



THE MANY FACES OF DISPLACEMENT: IDPS IN ZIMBABWE



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August 2008

Cover photo: Dwellings in Mbare (Harare) of families made homeless in 2005 by Operation Murambatsvina, February 2008

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Map of Zimbabwe

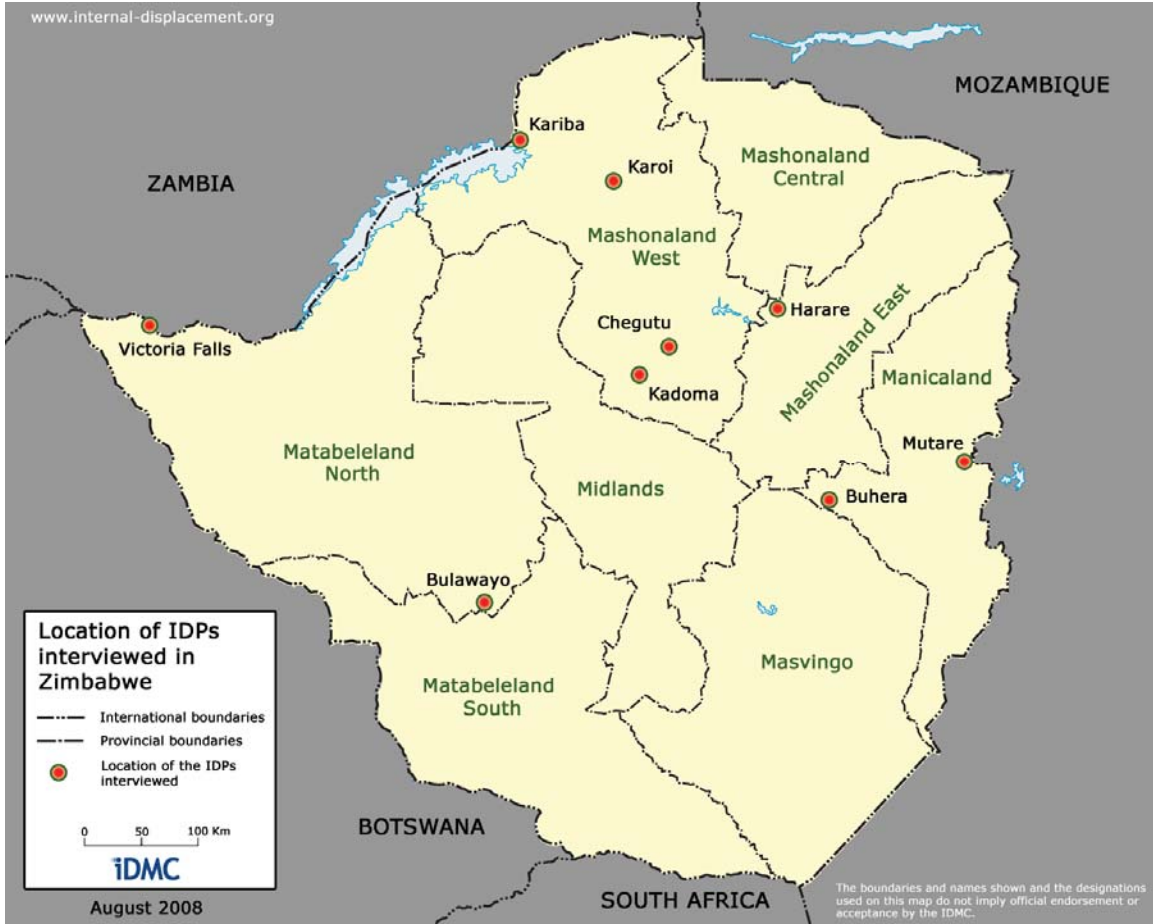


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Executive summary

Hundreds of thousands of people have been internally displaced in Zimbabwe as a result of the actions of their own government. Most recently, tens of thousands of people have been displaced by a campaign of state-sponsored violence following the elections on 29 March 2008. In 2005, an urban clear-up operation referred to as Operation Murambatsvina (Operation “Clear the Filth”) was estimated by the United Nations to have made 570,000 people homeless. Hundreds of thousands of farm workers and their families have been displaced as a result of the government’s fast-track land reform and resettlement programme, which started in 2000. Other groups of people have been arbitrarily displaced for different reasons at different times.

