknown to them, the RBZ intended to put the money to some other use. CSOs found themselves unable to access foreign currency for programmes. Zimbabwe also faced a cash crisis that resulted in CSOs being unable to access local currency for programmes. This affected the smooth running of programmes and the end result is that the target population was prejudiced in the process.
- 1.2.7 **Targeted attacks and harassment of civil society** - Individual staff members and activists face harassment, abduction, arrest and threats to their well being. Activists were abducted without a trace in November and December 2008 only for the police who initially denied having them in custody to bring them to court in late December 2008. Various court orders granting the activists access to medication or release have been ignored. CSOs no longer have faith in the justice system as it is now prone to party politics. Some activists especially those in the human rights sector have had to flee to neighbouring countries or go underground for fear of reprisals.
- 1.2.8 **Insecurity of assets and interference with programmes** - Some CSOs faced threats to their assets that include office break ins and vehicles being targeted. There is great fear of infiltration of CSOs because the state uses many tactics to get information. All these have instilled fear in organizations. The government, ZANU PF, militia, war veterans, civil servants, the army and the Police were identified as the greatest threats to CSOs. There were others who argued that the state has disintegrated to such an extent that all these other forces have stepped in to fill the gap. If a CSO wants to implement a programme in a certain area, it has to go through a multiple layer of structures based on protocol that is largely outside the law governing operations of CSOs.
- 1.2.9 **Risk profile** - A risk analysis matrix revealed that INGOs seem better prepared than local NGOs to handle security threats. They have security and risk management plans in place. They meet regularly to exchange ideas and information. They are protected by government to government agreements and they are well funded. They do not also directly implement programmes but do so through partners in most instances. On the other hand local NGOs fell prey to the moving of funds to the RBZ, they face staff and resource constraints and are easy targets for harassment and intimidation.
- 1.2.10 **Targeting of human rights and other advocacy NGOs** - Although there is a thin line between organizations that focus on advocacy and development, those dealing with “ soft” issues such as children’s rights, ICT and information dissemination perceive themselves as relatively safe. Some even have arrangements with line Ministries in terms of which they give information on trends say on child abuse and sentencing of offenders. Those in human rights and governance face the greatest threats since all that they do and say is seen as being anti –government. They are often accused of being agents of imperialism keen to see ZANU PF out of power. Some CSOs as a result have gone into self censorship. Those in the humanitarian sector have a relationship with the government wherein the latter needs them due to the poverty and hunger prevailing in Zimbabwe. Although they may get room to operate, the distribution of food is politicized and such CSOs are under intense scrutiny.
- 1.2.11 **Geographic vulnerability of CSOs** - Certain geographical areas seem to be riskier than others. The study revealed that ZANU PF strong holds of Mashonaland West and Central and Masvingo are particularly not conducive for CSO operations. ZANU PF does not want any opposition politics in those areas at all and CSOs are perceived as an extension of opposition parties. Also Midlands, Matebeleland South and Manicaland are risk precisely because they are opposition party strong holds and ZANU PF wants to break that monopoly.

1.2.12 **CSO Preparedness to deal with security challenges** - The study revealed that there is a general lack of preparedness on the part of CSOs to deal with security threats in particular local CSOs. Only one local CSO of those interviewed had security or risk management plans in place. There were no plans or policies on staff and Board members. The mode seemed to be one of business as usual. Outside motor vehicle policy, staff and Board members did not have insurance. The recruitment of staff was such that there is no vetting of staff to avoid infiltration. Although organizations fared better in terms of information flow, a lot still needs to be done to protect the information. All is not lost however because some organizations put in place strategies to deal with security threats. Individuals also have their own strategies but these seem scattered and not well thought out. They are reactive instead of being proactive. Such strategies should actually form part of the organizational culture for them to be effective.

### 1.3 Summary recommendations

1.3.1 There is urgent need for awareness raising and capacity building of civil society, especially those that are involved in human rights, advocacy work or those that work with rural communities. Capacity building should be in various areas which include personal security, management of information, organizational security, reducing risk and vulnerability and what to do when caught up in cross fire.

1.3.2 Civil society must develop security policies and strategies and strengthen personal and organizational security mechanisms. This include purchase of safety devices, develop early warning signs, risk and insurance plans, tighten recruitment and selection of staff and members, maintain objectivity in their conduct of business, develop security networks and trees among other issues.

1.3.3 It is paramount that civil society strengthens support and response mechanisms to support victims of a hostile operating environment. This mechanism should be well-coordinated and should entail various aspects such as legal, medical, relief and recovery support systems

1.3.4 Civil society should collectively scale up lobbying and advocacy against harassment and targeted attacks on civil society whilst at the same time advocating for a conducive operating environment, policy and legal framework.

1.3.5 The role of NANGO as the umbrella body was emphasized that when all has been said and done, NANGO needs to play a critical role in terms of advocacy and capacity building.

### 1.4 Future Outlook

In projecting the future three scenarios are likely : a GNU of MDC -T and M and ZANU PF, the latter going it alone or ZANU PF joining hands with MDC-M. It is doubtful whether change will come quickly even if there is a GNU. There is still no clear position on the GNU. The SADC resolution will be difficult to implement since its premised on uttermost good faith, an ingredient that seems to be lacking since the agreement was signed. The levels of mistrust are very high. The media refers to ZANU PF members as Comrade and to MDC as either Mr or Mrs. It seems that the change is on paper. If ZANU PF goes it alone it does not have the required two-thirds for a constitutional amendment and it seems it will rule through a state of emergency. Even if teams up with MDC –M it will still not have the required numbers. Therefore it will again rule by decree. Although with the first scenario, there maybe hope that things will eventually change, in the short term there will be little improvement for CSOs operations. The last two scenarios will mean a continuation and worsening of security threats faced by CSOs. It is therefore prudent to put in place mitigation measures to deal with these security threats.

# Introduction

## 2.0 Introduction

Human security is a major issue in Zimbabwe. The security of Civil Society Activists and CSOs) has been infringed upon or threatened in Zimbabwe for years. Civil Society Activists have been intimidated, harassed, abducted, violated or disappeared. Others have been forced to seek refuge in foreign lands. CSOs are raided, property seized, and the access of their bank accounts is constrained. The operating environment of CSOs is limited by repressive legislation limiting fundamental rights of freedom of speech, information, assembly, movement and association and by the suspension of field operations of Non-Governmental Organisations in the June of 2008. In the period between March to June 2008 for instance, the NANGO Civil Society Space Barometer noted that less than 10% of CSOs were able to continue with their operations without interference from state parties.

Even humanitarian organizations that rarely speak out against the excesses of ZANU PF, as is the case with human rights and governance CSOs have been vilified, targeted and obstructed from performing their humanitarian duties. All CSOs have been accused of pursuing a regime change agenda.

After a state orchestrated campaign of violence after the harmonised elections in March 2008 and the Presidential Run-Off Election in June 2008, the holding of Inter-Party Talks between the two factions of the Movement of Democratic Change (MDC) and the Zimbabwe African National Union – Patriotic Front (ZANU-PF) raised hopes that the security threat to Civil Society Activists and CSOs would diminish. This hope was in vain: the security of Civil Society Activists and CSOs continued to be endangered. This is evidenced by the abduction of the prominent Civil Society Activist Jestina Mukoko, Director of the Zimbabwe Peace Project (ZPP). Jestina Mukoko was denied crucial legal and medical assistance, and was tortured during the illegal detention. This is evidence of the security situation of Civil Society Activists in Zimbabwe.

NANGO predicts an era characterized by violence towards dissenting voices, and the cowing of CSOs into silence and submission. The state will unleash its machinery- Para military structures and supporters on this mission. These developments are once more a clarion call to civil society in Zimbabwe that the security of Civil Society Activists is fragile. There is therefore urgent need to put in place measures to minimize the security risks. In order to comprehensively understand the form and substance of the security issues affecting CSOs, NANGO carried out a security scoping study to inform strategies and actions by CSOs and funders focusing on the following:

- Security of local and international NGOs ( financial, human, technical resources: infrastructure, information ) particularly those involved in human rights, advocacy and other humanitarian operations ( information, assets) as well as women's organizations operating in Zimbabwe
- Security of human rights defenders and activists
- Security of programmes and projects of CSOs

## 2.1 Problem Statement

The issue of security has been a matter of concern to the civil society organisations in the country for a long time. Legal and non legal means have been used to try and silence the voices of the civil society organisations. The general feeling among the civil society

This is a medium through which NANGO raises public awareness, promote dialogue and information exchange on matters to do with space for NGOs to operate effectively. The five indicators used are legal and policy frameworks, political temperature, intra-civil society politics, participation frameworks and perceived roles and responsibilities of CSOs to measure the degree to which space for civil society organizations to freely and effectively perform their functions is opening or shrinking

organisations is that all sectors are now deemed as unsafe. Programmes have not been operating at full throttle because of the unilateral decision by the government to halt operations in June, 2008 and the subsequent partial lifting of the operations leaving other sectors in limbo. Student activism is no longer as defined as in the early 1980s because the students are perceived as the enemies of the state. Human rights lawyers in the course of their duties are labelled regime change agents hence targeted. This shows that the civil society risk hence justifying the need for a comprehensive study to look into the security risks of CSOs and proffer solutions for mitigating the risks.

## **2.2 Objectives of the study**

The specific objectives of the scoping study are as follows:

1. To profile the form and nature of security challenges faced by CSOs (operating in different sectors and constituencies) at institutional, leadership, programming and operational levels.
2. To profile the form and nature of security challenges of Human Rights Defenders and Civil Society Activists, with special attention to women.
3. To conduct a rapid audit of the security and risk management plans by local and international NGOs.
4. To capture strategies and make recommendations to CSOs on how to deal with or manage the security risks.

## **2.3 Structure of report**

This report is divided into six chapters.

- Chapter two that discusses the methodology, challenges and constraints and limitations of the study follows the introduction.
- Chapter 3 is an assessment of the security threats facing CSOs and the impact of these threats.
- Chapter 4 is an audit of CSOs security and risk management.
- Chapter 5 discusses some strategies that organisations are using to minimize security risks and recommendations.

## **2.4 Conclusion**

This rapid assessment study have been undertaken so as to help understand the security situations of the CSO and design means by which these organisations can respond the security challenges they face. Mitigatory measures will then follow guided by the recommendations from the study.

# Methodology

## 3.0 Introduction

Research aims to contribute both to the practical concerns of people in an immediate problematic situation and to further the goals of social science simultaneously. Thus, there is a dual commitment in action research to study a system and concurrently to collaborate with members of the system in changing it in what is together regarded as a desirable direction. Accomplishing this twin goal in a security study requires the active participation of the relevant constituencies (Civil society organisations). To this end a multifaceted approach was adopted to accomplish the task. To guide the research so that it remained focused five key security issues were identified and became the main subject of focus throughout the study hence guiding the methodology. The list was by no means exhaustive but for purposes of a rapid assessment was meant to identify and give a holistic assessment of the situation on the ground.

## 3.1 Key aspects interrogated and locations

The key aspects of security to be assessed were categorised as:

- Security of information
- Security of finances
- Security of staff and Board members
- Security of assets
- Security of programmes

These aspects were perceived to be a broad representative of the issues that pose great threat to the civil society organisations in the country.

NANGO is an umbrella body of the civil society organisations in the country, and has a national wide representation. It is important that the research gather information from across the country. To achieve this, the researcher divided the country into five regions: Northern Region (Mashonaland), Western Region (Matabeleland), Eastern Region (Manicaland), Southern Region (Masvingo) and Midlands. This was done so that the study would capture views which are national in nature.

## 3.2 Target population and sampling

Given the time and resource constraint it was impractical to get the views of all the civil society organisations in the country (who form the population). To overcome this constraint the study chose a sample that was viewed as a representative of the whole family of the CSOs in Zimbabwe. Some of the institutions that were consulted during the process included; women's organisations, faith based organisations, international organisations, labour organisations and community based organisations. The choice was deliberately made so that views from different thematic groups were brought aboard. Gender issues were also taken into consideration by involving women in as much as possible in the deliberations and discussions so as to avoid gender bias. The target population was therefore purposively selected to capture the key security aspects.

### 3.3 Research instruments and data collection methods

A research guide was used in data gathering and it focused on the following key issues:

- Organisational status in relation to sector, geographical coverage and registration status;
- The operating space for organisations since the March 29 2008 Harmonised Elections and challenges faced in accessing target populations;
- The impact of the Inter-Party Agreement between the two MDC formations and ZANU-PF on the operating environment;
- Security in relation to information, finances, staff and Board members, assets, programmes;
- Strategies used by organisations to minimise security risks;
- Recommendations to deal with security risks for organisations, individuals, programmes and projects, finances, information and assets.

The research guide was personally administered in the majority of the cases and in a few cases the guide was left so that the respondents could fill the guide and then collected later. In this instance there was a follow up on some issues not properly answered. However, as the respondents were heterogeneous group, the guide was adapted to suit the different groups. For instance with international NGOs, the research focused more on their working partners.

#### 3.3.1 Focus group discussions (FGDs)

Focus groups have a high apparent - since the idea is easy to understand and the results are believable. Also, they are low in cost, one can get results relatively quickly, and they can increase the sample size of a report by talking with several people at once. During the study eight focus group discussions were conducted in Harare, Masvingo, Bulawayo and the Midlands. The composition of the groups was mixed with representatives from women's organisations, faith based organizations, labour, counselling services and legal service providers. The FGDs enabled organizations to also learn from each other especially in relation to strategies and recommendations. The table below shows the compositions of the FGD and sectorial representation of each group

**Table 3.1: Focus group discussions conducted**

| REGION   | PLACE    | NUMBER OF FGDS HELD | NUMBER OF PARTICIPANTS | SECTORS REPRESENTED  |
|----------|----------|---------------------|------------------------|--|
| Midlands | Gweru    | 1                   | 9                      | Humanitarian, Human Rights, Governance, Legal                        |
| Southern | Masvingo | 1                   | 10                     | Legal, Human rights, humanitarian, governance, democracy             |
| Eastern  | Mutare   | 1                   | 10                     | Women, Human Rights, Humanitarian, Education, Disabled               |
| Western  | Bulawayo | 1                   | 7                      | Women, Human Rights, Humanitarian, Education, Disabled               |
| Northern | Harare   | 4                   | 12                     | International NGOs, Counselling, Women, Labour, Legal, Human Rights, |
| Total    |          | 8                   | 44                     |  |

### 3.3.2 Key informant interviews

Key informant interviews allow for more in depth discussions on a one on one basis. NANGO used this data collection method to capture key voices within organisations. The interaction with key informants interrogated all the issues in the research guide and it proved useful as the respondents were very knowledgeable on the key issues and provided useful insight into the situation on the ground, strategies and recommendations.