Zimbabwe does not have any of the outward signs of other large displacement crises, such as camps for internally displaced persons (IDPs); the crisis is to a large extent hidden. There are no official government statistics relating to these displaced populations; indeed, the government has consistently failed to acknowledge both the reality of displacement, and that its policies have caused internal displacement. Government obstruction means that no agency has been able to conduct a comprehensive survey to determine the number of IDPs. Indeed, so sensitive is the issue of displacement in Zimbabwe that IDPs in Zimbabwe are not even called IDPs but instead have come to be referred to as “mobile and vulnerable populations”.

Most if not all of the hundreds of thousands of displaced people in Zimbabwe are in desperate need of humanitarian assistance and protection. However, in today’s Zimbabwe, displacement is by no means the only cause of vulnerability. Against the background of the general political and economic crisis in Zimbabwe the question must be asked whether IDPs there are in need of assistance and protection by virtue of their being displaced, or whether their circumstances are in fact no different from the majority of Zimbabwe’s citizens who have been left struggling to cope with the combined effects of hyperinflation, unemployment levels above 80 per cent, food shortages, fuel shortages, power cuts, water cuts, and the breakdown of education and health services.

The answer to this question is clear: internally displaced people are indeed among the most vulnerable groups in Zimbabwe. Thus according to UNICEF: “The most acute humanitarian needs include those of populations affected by serious food insecurity, HIV and cholera outbreaks *as well as those displaced during the fast-track land reform programme, Operation Murambatsvina (OM) and more recent re-evictions*” [emphasis added].¹

While large numbers of Zimbabweans are struggling to cope with the impact of the country’s economic meltdown and the government’s widespread human rights violations, IDPs are generally less able to cope with the hardships of Zimbabwe’s shrinking economy and diminishing livelihood opportunities. While in the current circumstances it is sometimes difficult to distinguish between IDPs and the general population in

¹ UNICEF, *Zimbabwe donor update*, 18 June 2007, www.unicef.org/infobycountry/files/Zimbabwe_DU_18jun07.pdf.

Zimbabwe in terms of humanitarian needs, that assessment is likely to change if and when Zimbabwe is set on a path to recovery. At that time, many of Zimbabwe's displaced people will be less able to take advantage of new opportunities, and many will have needs for assistance over and above those of the general population. An appropriate response to those needs will have to be formulated, and a strategy for providing durable solutions for IDPs must be developed.

Government of Zimbabwe: abdication of responsibility

The government of Zimbabwe has a primary duty and responsibility for providing humanitarian assistance to internally displaced people. However, the government has consistently failed to acknowledge that its actions have caused a displacement crisis, and it has failed to take responsibility for providing humanitarian assistance to displaced people. Indeed, IDPs have frequently been excluded from government-controlled aid, including food aid, on the basis of their actual or imputed support for the political opposition.

Plans announced by the government to assist the victims of some of its operations have mostly come to nothing. For example, in the immediate aftermath of Operation Murambatsvina the government launched Operation Garikai (Live Well), aimed at building affordable accommodation as well as small and medium-sized business units. Three years later, no more than a few thousand housing units have been built, and most of these have not been occupied because they are unfit for human habitation. Of the rest, the vast majority have been allocated to government supporters instead of victims of Operation Murambatsvina.

Moreover, the government has made no attempt to reform the regulatory framework for low-cost housing, which continues to be based on the colonial-era Regional Town and Country Planning Act and the Housing Standard Act. The standards set by these instruments for low-cost housing are so high that they continue to block the provision of housing to low-income groups.

Similarly, the government has done little to provide more of its citizens with security of tenure. The absence of secure tenure presents an enormous obstacle to individuals, as well as to non-governmental organisations (NGOs) and foreign donors: without secure tenure few agencies are willing to invest in the construction of permanent shelter, or in livelihood interventions which depend in some way on permanent infrastructure.

Not only has the government of Zimbabwe failed to take the necessary steps to provide protection and assistance to its displaced citizens, it has also arbitrarily denied humanitarian access to UN agencies and national and international NGOs. Indeed, the government has for many years placed restrictions on humanitarian access to Zimbabweans who have been displaced by their government's policies. Humanitarian space was then almost entirely closed by a government order of 4 June 2008 to all NGOs and private voluntary organisations (PVOs) to suspend their field operations. Despite subsequent statements from the government that certain activities were exempted from

the ban, in practice few humanitarian organisations have been able to resume their field operations. The government's suspension of humanitarian relief programmes is depriving the Zimbabwean people, in particular vulnerable populations such as displaced people, of increasingly urgent humanitarian assistance.