Table 2.2 below presents the number of key informant interviews and sectors as well as the NANGO geographical regions covered by the organisations.

**Table 3.2: Sectorial key informant interviews and their coverage**

| NO  | SECTOR   | GEOGRAPHICAL COVERAGE                 |
|-----|--|---------------------------------------|
| 1   | Human rights and education                         | National                              |
| 2   | Human rights                                       | National                              |
| 3   | Information dissemination and knowledge management | National                              |
| 4   | Children's rights                                  | National                              |
| 5   | Humanitarian                                       | Midlands and Southern Region          |
| 6   | International organization                         | Western, Midlands, Northern, Southern |
| 7   | Women's rights                                     | Northern, Western                     |
| 8   | Human rights monitoring and research               | National                              |
| 9   | Women's rights                                     | National                              |
| 10. | Humanitarian                                       | National                              |
| 11. | Food security and humanitarian                     | National                              |
| 12. | Human rights and governance                        | Eastern region                        |
| 13. | Child protection                                   | Northern, Eastern, Western, Midlands  |

It should be noted that although some respondent organisations categorized themselves as falling into a certain sector their activities span into more than one category. In this regard their view might actually be cross cutting and hence enriching the study. The key informant interviews captured as many diverse voices and views as possible especially given the geographical coverage of most of them - that is national in nature. The international organization is in partnership with many CBOs and hence was able to give their views as well.

### 3.4 Challenges and constraints

The time period that was earmarked for the study was short hence the majority of the CSO views were not taken abroad. Since a lot of travelling was required in order to accomplish the task of compiling this study, funding also became a major constraint given that dollarisation in the economy has now rendered all transaction to be in US dollar terms. This dollarisation aspect rendered planning difficult and hence failure by some potential source of information coming to attend the focus group discussions and interviews. Though the sample was chosen so that it could be as representative as possible time permitting a lot more could have been interviewed and invited for the focus group discussions.

### **3.5 Limitations**

It is not possible through a rapid assessment such as this one to cover all the CSOs operating in Zimbabwe since they are many of them. New issues are emerging every day. Not all those invited to take part in FGDs turned up and it was not possible to interview all intended key informant interviews. One would be key informant in Harare moved to new premises and could not be reached. However the purposive sampling of key informants, coalitions, labour, faith and community based organisations and international captured as many voices as possible. The representation at FGDs covered as many sectors as possible hence also capturing diverse views.

CSOs in Zimbabwe tend to categorise themselves broadly and it is not uncommon for an organization to be doing development work, humanitarian work and advocacy. This may affect vulnerability assessment when one wants to compare and contrast the risks in the different sectors.

Not all the respondents were interviewed on a one on one basis or in focus group discussions. They completed the research guide on their own. Some of them answered with a yes or a no and there was no opportunity to probe further. Even those responses that were not a yes or a no needed further clarification. For instance one respondent stated that a document was leaked onto the internet. There was no opportunity to find out how this happened, who was responsible and the security repercussions and measures that this particular organization put in place to avoid such leaks in future.

Only two international CSOs were interviewed. The data provided was not enough for a risk or vulnerability analysis matrix. However one of the international organizations provided a wealth of information that reflects perhaps the situation for many international NGOs.

Since the anonymity of respondents shall be kept, the report refers to them as either organization or respondent. This may take away from the transparency and flow of the information but the need to protect identity of participants outweighs the transparency and flow of information.

### **3.6 Conclusions**

The chapter highlighted the research methodology for the study. It looked at the methods used to collect data and the key challenges that were faced during the study and the limitations to which this study can be generalised. This chapter set the groundwork which will be done in the following chapters with emphasis on the research instruments.

# CSOs operating environment in Zimbabwe

## 4.0 Introduction

This chapter will dwell on the findings of the study and basically highlights the constraints within the operating space of the civil society organisations in Zimbabwe. The results outlined were drawn from the personal interviews and focus group discussions.

## 4.1 Relationship between the Government and CSOs

Frosty State – Civil Society relations have become asymptotic of the reality of a context lacking necessary democratic conditions for the existence of a vibrant Civil Society and an empowered citizenry. The relations between the Government and CSOs are primarily characterized by mistrust.

CSOs have been labelled by Robert Mugabe and senior representatives of ZANU-PF as being the puppets of the West solely pursuing a regime change agenda – like the Movement for Democratic Change (MDC). Due to the alleged same agenda of civil society and the MDC, CSOs are accused – especially during election periods – of being political-partisan. During the 2008 Harmonized Elections the consequence of this allegation led to the government issuing a blanket suspension on PVO/NGO field operations. Especially NGOs working in the humanitarian sector were accused of having distributed assistance in a partisan manner aiding the MDC and thereby having contravened with international humanitarian principles of neutrality and non-partisanship. Until February 2009 the government never provided details on the accusations. The government lifted the ban partially in September 2008 with regard to organisations working in the humanitarian sector – the suspension is still in place at the beginning of 2009 for NGOs working in the civic education, governance, electoral observation and human rights sector when registered as PVOs. With the partial lift of the suspension the Government introduced a new tool for monitoring and evaluation of NGOs in form of a questionnaire to be filled out on e.g. financial details including donors, information on board and staff members including addresses, and details on humanitarian distributions. The NGO sector was warned that failure to submit the questionnaire in time would result in the initiation of a process of deregistration.

The relationship between the Government and CSOs are additionally seriously constrained since Civil Society Activists have been constantly a target of state orchestrated violence, harassment and intimidation. The abductions of Civil Society Activists at the end of 2008 – including Jestina Mukoko – and the state's unwillingness to comply with court orders requesting the release of the detained has renewed and aggravated the already constrained government-civil society relationship.

## 4.2 Repressive legislation

The operating environment for NGOs is also curtailed by repressive legislation which limits and controls the operations of CSOs. Freedom of speech, information and assembly are seriously constrained by e.g. the Public Order and Security Act (POSA), the Access to Information and Protection Of Privacy Act (AIPPA), the Interception of Communications Act and the Broadcasting Services Act (BSA). The unconducive legal environment limits the ability of civil society to interact with its constituency since e.g. meetings are often either allowed but then being monitored - thereby intimidating participants to speak up - or clearance for meetings is not given at all.

On provincial and local level NGOs are requested to closely work together with governmental structures – based on written and unwritten rules. Especially with regard to operations of humanitarian organizations the interaction between NGOs and provincial and local

representatives is clearly set out: In July 2003 the Ministry of Public Service, Labour and Social Welfare circulated the governmental “Policy on Operations of Non-Governmental Organisations in Humanitarian and Development Assistance in Zimbabwe”.