The United Nations in Zimbabwe: a call to action

The UN country team in Zimbabwe has a responsibility to impress upon the government its responsibility for Zimbabweans who have been displaced. Moreover, in the absence of national will and capacity, the UN has a responsibility to ensure that the humanitarian and protection needs of IDPs are met. To this end, the UN country team, and the Humanitarian Coordinator in particular, are expected to take the lead in negotiating humanitarian space. However, the UN country team has taken an overly cautious approach in its dealings with the government and has failed to develop a coherent and systematic response to the ongoing displacement crisis in Zimbabwe.

The recurrent argument provided by UN agencies in Zimbabwe for not engaging more pro-actively with the government on issues of IDP assistance and protection is that doing so might be counter-productive: agencies may risk losing access to existing beneficiaries, and outspoken advocacy might ultimately lead to the UN's expulsion from Zimbabwe. However, as a 2004 study by the Brookings-SAIS Project on Internal Displacement and the UN Office for the Coordination of Humanitarian Affairs (OCHA) observed, "countries where access is denied and the displacement problem ignored or minimized ... require exposure to public scrutiny and more assertive response from UN agencies on the ground and from UN headquarters and the Security Council".² "Without wanting to underestimate the difficulties involved for R[esident] C[oordinator]s in balancing the need for close relations with the government with that of raising protection issues, failure to raise these issues will only serve to undermine the UN's credibility."³

As noted above, humanitarian actors in Zimbabwe, including UN agencies, are faced with an exceedingly difficult operating environment. Nevertheless, the response to the internal displacement crisis in Zimbabwe has suffered as the result of a lack of leadership on this issue on the part of the UN country team. In terms of IDP protection, the current lack of a lead agency on protection in Zimbabwe goes against the advice of the global Protection Cluster Working Group: "Experience has shown that an effective protection response, regardless of whether the cluster approach is formally applied or not, can best be ensured by identifying a lead agency for protection."⁴ The UN country team in Zimbabwe must act on this advice, in line with the overall objective of the humanitarian reform programme to achieve predictability and accountability in all areas of humanitarian response.

² The Brookings-SAIS Project on Internal Displacement and OCHA, *Protect or Neglect? Toward a More Effective United Nations Approach to the Protection of Internally Displaced Persons*, November 2004, p.50, www.reliefweb.int/idp/docs/references/Protect%20or%20Neglect.pdf.

³ Ibid, p.40.

⁴ Protection Cluster Working Group website, www.humanitarianreform.org/humanitarianreform/Default.aspx?tabid=79.

Donor governments

The humanitarian needs of Zimbabwe's population have risen dramatically as a result of Zimbabwe's political and economic crisis. At the peak of the hunger season between January and March 2009, 5.1 million Zimbabweans (approximately 45 per cent of the population) are expected to need food aid. Donor governments will have a crucial role to play in providing generous funding in response to the humanitarian needs on the ground. Moreover, there is significant scope for an increase in funding for Zimbabwean NGOs and faith-based organisations which work with displaced communities around the country, including adequate funding for household livelihood interventions.

Recommendations

To the Government of Zimbabwe

- Halt all political violence and provide guarantees for the voluntary return in safety and dignity for people who have been displaced.
- Allow unrestricted access to all humanitarian agencies seeking to assist displaced persons and lift the ban on NGO field operations with immediate effect.
- Respect the human rights of internally displaced people under international human rights law, as reflected in the UN Guiding Principles on Internal Displacement.
- Adopt national legislation based on the UN Guiding Principles on Internal Displacement.
- Facilitate durable solutions for all internally displaced people in Zimbabwe, which are sustainable and in line with international human rights standards. This includes the right to choose freely to return, to relocate within the country, or to settle permanently in the place of displacement.
- Implement all recommendations made by the UN Special Envoy on Human Settlements Issues in Zimbabwe, Mrs Anna Kajumulo Tibaijuka, in her report dated 18 July 2005, including:
 - Facilitate humanitarian operations within a pro-poor, gender-sensitive policy framework that provides security of tenure, affordable housing, water and sanitation, and the pursuit of small-scale income-generating activities in a regulated and enabling environment;
 - Review the Regional, Town and Country Planning Act and other relevant Acts to align the substance and the procedures of these Acts with the social, economic and cultural realities facing the majority of the population, namely the poor.
- Allow unrestricted access to monitors of the rights of IDPs, including the ACHPR's Special Rapporteur for Refugees, Asylum Seekers, IDPs and Migrants.
- Issue an invitation to the UN Secretary General's Representative on the Human Rights of Internally Displaced Persons to visit Zimbabwe and extend all necessary support to the Representative in the course of such a mission.