Purpose of this policy was and is to “ensure effective harmonization of existing Governmental structures and NGO operations”. One objective of the Policy was to define how NGOs should interact with local Governmental structures and the communities when providing humanitarian assistance: The participation of NGOs in humanitarian assistance should be regarded as complementary to Government efforts. The Policy outlines that existing Government and traditional structures have to be utilized. NGOs are required not to set-up new community structures for the purposes of delivering their services. Governmental and traditional structures are defined as being the central Government ministries and agencies, provincial district, ward and village/neighborhood development communities, ward and villages assemblies or any other structures that has been established by any of these entities.

The collaboration between civil society and the provincial and local governmental structures varies between the different regions of Zimbabwe depending on the level of trust. Additionally to the written

### **4.3 Contested elections and the political impasse**

Prior to the March 2008 Harmonised Elections, the situation in Zimbabwe was seemingly calm compared to the violent environment during prior election times. Although fundamental freedoms were infringed and the electoral environment was not in accordance with regional and international principles regarding the holding of free and fair democratic elections, it seemed that Zimbabwe had entered a new era of more peaceful elections in which different parties were able to campaign. Space for civil society seemed to have opened up for limited operations regarding the observance of the election while at the same time civic education was crucially constrained. However this partial façade was shattered after the Harmonised Elections. The violent developments after that date have been well documented – delay in the release of results, the Presidential Run-Off Election farce, and the campaign of political violence. Amongst others, CSOs were attacked in the print and electronic media and accused of assisting the MDC to win the March 2008 elections. The result of these allegations was the suspension of NGO field work from June 2008 until September 2008. CSOs were raided, staff members were interrogated extensively by the police, Civil Society Activists were arrested not respecting the principle of due process, and facing torture, inhuman or degrading treatment.

Rural areas were particularly affected by the election violence. Internally Displace People (IDPs) walked for hundreds of kilometres to get to the nearest safe place. Even then, CSOs that took in IDPs placed themselves and staff members at risk. The disputed June 2008 Presidential Run-off election farce – Robert Mugabe being the sole contestant after Morgan Tsvangirai had pulled out of the race due to the violence inflicted upon MDC supporters - resulted in an impasse between the main political parties. Although an agreement was signed on the 15th of September 2008 for the creation of a government of national unity, it was not immediately implemented. On the 26th of January 2009, the three political parties met at a SADC meeting in South Africa. The meeting made recommendations for the resolution of the impasse. On Friday, 30 January 2008, the MDC-Tsvangirai announced that it would join an All-Inclusive Government even though outstanding issues e.g. the release of MDC supporters and Civil Society Activists abducted and detained at the end of 2009 has officially not been resolved. Therefore, at the time of writing, it is not clear, whether or not the operating environment for NGOs will be positively influenced by the establishment of an All-Inclusive Government. Unfortunately, the possibility is realistic that the security situation for NGOs will not improve. Therefore, a worst case scenario approach should be taken when ventilating on how to address the security situation of NGOs in the future to ensure that the sector is pro-actively prepared.

## 4.4 Nature and form of security threats faced by CSOs

History shows that security threats to civil society are not a new phenomenon and do not only exist during election times. However, large sectors of Civil Society viewed security threats either as being isolated cases or solely addressing clearly definable organisations primarily those working in the human rights and governance sector. After the 2008 developments the civil society sector in general has realized that even in times when the situation seems calm, underlying threats do exist which can turn fast into specific real targeting undermining CSOs security. Many who thought prior to 2008 that their sector was safe - e.g. People living with Disabilities or with HIV/AIDS, women and children, realized that their organisation could also be targeted.

The nature and form of security threats faced by CSOs are wide but they can be put into two main categories: internal and external.

The external threats faced can further be divided into the following:

- Repressive legislation
- Campaign of violence & politicization of everything
- interception of communications,
- non-accessibility of funds,
- direct attacks on individuals,
- Threats in relation to assets.

The internal threats mostly relate to how organisations conduct themselves, their policies and procedures. According to the assessment, infiltration emerged as the major internal threat.

These internal and external threats have an impact at institutional, leadership, programming, operational and individual level.

To specify who or what poses threats to the security of CSOs and to draft meaningful strategies and recommendations, an exercise was conducted:

In a force field analysis, respondents pondered on who 'their' enemy is.

### ZANU-PF

The ZANU-PF government of Zimbabwe was perceived as a threat in so far as its various structures nationally were involved in sinister acts against CSOs. Others viewed ZANU-PF as the enemy that had declared war on CSOs. There were also others who felt that the state had disintegrated and that is was the reason why there were other structures such as the militia, war veterans, Chiefs , civil servants , the Reserve Bank , Councillors , the Army and the Police who had moved in to fill the gap. Respondents spoke of a power vacuum that was exacerbated by the absence of a functional Cabinet since December 2007.

### Judiciary

The justice delivery system was viewed as a threat because courts were not protecting citizens especially activists who were arrested on "flimsy" charges.

## **4.5 External threats to the security of CSOs**

### **4.5.1 Repressive legislation**

As outlined above, the repressive legal system was perceived as a threat to CSOs security. State security personnel could always use repressive laws to question and/or arrest Civil Society Activists or to curtail NGO field operations.

Respondents felt that in a functioning democracy the judiciary and the law enforcement agencies protect the rights and freedoms of the people. But in Zimbabwe the police and the judiciary were under severe patronage from ZANU-PF. Therefore CSOs had little space in the legal realm for redress.

### **4.5.2 Campaign of violence & politicization of everything**

Prior to the March 2008 Harmonised Elections, although most CSOs were unable to conduct most of their activities especially with regard to civic education, as far as security is concerned, the situation was relatively calm. The situation changed after the 29th of March 2008 when a state-orchestrated campaign of violence ravaged the country. During this time it became more and more difficult for CSOs to access target groups and in some instances the target group was labelled as being composed of opposition party activists. According to one respondent a farmer in Mashonaland Central was targeted and his farm and all assets were burnt and he fled the area. As a result CSOs went into self-censorship because they did not want to expose target groups.

Even groups that perceived themselves to be safe were not spared. All issues were politicized and even commenting on social issues was perceived as being anti-government. For instance one organisation that operates from government institutions had its operations shut in some provinces even though the organisation was solely conducting a programme of training teachers and the Police on child sexual abuse. When the Women Coalition of Zimbabwe marched to the venue of the Zimbabwean Inter-Party talks on the 27th of October 2008, the message was simple – conclude the talks, we are dying of hunger. Food is a basic human right but on this occasion it was viewed as political and 47 women were arrested.

Neither FBOs nor religious organisations were spared. Even though matters of faith traditionally are private and freedom of religion shall be guaranteed, the battle for the faithful increasingly became political.

The fear was more apparent in women's organisations and women in general as they are perceived as the weaker sex. There were instances when women were targeted simply because their husbands or brothers were thought to be opposition party members. Unfortunately, in the Zimbabwean crisis the focus shifts from strategic needs to survival resulting in the pushing of women's issues e.g. domestic violence to the periphery. In accordance with this development funders also seem to have shifted their donation focus. As a result, most women's organisations are struggling to survive and to respond effectively to their constituencies. Therefore apart from the general impact on organisations, it seems that the post 29 March 2008 environment especially affected women.

### **4.5.3 Interception of communications**

People also felt that Interception of Communications Act poses a special security challenge to CSOs operations especially in relation to communications within organisations, with partners and funders. Most of the organisations were not sure whether their information was secure or not. Electronic information especially computers and telephones were perceived as posing a particular risk of interception

especially now that the law made interceptions legal. A youth organisation reported that security personnel had searched their premises. One organisation working on food security and in the humanitarian sector reported that their telephones were bugged and their e-mail address was hacked into. Then a draft of a document was leaked onto the internet. Organisations that work with partners also face security threats especially in relation to information sent to partners via e-mail. For those organisations that use radio communication, this put them at risk because their information could also be tapped into.

Interestingly, there were some respondents who felt that they were a small organisation and that they had nothing to hide. Another respondent in the children's rights sector actually availed to the State information that they gathered relating to children's rights. Yet another children's sector organisation felt again that its information was safe since it dealt with children. These feelings of 'safe' and 'unsafe' are also a threat since organisations were bound to fall into the comfort zone in the mistaken belief that they were safe. As the blanket ban imposed on all NGOs in June 2008 revealed, no organisation was safe in the country irrespective of what they were involved in.

#### **4.5.4 Unavailability of funds**

In early 2008, the Reserve Bank of Zimbabwe (RBZ) issued a directive that all Foreign Currency Accounts (FCAs) for NGOs except for international NGOs be moved to the central bank ostensibly for better monitoring and control. After this move many organisations faced great difficulties in accessing their money from the local banks. One organisation had not yet recovered US\$ 17 000 at the time of the study. Women's rights NGO had been unable to travel to an international conference because the funds they transferred to the host country did not reach the destination.

The money that was moved to the RBZ could only be liquidated at the bank rate, which was artificially low. Programmes as a result were either scaled down or scrapped altogether. According to one respondent involved in human rights monitoring work, some funders had been unwilling to give money because they were not sure whether the government of Zimbabwe would not appropriate the funds.

The people were of the view that the financial sector in Zimbabwe is in turmoil. Monetary policies are changed time and again and as a result organisations felt that their money was not safe in Zimbabwe. There was a real risk that all FCA accounts would be frozen due to demand outweighing availability. There is no guarantee that a bank will be operational the following day. The RBZ has resorted to publicly dismissing bank officials. Confidence in the banking sector is at an all time low.

The cash withdrawal limits imposed on organisations disrupted activities. Even if an organisation made a bulky cash withdrawal request, there was no guarantee that this money would be available. The process sometimes took so long that by the time the application was granted, the value of the money would be worthless due to inflation.

Inflation also posed a threat as it seems that in Zimbabwe even foreign currency is not immune from losing value. This makes budgeting difficult and also Zimbabwe has become one of the most expensive places even in United States Dollar terms.

#### **4.5.5 Direct attacks on individuals**

Civil Society Activists face grave security risks as unfortunately once more proven by the abduction of Jestina Mukoko and other staff members of ZPP at the end of 2008. Individuals who work for CSOs spoke of how they are living in fear, moving from place to place or having to go out of the country from time to time. Not only employees are at risk but Board members as well.

An organisation that is involved in human rights work had one of its staff members harassed in June 2008 at home; this member went into hiding for about a week. Another staff member who was harassed the same month fled to South Africa. Another organisation in the food security and humanitarian sector had its staff members harassed in Binga. When the ban on NGOs was announced, the local authorities called a series of meetings where one staff member was told to either move or the organisation would not operate.

Organisations also reported threats to personnel working in the areas of civic education, women's rights and representative associations. In Masvingo, a woman who is actively involved in women's rights had her landlord harassed for having given her accommodation. Another women's rights organisation reported that after Operation Murambatsvina in 2005, one staff member was accosted as she got out of her vehicle and asked questions in relation to assisting victims of the clean up operation.

Clergy of faith based organisations were constantly being followed by State Security personnel especially those vocal on socio-political issues.

#### **4.5.6 Threats to assets**

As far as organisational assets are concerned, most of the organisations stated that their assets were secure. One organisation however had its offices broken into and computers tampered with although it was difficult to tell what kind of information had been taken.

One organisation reported that prior to the June 2008 Presidential Run-Off, ZANU-PF youth tried to take away a vehicle belonging to In relation to vehicles bearing the logos of organisations, this was a double-edged sword. Having the logo could expose organisations to attacks as it could be identified easily. On the other hand having a logo could actually protect an organisation since it could easily be identified at roadblocks and in the community. From the discussions held, some of the organisations that had logos on their vehicles were now re-thinking this whole aspect in light of attacks on personnel travelling in vehicles with logos or on target population seen talking to CSOs.

#### **4.5.7 Infiltration**

Many respondents expressed fear that they did not know who to trust amongst themselves because of the atmosphere prevailing. State security agencies could easily be planted and this would compromise security.

The recruitment of staff and Board members also posed a security threat because rarely are these vetted. Staff and Board members can easily pass on sensitive information without being detected. In one organisation, a staff member disappeared with two computers belonging to the organisation and there was information on those computers.

Most organisations did not have policies relating to security of staff and Board members. The absence of these means that such organisations can be caught unaware. These will be discussed in detail in chapter 4.

## 4.6 Impact of the threats

The external threats to the security of CSOs have resulted in fear among organisations. It has resulted in self-censorship because even in instances when CSOs have access to target populations, they are careful on what they say and to who they say it. Organisations now talk about relatively 'neutral' issues. The impunity with which activists were abducted and the subsequent failure by the courts and law enforcement agents to protect them has added to this fear. Staff members are afraid of going into the field lest they be abducted or harmed. Adding to the fear is the fact that the enemy does not have a face at times. One is never a hundred percent secure when dealing with an unknown enemy.

As has happened in other abduction cases or arrests, only some organisations came quickly forward to condemn this life threatening development.

The crucial question of what happens to the family of an activist who is abducted was paramount in the minds of some respondents. There was a feeling that there are no plans on how to assist families of activists and this alone discouraged many especially those who are sole breadwinners

The gap between CSOs and the state has become wider. Even comments on social issues such as cholera and the collapse of the health delivery system are viewed as 'anti government'. CSOs are attacked daily in government-controlled media without a chance to respond. CSOs are continuously portrayed as enemies of the state and it becomes difficult to even engage government on issues that would otherwise be considered safe. The end result is that communities who need help continue to suffer resulting in an additional deterioration of the situation for the people on the ground.

Organisations have been unable to reach target populations and in some instances they are told to work with ZANU-PF Councillors who lost in the elections. This compromises service delivery to the target population as food distribution for instance may be politicised.

Due to the unstable economic situation, donors are scaling down on funding or adopting a wait and see attitude. This has also resulted in scaling down of programmes. Inevitably, it is the target population that is affected. Some organisations have retrenched staff members due to unavailability of funds, throwing more people onto the streets.

Those with offshore accounts with banks that have local branches or affiliations spoke of the difficulty at times of getting the money into Zimbabwe. One has to travel to neighbouring countries to access the money. This is not only costly but also risky as the money may be stolen. Some organisations also expressed fear that by keeping large sums of foreign currency in their offices or at the homes of staff members, this exposed them to high risk of theft.

The working environment in some instances has become less conducive because of the levels of mistrust that exist impacting projects. Ultimately it is the target population that suffers. Organisations do not know how to handle security threats and as a result, they have been and are not proactive but reactive to situations

## 4.7 Impact on women

According to a leading women's rights organisation women are perceived as the weaker sex. As a result, the security threats impact more on women than men. Women have sometimes paid a high price for being married to or associated with men who are either Civil Society Activists, politicians or supporters or alleged affiliates of the MDC. An example was given of a woman who was married to a political activist. When the militia came for her husband, he was not at home. The woman paid with her life.