To the United Nations

- Impress upon the government of Zimbabwe its responsibility to protect the rights of Zimbabweans who have become displaced, and to halt all further displacement.
- Obtain guarantees from the government of Zimbabwe of safe humanitarian access to all vulnerable people, including the displaced, and ensure that the humanitarian and protection needs of IDPs are met.
- The country team, under the leadership of the Humanitarian Coordinator, must ensure that appropriate mechanisms are in place to respond to the protection needs of IDPs in Zimbabwe.
- Use the Guiding Principles on Internal Displacement to guide the UN's response to the needs of internally displaced people in Zimbabwe.

To the African Union and the Southern African Development Community

- Call for an immediate end to forced displacement in Zimbabwe.
- Demand that the government of Zimbabwe guarantee humanitarian access to all vulnerable people in Zimbabwe, including displaced people.
- Urge the government of Zimbabwe to respect the human rights of all Zimbabwean citizens and respect the principles of democracy and the rule of law, in accordance with article 4 of the SADC Treaty.

To governments financing humanitarian assistance in Zimbabwe

- Provide adequate funding to cover the rising humanitarian needs of Zimbabwe's population.
- Provide adequate funding for household livelihood interventions for displaced people in Zimbabwe, for permanent shelter for people who have been made homeless by their government's actions, and for adequate health services for displaced people.
- Provide funding for Zimbabwean civil society organisations and NGOs to assist displaced people and affected populations.

1. Introduction

This report examines the plight of internally displaced people in Zimbabwe, based on evidence collected in the field. It focuses on the needs of IDPs in terms of humanitarian assistance and protection, and highlights gaps in the current response to these needs by the government and the international community.

The report also examines the scope for enhanced humanitarian action in Zimbabwe, drawing on the humanitarian reform programme which seeks to improve the effectiveness of humanitarian response by ensuring greater predictability, accountability and partnership.⁵

Hundreds of thousands of people have been internally displaced in Zimbabwe as a result of government policies. The two largest groups are former farm workers who were displaced as a result of the government's fast-track land reform and resettlement programme, which started in 2000; and victims of Operation Murambatsvina (Operation "Clear the Filth"), an urban clear-up operation in 2005 which was estimated by the United Nations to have made 570,000 people homeless.⁶ Other groups of people have been forcibly evicted for different reasons at different times. Most recently, tens of thousands of Zimbabweans have been displaced by a campaign of state-sponsored violence following the elections on 29 March 2008 and the second round of voting in the presidential elections on 27 June 2008.⁷ The violence and the displacement have continued in the wake of the elections.

Zimbabwe does not have any of the outward signs of other large displacement crises, such as camps for internally displaced persons (IDPs): the displacement crisis in Zimbabwe is, to a large extent, hidden.⁸ It is, nevertheless, a crisis. There are no official government statistics relating to these displaced populations; indeed, the government refuses to acknowledge that its policies have caused internal displacement. Government obstruction means that no agency has been able to conduct a comprehensive survey to determine the number of IDPs. Indeed, so sensitive is the issue of displacement in Zimbabwe that IDPs in Zimbabwe are not even called IDPs but instead have come to be referred to as "mobile and vulnerable populations". Moreover, organisations that work

⁵ www.humanitarianreform.org.

⁶ *Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe, Mrs. Anna Kajumulo Tibaijuka*, 18 July 2005, www.unhabitat.org/downloads/docs/1664_96507_ZimbabweReport.pdf.

⁷ Zimbabwe's main opposition party, the Movement for Democratic Change (MDC), estimated in June 2008 that "over 200,000 people" had been displaced by election violence, with 20,000 homes having been destroyed. See Integrated Regional Information Networks (IRIN), *Voices out of the Violence*, 23 June 2008, www.irinnews.org/Report.aspx?ReportId=78893. The International Crisis Group stated that "up to 200,000" people had been displaced: *CrisisWatch No.59*, 1 July 2008, www.crisisgroup.org/home/index.cfm?id=5528. The United Nations in Zimbabwe use a significantly lower estimate of 36,000 people displaced by election violence; see Office for the Coordination of Humanitarian Affairs, *Weekly Situation Report, No. 14: 3-9 July 2008*, ochaonline.un.org/zimbabwe.

⁸ In the wake of Operation Murambatsvina, some of the hundreds of thousands of people who had been made homeless were taken to so-called "holding camps". The authorities provided few if any services to people in these camps, and UN agencies and NGOs were mostly granted only limited access at best.

with displaced people have been reluctant to make public any detailed information about the people they assist, including precise numbers of beneficiaries, for fear that the government would interpret this as an attempt to discredit the government's policies and in response withdraw permission for these organisations to operate in the country.

A rough indication of the scale of the displacement crisis in Zimbabwe can be obtained from the June 2007 Food Security and Nutrition Assessment, which established that 17 per cent of the surveyed population had moved from their original places of residence in the past five years. Asked why they had moved, almost half of this group (48 per cent) stated that they had been "asked to move". Thus about eight per cent of the surveyed population indicated that they had moved involuntarily in the past five years.⁹ If these figures are taken as representative for the entire population of Zimbabwe (estimated at between 11 and 12 million people), the total number of internally displaced people in Zimbabwe may be in the order of one million people.¹⁰ This estimate does of course not yet include the people who have been displaced by political violence following the elections on 29 March 2008.

In today's Zimbabwe, displacement is by no means the only cause of vulnerability. Even before the start of the post-election violence Zimbabwe had been in crisis, and few Zimbabweans have remained unaffected by the near-total collapse of the economy. Unemployment is estimated at 80 per cent, and even that may be an underestimate.¹¹ The economy shrank by about 44 per cent between 1998 and 2007.¹² By July 2008 the official inflation rate stood at 2.2 million per cent.¹³ An estimated 2.04 million people are in need of food assistance between July and September 2008, and the total is expected to rise to 3.8 million people between October and December 2008, and 5.1 million people (or approximately 45 per cent of the population) at the peak of the hunger season between January and March 2009.¹⁴ Zimbabwe has the fifth highest HIV/AIDS adult prevalence

⁹ This annual survey is conducted by the Zimbabwe Vulnerability Assessment Committee, and is generally referred to as the ZimVAC. See Office for the Coordination of Humanitarian Affairs (OCHA), *Zimbabwe Consolidated Appeal*, 10 December 2007, p.36, ochaonline.un.org/cap2005/webpage.asp?Page=1634. The other options from which interviewees could choose were "education opportunities", "search for land for farming", "death of spouse/partner", "search for food", "to seek employment", and "other".

¹⁰ Zimbabwe's 2002 census recorded a total population of 11.635 million people, and Zimbabwe's Central Statistics Office (CSO) uses population projections of 11.83 million for 2007 and 12.1 million for 2008. However, FAO/WFP argue that the estimate of 12.1 million is probably too high, because of the impact of HIV/AIDS and the large numbers of people migrating from Zimbabwe. The two agencies conclude that "The true population of the country perhaps lies somewhere between 11 to 12 million." For the purposes of estimating the number of people in need of food aid in Zimbabwe in 2008-2009, FAO and WFP use a population estimate of 11.865 million people for 2008. See FAO/WFP, *Crop and Food Supply Assessment Mission to Zimbabwe*, 18 June 2008, p.7, www.fao.org/docrep/010/ai469e/ai469e00.htm.

¹¹ Zimbabwe Ministry of Youth Development and Employment Creation, www.myddec.gov.zw/ec.htm.

¹² FAO/WFP, *Crop and Food Supply Assessment Mission to Zimbabwe*, 18 June 2008, p.7, www.fao.org/docrep/010/ai469e/ai469e00.htm.

¹³ *The Guardian*, "Zimbabwe government puts inflation rate at record 2.2m%", 17 July 2008, www.guardian.co.uk/world/2008/jul/17/zimbabwe.

¹⁴ FAO/WFP, *Crop and Food Supply Assessment Mission to Zimbabwe*, 18 June 2008, p.28, www.fao.org/docrep/010/ai469e/ai469e00.htm.

rate in the world, at 15.3 per cent.¹⁵ Life expectancy dropped from 61 years during the early 1990s to 34 years at the end of 2005.¹⁶ An estimated one million children in Zimbabwe are orphans due to AIDS.¹⁷ UNHCR estimates that more than three million Zimbabweans have left the country.¹⁸

Nevertheless, internally displaced people are among the most vulnerable groups in Zimbabwe. According to UNICEF: “The most acute humanitarian needs include those of populations affected by serious food insecurity, HIV and cholera outbreaks *as well as those displaced during the fast-track land reform programme, Operation Murambatsvina (OM) and more recent re-evictions*” [emphasis added].¹⁹