People felt that the Domestic Violence Act had given impetus to many women's organisations but currently funders preferred bread and butter issues. Therefore this placed many women's organisations at financial risk due to little, diminishing or no funding. The focus has shifted from strategic needs to survival. This does not mean that anti-domestic violence messages are less important but in reality, it is an issue that will take a back seat because of the perception that it is less strategic.

The women's organisations had also been viewed as relatively safe but the blanket ban on all NGOs proved otherwise. As pointed out above the march by the WcoZ to the venue of the negotiations between MDC and ZANU PF proves this argument.

Another activist in the labour movement spoke about how being an activist impacted negatively on her marriage. She has been arrested sixteen times and relatives, family and friends of her husband began questioning what kind of woman she was who was being arrested so many times. This put a strain on her marriage.

Female activists who are placed in custody have female needs in the form of birth control pills or sanitary ware. One male activist spoke of how he brought packs of sanitary ware from South Africa for a female activist who was in custody. At a focus group discussion, it was revealed that female activists at a maximum-security prison did not have jerseys. These have to be of particular colours and shape. The female activists have to brave the cold unless jerseys made according to specifications are provided.

## 4.8 Risk analysis matrix

From the data that was collected the risk analysis matrix can be discerned from local against INGO and advocacy versus development. It must however be borne in mind that as already noted in the limitations, only two international organisations were interviewed and that some of the responses were self administered thereby making it impossible for further probing. With one international NGO however, what clearly came out are some issues that have a bearing on security and risk management.

### 4.8.1 Local versus International NGO

International organisations are clothed with protection in the form of MOUs that they sign with the government. As a result, they feel relatively safe in their operations. They do not directly implement programmes but do so through partners. There is in existence a loose coalition of INGOs that meets regularly to exchange information and ideas. This creates a sense of togetherness and support in times of need. INGOs were not affected by the moving of accounts to the RBZ because of the bilateral agreements with government. From the responses, the security risks were felt more by the INGO partners.

INGOs seem to also have put some security and risk management plans in place. The weakness noted however was that the aspect of political violence is missing from the security plans. Be that as it may, at least INGOs seem better prepared than local NGOs.

On the other hand, almost all local CSOs advocated the opening of offshore accounts because they did not feel that the money in Zimbabwe was safe. Indeed some organisations were still battling to get their money and those that had gotten their money had to go to great lengths to do so. One former Director of a children's rights NGO narrated how she went to the RBZ and vowed not to leave until money had been released but she is just one of the brave ones. Most CSOs were having difficulties in accessing money from the RBZ. This affected programming especially when the ban on NGO/PVO operations was lifted partially in August 2008.

Only one local NGO had security plans in place. Local NGOs also faced resource constraints such that issues to do with security were not considered as strategic. It was only during discussions that most local NGOs saw the need and the importance of security and risk management plans.

#### **4.8.2 Advocacy versus development**

As has already been noted, in Zimbabwe there is a fine line between organisations that are into development or advocacy. Most organisations classify themselves as all rounder. It is not uncommon to find an organisation in both development and advocacy. Those organisations involved in human rights, humanitarian and governance issues seemed more at risk. Human rights defenders were attacked because of the often parroted statement that human rights are an invention of the West. Those in humanitarian work were at risk because of the politicisation of food aid when the government did not want to be perceived as having failed to feed its people and a desire to punish opposition party supporters. The government therefore has a love-hate relationship with humanitarian CSOs. On one hand it castigates them, and on the other, it needs the humanitarian assistance offered. Such organisations may seem to have space to operate but activities are controlled and monitored. On the other hand, those involved in children's issues felt relatively safe especially as far as information is concerned. Children's issues are perceived as relatively safe. Another respondent that is involved in information dissemination and knowledge management felt that the materials that it produced were "neutral" and it had nothing to hide. One organisation that focuses on human rights issues had its telephones bugged and its officers were targeted and harassed. The one focusing on information dissemination reported that there had not been any encounter to make it feel unsafe. However, even within the local organisations, there were some who work closely with and are funded by UN agencies. This seems to offer some protection especially financial because they will only request for funds as and when they need the money. They also opt for direct payments wherein the UN agency concerned pays the service provider directly.

#### **4.9 Risk profiles**

In terms of vulnerability, geographical locations put some organisations more at risk than others. As has already been noted above, those CSOs in humanitarian, human rights and governance work seemed to face more threats than those perceived as soft issues such as children's rights.

##### **4.9.1 Geographical location**

Urban centres such as Harare and Bulawayo seemed to be relatively safe havens especially for holding meetings and workshops. Challenges however arose when organisations had to notify the police of meetings or marches. WoZA activists have been constantly harassed and arrested for holding marches in town so it seems that even if urban areas are seen as safe havens, it depends ultimately on the activity that the CSO is involved in.

The Provinces that were singled out by respondents as being problematic included ZANU PF strong holds of Mashonaland Central , Masvingo , Mashonaland West and MDC strongholds of , Midlands , Matebeleland North and Manicaland. In Mt Darwin located in Mashonaland Central, people were advised not to listen to NGOs because this was seen as being unpatriotic. In the same province areas such as Rushinga, Bindura and Mt Darwin again, the operating environment was particularly bad that most NGOs suspended operations for the better part of 2008 including those activities targeting small scale farmers. An MP in Mashonaland Central stated that the “deal” between the political parties did not cover his province. In Midlands, activists were arrested, assaulted and generally harassed by state agents.

In Masvingo the areas of Zaka and Bikita were singled out as being particularly problematic. In Bikita, former ZANU PF Councillors were frustrating the work of MDC Councillors. There was a multiple layer of structures that were exercising authority including the Governor, ZANU PF Women’s league, District CEOs, the losing ZANU PF Councillors and the District Administrators. NGOs wanting to work in the area had to go through the Governor as the entry point, to the Provincial administrator, then District Administrator, then to the District CEO, the Chief and lastly to the Headman. All these structures are loyal to ZANU PF and those CSOs that are viewed as extensions of MDC are not given “ authority” to work in the area or they will have their operations frustrated left right and centre. The reasons could be that in ZANU PF strong holds, there was an attempt to reign in on opposition politics and in MDC strong holds, it was an attempt to break the monopoly of opposition politics. This was against a back ground of accusations levelled against CSOs that they had “assisted” the MDC since the year 2000 to win a considerable number of Parliamentary seats.

#### **4.10 The future –Likely scenarios and impact on risks for CSOs**

On the 15th of September 2008, the two MDC formations and ZANU PF made an historic deal to form a government of national unity (GNU). Although the deal was received with different views, generally for CSOs, it brought temporary relief. For some CSOs, after the signing of the deal, they were able to operate but through defined channels – the DA, Chiefs, and Councillors. The deal brought temporary hope as the Inter-Party Agreement at least mentions issues of human rights and national healing. Worrisomely months went by with no solution in sight aggravating uncertainty and depression. Some organisations were able to implement programmes in October and early November 2008 but in December 2008 there was a noticeable downward trend in implementation. For instance in Mashonaland West, one organisation wanted to commemorate international Human Rights day on the 10th of December 2008. They were denied Police permission on the pretext that there was a cholera outbreak. Ironically the ruling party went on to hold its Congress the same month where there were a lot more people. For other organisations not much has changed especially as the deal has not come to fruition. These were a minority of the organisations interviewed. Other organisations were advised that although they could operate, the situation on the ground was still volatile and it was in their best interests to wait. It is the political scenario that will have the greatest impact on the operations of CSOs in Zimbabwe

On the 30th of January the MDC-T announced its willingness to enter an All-Inclusive Government. It can be expected that such a Government will be in place.