2. Definitions: Internally displaced people and affected populations

The *Guiding Principles on Internal Displacement* define internally displaced persons as:

“...persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized border.”²⁰

This report documents the situation of a number of different categories of people in Zimbabwe who have been forced to leave their homes as a result of, or in order to avoid, the effects of generalised violence, violations of their human rights or human-made disasters, and who must therefore be considered as IDPs.²¹

¹⁵ UNAIDS, *2008 Report on the Global AIDS Epidemic*, p.215, www.unaids.org/en/KnowledgeCentre/HIVData/GlobalReport/2008/2008_Global_report.asp.

¹⁶ UNICEF, *Humanitarian Action: Zimbabwe*, 18 June 2007, www.unicef.org/infobycountry/zimbabwe_31330.html.

¹⁷ UNAIDS, *2008 Report on the Global AIDS Epidemic*, p.218, www.unaids.org/en/KnowledgeCentre/HIVData/GlobalReport/2008/2008_Global_report.asp.

¹⁸ “Plans needed for Zimbabwe exodus”, *BBC News*, 21 August 2007, news.bbc.co.uk/2/hi/africa/6956383.stm. Three-quarters of Zimbabwe’s doctors are estimated to have emigrated, along with more than half of all nurses, physiotherapists and social workers. See “Zimbabwe's election: Coming to a crunch”, *The Economist*, 19 March 2008, www.economist.com/world/africa/displaystory.cfm?story_id=10880693.

¹⁹ UNICEF, *Zimbabwe donor update*, 18 June 2007, www.unicef.org/infobycountry/files/Zimbabwe_DU_18jun07.pdf.

²⁰ *Guiding Principles on Internal Displacement*, www.unhcr.ch/html/menu2/7/b/principles.htm.

²¹ The term “generalised violence” refers to situations characterised by a serious disruption of internal order resulting from acts of violence which nevertheless fall short of armed conflict. It includes situations of internal tensions and disturbances involving the use of force and other repressive measures by government agents to maintain or restore public order. “A situation of serious internal tension characteristically involves specific types of human rights violations such as large-scale arrests and other large-scale measures restricting personal freedom, administrative detention and assigned residence, large numbers of political prisoners, and the probable existence of ill-treatment or inhuman conditions of detention.” United Nations Commission on Human Rights, *Report of the Representative of the Secretary-General, Mr. Francis M.*

The report also reviews the situation of people in Zimbabwe who, while not themselves displaced, are nevertheless affected by displacement. This report follows the definition of “affected populations” adopted by the Inter-Agency Standing Committee:

“[A]ffected populations comprise the following categories of persons: host communities where internally displaced persons are living; host communities in areas of return of internally displaced persons; and persons or communities at risk of displacement if their protection problems are not addressed.”²²

It is difficult to obtain accurate figures for the displaced populations as well as for the affected populations in Zimbabwe. What is clear, however, is that at least as many people are affected by displacement as actually displaced, with hundreds of thousands of people in each of the three categories of affected populations identified in the IASC definition.

3. Victims of political violence

The period leading up to Zimbabwe’s “harmonised” presidential, senatorial, national assembly and council elections on 29 March 2008 was generally perceived to have passed relatively peacefully.²³ Nevertheless, there were some incidents of politically-motivated violence which resulted in the displacement of activists of the opposition Movement for Democratic Change (MDC). For example, on 25 February 2008 the homes of several MDC activists were burned down in Muzarabani, allegedly by ZANU-PF youth militias.²⁴

Official election results showed that MDC leader Morgan Tsvangirai had obtained 47.9 per cent of the votes in the presidential election against President Mugabe’s 43.2 per cent.²⁵ The MDC claimed that it had won an outright majority of 50.3 per cent in the presidential election, avoiding the need for a second round of voting. Nevertheless, a run-off was scheduled for 27 June 2008, in which the MDC initially agreed to participate. At

Deng, submitted pursuant to Commission on Human Rights resolution 1995/57, Compilation and analysis of legal norms, E/CN.4/1996/52/Add.2, 5 December 1995, para. 28,

www.unhcr.ch/Huridocda/Huridoca.nsf/0/75550ee91a4fb1ff802566cc005c2c63?Opendocument. See also Brookings-Bern Project on Internal Displacement and the American Society of International Law, *Guiding Principles on Internal Displacement: Annotations* (2nd revised edn), 2008, p. 7, www.asil.org/pdfs/stlp.pdf.