Despite the fact that the study took place before this development, many respondents doubted whether there could be real change given the negative comments made in the state controlled press on Prime Minister designate Morgan Tsvangirai. The same institutions that were supposed to respect his designated office were at the fore front of denigrating him raising wonders how a respectful cooperation shall be achieved. From the discussions it was and is also clear that uncertainty exists how challenges will be solved like the highly likely co-administration of the Ministry of Home Affairs and the announcement of Robert Mugabe of the posts of RBZ Governor, Attorney General and Provincial Governors during the inter-party negotiation period.

Although the issue of whether or not the situation would change if the deal was implemented was not discussed at length, from the secondary data, key informant interviews and focus group discussions, it is clear that a lot needs to be done to promote harmony and unity of purpose. The levels of mistrust are extremely high – within CSOs and the public at large. In communities where most CSO operations are based, ZPP reported a mood of revenge by victims of political violence on perpetrators. Some villagers were demanding their livestock and property from “base commanders” ZPP August 2008 report page 4. The election violence pitted siblings, relatives, friends, neighbours, workmates and church mates against each other – people who are also part of CSOs or of the constituency of CSOs. It will be imperative that a healing process be initiated so that CSOs will be able to fulfil their mandates.

The risks to the operations of CSOs are not likely to improve significantly in the short to medium term. Even during the negotiations, many opposition activists were arrested and accused of bombing Police stations, undergoing military training in Botswana or recruiting people to do so. For many CSOs, the situation is now more dangerous than before.

#### **4.11 Conclusion**

The assessment of the security risks and threats reveal that CSOs are highly insecure and are living in fear. In some instances, there is self censorship by CSOs and the end result is that communities are not fully benefiting from the vast array of services offered by CSOs.

## **Audit of CSOs security and risk management**

### **5.0 Introduction**

This chapter will attempt to come up with a rough audit report of the CSOs and risk management. In this regard an audit of how organisations fared with regard to the security issues will be outlined and discussed.

### **5.1 Audit of Security and risk management**

An audit of the security and risk management of those organizations that took part in the survey revealed a lack of preparedness to deal with security threats. People felt that minor issues tend to aggravate the risks for civil society organisations. People felt that issues such as the recruitment of staff and board members can potentially increase security risk for CSOs. Open adverts in the newspapers tend to increase the chances of recruiting people detrimental to the organisation and potentially increases risk. Internal recruitment was suggested as a form of mitigating against risk since the credential of the candidate will be known beforehand.

Security check before engaging an employee was seldomly done hence compromising the security of organisations. Only one organization had staff members vetted through finger print checks by the police. Other people felt that the system of finger print checks was flawed in that some of the people with criminal records could still be certified as crime free hence posing a danger to the organisations. Reference checks were used by another organization as a form of vetting. Another method of vetting used by other organizations was the involvement of Board members in choosing successors and setting criteria that one needed to have credentials of being an activist. Internal recruitment is used by a FBO involved in food security and humanitarian work as a form of vetting.

Most of the organisations that were interviewed did not have basic security policies let alone a manual and on staff and board welfare.

Only two organisations conformed to this basic requirement as a way of enhancing its security. These two organizations had risk management plans in place within the security management plans. The majority of the organisations used adhoc measures such as closing shop temporarily when security threats arise, relocation of staff members to place of security and creation of safe havens. One of the organisations highlighted that there had information flow with regard to contacting lawyers and colleagues whenever they felt that their security had been compromised.

Most organization stated that they dealt with situations as they arose. For those that concerned themselves with staff and Board security in their homes, this ranged from relocating a member of staff from their residence when there was a threat, offering accommodation to staff members who are under threat in their homes at the organization's headquarters, provision of secure accommodation to expatriate staff with 24 hour guard services especially during volatile periods like elections and night guards, alarms at places of residence and recording of places of residence of staff members. Although some organizations do concern themselves with security of staff at places of residence, the overall picture is one of a lack of elaborate security plans.

Concern was raised that there seemed to preferential treatment of staff and board members where Board members were given priority ahead of junior staff members. The general held view was that junior members were not at risk as compared to senior members of the organisations and directors. This point underlines the lack of adequate investment by organizations in security issues as evidenced by only one organisation that have both its full time and board members comprehensively insured against risk such as death or injury during the course of their duties. Other only cover medical expenses when an employee is injured during the course of his duty.

Most organizations seemed to have invested in security at the offices therefore in the process protecting staff and assets. These measures ranged from security Guards at entrances, visitors leaving identity cards upon entrance, visitors books, codes, alarms, rapid response, not allowing junior staff in the premises after 5:30 pm and weekends, visitors coming by appointment and verification with staff member concerned over identity of visitor, locking doors and putting blockers and searches upon exit. While some of these strategies would seem to protect staff and assets, they are not elaborate enough. They seem not to be based on concise security plan. For instance writing one's name in a visitor's book is not a guarantee that the person will write their actual name. Potentially offices are security risks for staff members.

Organizations interviewed fared better in terms of flow of information within the offices and outside. Measures put in place include staff members signing a non disclosure clause in their contracts, IT plans highlighting flow of information, creation of "official organizational secrets", policies and procedures manual that have elaborate flow of information plans, locking up of administrative documents in safes, designating certain people in the organization to handle information that goes out to the public and avoiding use of landlines. Most of these measures have been overtaken by events pointing to the need for organizations to put in place adequate information flow measures. For instance, one organization stated that a staff member was interviewed by a journalist and was then deliberately misquoted. The staff member could have insisted on having the questions in writing so that the response could also be in writing.

Generally those organizations that have vehicles insured them. Some respondents were concerned that it was difficult in Zimbabwe to put adequate cover especially in the local currency. An option was to insure vehicles in foreign currency through insurers that were authorised to do so. Most organizations insured assets such as furniture and immovable property though the same concern in relation to local currency was expressed.

## 5.2 Conclusion

The chapter sought to highlight some of the sources of risks within the civil society organisations. Organisations seem to be more concerned with the security of the assets and properties more by insuring them but ignoring the human resource part. Other aspects which are critical for enhancing the security of organisations such as reference checks and police vetting were not prioritised, as was done to the junior members of the organisations.

# Recommendations and conclusions

## 6.0 Introduction

This chapter outlines the key recommendations to civil society on how best they can deal with the security challenges. The recommendations have been structured in such a way that they correspond with the findings of the study. These strategies or recommendations, as proposed by respondents, are meant to reduce the risk and vulnerability of civil society and to mitigate the effects of falling victim or operating in a volatile and politically charged environment. Although a lot still needs to be done, organizations have not sat on their laurels and have put in place strategies to minimise security risks. Respondents also went through a process of self reflection to enable them to come up with concrete recommendations to address the security threats.