²² Inter-Agency Standing Committee Principals Meeting, *Cluster Working Group on Protection: Progress Report*, 12 December 2005, p.4, ocha.unog.ch/ProCapOnline/docs/library/Report%20of%20IASC%20PWG_Dec%202005.doc.

²³ This must be seen against the levels of violence in the run-up to previous elections. See for example International Crisis Group, *Post-Election Zimbabwe: What Next?*, Africa Report No. 93, 7 June 2005, www.crisisgroup.org/home/index.cfm?id=3499&l=1; and *Zimbabwe at the Crossroads: Transition or Conflict?*, Africa Report No. 41, 22 March 2002, www.crisisgroup.org/home/index.cfm?id=1481&l=1.

²⁴ SW Radio Africa, *MDC Houses Burned and Officials Arrested in Muzarabani*, 25 February 2008, www.swradioafrica.com/news260208/mdchouses260208.htm.

²⁵ For the official results and the result based on parallel vote tabulation, see www.sokwanele.com/election2008.

that point, President Mugabe made it clear that he would not concede defeat, whatever the outcome of the second round of voting.²⁶ Mugabe's ZANU-PF party and state security forces unleashed a campaign of state-sponsored violence referred to as Operation Mavhoterapapi ("Where Did You Put Your Cross").²⁷ In waves of unprecedented violence and intimidation, MDC activists, election volunteers and ordinary voters across Zimbabwe were harassed, beaten and tortured for no other reason than their support for the MDC.²⁸ On 22 June Mr Tsvangirai announced his withdrawal from the election on the grounds that the circumstances in Zimbabwe were not conducive to a free and fair election, and because he did not wish to put the lives of his supporters in danger.²⁹ According to the MDC, 120 of its supporters were killed from the first round of voting on 29 March up to 18 July 2008.³⁰

Tens of thousands of people were forced to flee their homes as a result of the violence. Precise figures are not available: in the current circumstances it has been impossible for anyone to conduct a comprehensive survey.³¹ However, in the wake of the elections, the estimates of the number of people internally displaced by the violence rose rapidly. By the end of April a group of UN Special Rapporteurs estimated that "hundreds of families and individuals – mostly women and children – have been displaced internally."³² By the end of May, UNICEF estimated that the violence had displaced "at least 10,000 children".³³ In a written statement dated 6 June 2008 the British Foreign Secretary stated: "In the 5 weeks since the elections in Zimbabwe, 7,000 people have been displaced."³⁴

²⁶ See for example BBC News, *Mugabe Pledges to Fight 'Lackeys'*, 14 June 2008, news.bbc.co.uk/2/hi/africa/7454569.stm.

²⁷ Human Rights Watch, *Surge in State-Sponsored Violence*, 25 April 2008, www.hrw.org/english/docs/2008/04/25/zimbab18653.htm; BBC News, *Key Role for Mugabe's Security Chiefs*, 12 June 2008, news.bbc.co.uk/2/hi/africa/7324243.stm; BBC News, *Military 'Runs Mugabe Campaign'*, 12 June 2008, news.bbc.co.uk/2/hi/africa/7449704.stm. The operation has also been referred to as Operation Makazviitirei (Operation Why Did You Ever Vote for the MDC). See Integrated Regional Information Networks (IRIN), *Political Violence Surges after Mugabe Assumes Presidency*, 9 July 2008, www.irinnews.org/report.aspx?ReportID=79159.

²⁸ Human Rights Watch, *'Bullets for Each of You': State-Sponsored Violence Since Zimbabwe's March 29 Elections*, 9 June 2008, www.hrw.org/reports/2008/zimbabwe0608/zimbabwe0608webwcover.pdf; Zimbabwe Human Rights NGO Forum, *If You Can't Join Them, Beat Them! Post-Election Violence in Zimbabwe*, 5 May 2008, www.hrforumzim.com.

²⁹ BBC News, *Day of Drama in Harare*, 22 June 2008, news.bbc.co.uk/2/hi/africa/7468181.stm.

³⁰ BBC News, *Mbeki Set for Key Zimbabwe Talks*, 18 July 2008, news.bbc.co.uk/2/hi/africa/7513060.stm. While the overwhelming majority of violent attacks have been carried out by ZANU-PF and its allies, some retaliatory attacks by MDC activists have also been documented. See for example Human Rights Watch, *'Bullets for Each of You': State-Sponsored Violence Since Zimbabwe's March 29 Elections*, 9 June 2008, p.52, www.hrw.org/reports/2008/zimbabwe0608/zimbabwe0608webwcover.pdf.