## 6.1 Recommendations

6.1.1 Awareness raising and capacity building of civil society, including community based organizations, especially those that are involved in human rights or other advocacy work that exposes government excesses. Capacity building should be in various areas which include:

- Encouraging activists to alert their families of the type of work they are involved in and the need to be vigilant
- Encouraging individual to enhance personal security through the way they talk, conduct business, interacts with stakeholders and the environment
- Individual organizations must Alert their staff members of the likely risks and precautionary measures
- Individual funding partners must sensitize their partners on security and risk management issues.
- NANGO, in partnership with organizations such as Zimbabwe Lawyers for Human Rights must sensitize and capacitate civil society, including community based organizations on various key topics such as use of information technologies, data security, staff conduct when at work and when in the field, financial management, office systems, recruitment and selection e.t.c

6.1.2 Strengthening of personal and organizational security mechanisms- Respondents recommended a number of strategies as a way of enhancing the security of civil society at personal, organizational and sector levels. These recommendations are captured below:-

- Develop comprehensive risk and security policies, strategies and budgets at organizational level
- Civil society must strengthen their own intelligence gathering systems. Getting information from sympathetic security agencies based on relations, for instance a security agent could be brother or friend of an individual who is at risk. An example was given of an activist who was assisted by a relative in the intelligence services with vital information that enabled the activist to take action that probably saved his life. Caution was however sounded that security officers were also looking for information and so one might end up compromising oneself.

- Consider multiple bank accounts, where possible in more than one country
- Choosing relatively safer and neutral venues for meetings and workshops
- Develop a stringent visitor's policy to minimise "walk-in-appointments"
- NGO Personnel should strengthen their social networks. Some organizations devised plans on checking up on one another constantly, for instance they had a cut-off time by which everyone would know where everyone else is.
- Screening of who attends meetings is another strategy. This entails using non-traditional methods of calling meetings, having organizations that are trusted and strictly by invitation.
- Maintaining objectivity and a non-partisan approach in the discharge of duties
- Making organization's mandate known from the start to all stakeholders – government, other CSOs, FBOs and CBOs has worked for some organizations as it has served to clear mistrust.
- Tightening staff, board and membership selection and recruitment.
- Develop Codes of conduct for staff and Board members
- Developing cash flow management systems that allow organizations to respond to emergencies
- Organizations are encouraged to report all cases of violations to the police
- Organizations should be encouraged to purchase safety devices and develop early warning systems such as security networks and trees among other issues.
- Joint programming ensures strength and safety in numbers. For instance, an organization based in an urban area can team up with a CBO that is more in touch with the community and is not viewed suspiciously.
- Organizations should establish mechanisms of knowing where all programme staff are at any given time.
- Solidarity networks should be established locally, regionally and internationally. Apart from being able to spread information rapidly, these networks ensure that issues of mutual concern are kept alive. Some of the networks have housed activists who have fled Zimbabwe.
- If there are any violations of Human Rights Defenders or Civil Society Activists, these should be kept alive in the press especially in the independent and foreign press and the internet. This continuous information can put pressure on perpetrators to put things right or the state apparatus. For instance, the Police initially denied having Jestina Mukoko in custody but she later appeared in court together with other activists. The abductions received wide media attention locally, regionally and internationally and this together with other strategies may have saved lives.
- Organisations should vet thoroughly service providers – auditors, technicians, consultants, cleaners, and printers because information can easily be compromised. An example was given on how easy it is for a technician to copy information on the computer if she or he is called to service or repair a machine. Also auditors can easily leak audit reports. Use of reputable audit firms with international certification was encouraged.

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### **Strengthening of support and response mechanisms to support victims of a hostile operating environment-**

This mechanism should be well-coordinated and should entail various aspects such as legal, medical, relief and recovery support systems

- Civil society must be able to develop early warning systems and put in place mechanisms to respond to challenges timely and effectively
- Civil society must put in place plans, budgets and functional mechanisms to timely provide medical, psychosocial support, legal, relief and recovery support for victims
- There is need for strengthen the coordination role of NANGO, more so given the fact that it has decentralized its operations in order to effectively support civil society in all parts of the country.

6.1.4 **Lobbying and advocacy** – There is need for heightened lobbying and advocacy against harassment and targeted attacks on civil society whilst at the same time advocating for a conducive operating environment, policy and legal framework.

- The security threats facing CSOs have roots in repressive legislation, political impasse, weak governance framework hence the need for civil society to continue lobbying and advocacy for the establishment of democratic governance frameworks. According to most respondents, without solving the political problem in Zimbabwe, it will be difficult to solve anything else.
- There is need for organizations to have a thorough understanding of legislation that affects CSO operations such as the Private Voluntary Organisations Act (PVO Act), AIPPA, POSA and the Interception of Communications Act. There is a tendency by organizations to only act during the time a law is still at bill stage and to keep quiet once it is law. Many organizations do not appreciate the impact of these laws on them and hence when they design policies, it will be from an uninformed basis.
- Civil society should lobby funding partners to support the formulation and implementation of risk and security policies and strategies. A basket security fund can go a long way in assisting those in danger or to build the capacity of lawyers who assist organizations and activists facing security threats. Currently the lawyers are not in all centres and are overstretched. The funding could also be used by organizations for training for instance on issues of security. In addition Funders should establish “free” funding that will enable organizations to assist meaningfully without necessarily compromising their mandate – for instance if a women’s organization offers assistance to women in abusive relationships, its mandate should be able to see it offer support to women fleeing political violence. Where possible funds should be made available to build the capacity of coalitions and umbrella bodies to be pro-active and not reactive.

6.1.5 **The role of NANGO as the umbrella body of NGOs** – The importance of NANGO was emphasized that when all has been said and done, NANGO needs to play a critical role in terms of advocacy and capacity building. The respondents recognize the special role that NANGO plays and must continue playing in ensuring the security of CSOs. To its credit NANGO has already started mobilising a fund to assist CSOs and activists in distress. The fact that NANGO is already in existence and has in the past played a critical role for instance during the NGO bill process means that it has the support of many CSOs. The critical recommendations made by respondents are listed below.

- Umbrella bodies and coalitions should establish security desks solely responsible for security issues facing CSOs or their particular constituencies.
- Referral directory of service providers should be compiled so that when a situation arises, those who can render assistance are contacted without delay.
- Membership fees can be used to set up emergency funds that will be used in times of need. Such funds can also be used to assist families of activists who are abducted or harmed.
- Directors’ Forums need to be revived so that heads of organizations can share information frequently.
- There is need to build capacity of the member organizations of umbrella bodies and coalitions so that they are capable of handling security issues in Zimbabwe

## 6.2 Conclusion

The picture that has emerged is that CSOs face many threats at organizational and individual levels. These threats have been worsened by the political impasse currently prevailing in Zimbabwe. The vast majority of CSOs has not put in place adequate measures to deal with security threats that they face. Some organizations have put security strategies in place. These strategies can be combined with the recommendations put forward in this report to enable CSOs to react appropriately to the security threat they face. Some of the recommendations require funding but there are those that can be implemented immediately - such as just being alert to one's surroundings or being kept informed through print and electronic media. It will take the concerted effort of all stakeholders to ensure that security for CSOs and personnel is improved.