³¹ For documented cases of displacement, see for example Zimbabwe Peace Project, *Run Up to 27 June 2008 Presidential Run Off Election*, June 2008, www.kubatana.net/docs/hr/zpp_pres_runoff_report_full_080725.doc; and Zimbabwe Human Rights NGO Forum, *Damn Lies? Gross Human Rights Violations During April 2008*, 9 August 2008, swradioafrica.com/Documents/DAMN_LIES.pdf.

³² *UN Experts Concerned about Deteriorating Human Rights Situation in Zimbabwe*, 29 April 2008, www.un.org/apps/news/story.asp?NewsID=26492&Cr=zimbabwe&Cr1.

³³ UNICEF, *Children Bear Brunt of Violence*, 29 May 2008, allafrica.com/stories/200805300882.html.

³⁴ *Written Ministerial Statement on Zimbabwe*, 6 May 2008, www.fco.gov.uk/en/newsroom/latest-news/?view=News&id=3318428.

By mid-June the MDC estimated that 25,000 people had been internally displaced,³⁵ while the General Agriculture and Plantation Workers Union of Zimbabwe (GAPWUZ) estimated that up to 40,000 farm workers and their families had had to flee their homes because of the violence.³⁶ By the time of the second round of voting at the end of June 2008, the MDC stated that 200,000 of its supporters had been displaced,³⁷ and this estimate has since been adopted by the International Crisis Group.³⁸ However, by mid-July 2008 the UN used a significantly lower estimate of 36,000 people displaced by politically motivated violence.³⁹

Independent analysts have argued that the displacement of thousands of MDC activists and ordinary voters was not merely a by-product of the violence, but was itself part of a systematic attempt to change Zimbabwe's political landscape. The BBC coined the phrase "electoral cleansing" to describe ZANU-PF's campaign to drive opposition supporters from their voting areas.⁴⁰ According to Human Rights Watch, "ZANU-PF is deliberately displacing thousands of people from their homes in the rural areas both in an effort to change the political landscape of these areas and to prevent MDC supporters from exercising their rights to vote during the presidential runoff. The ruling party appears to have orchestrated this mass displacement to ensure that those affected by the abuses cannot return home. It has done so through a campaign of beatings, burning of huts and homesteads, the deliberate slaughter of livestock, and the looting of property."⁴¹

Similarly, the Zimbabwe Human Rights NGO Forum maintains that the aim of the violence was twofold: to instil fear in the electorate, and to drive people away from the wards where they were registered to vote: "This terror campaign is intended to ensure that in the event of a run-off in the Presidential Election people will be too frightened to vote for the opposition [...]. Many MDC party officials have been displaced from their own areas and will not be able to organise party support in these areas. Party supporters have been driven out of the areas in which they are registered to vote and will not be able to vote in areas in which they have sought refuge."⁴²

³⁵ Morgan Tsvangirai, MDC President, *Statement on the Country's Run-Off Elections*, 11 June 2008, www.mdc.co.zw/pressbody.asp?pressid=6.

³⁶ BBC News, Zimbabwe 'Too Violent for Poll', 8 May 2008, news.bbc.co.uk/2/hi/africa/7389446.stm; Reuters, *Zimbabwe Opposition Rejects Presidential Run-Off*, 8 May 2008, www.alertnet.org/thenews/newsdesk/L08808391.htm.

³⁷ BBC News, 'Zimbabwe Rejects Mandela Rebuke', 26 June 2008, news.bbc.co.uk/2/hi/africa/7474718.stm.

³⁸ International Crisis Group, *CrisisWatch No.59*, 1 July 2008, www.crisisgroup.org/home/index.cfm?id=5528.

³⁹ UN Office for the Coordination of Humanitarian Affairs, *Weekly Situation Report No. 15 (10 – 16 July 2008)*, ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1092612.

⁴⁰ BBC News, *Mass Challenge over Zimbabwe Poll*, 7 May 2008, news.bbc.co.uk/2/hi/africa/7387738.stm.

⁴¹ Human Rights Watch, 'Bullets for Each of You': *State-Sponsored Violence Since Zimbabwe's March 29 Elections*, 9 June 2008, p.46, www.hrw.org/reports/2008/zimbabwe0608/zimbabwe0608webwcover.pdf.

⁴² Zimbabwe Human Rights NGO Forum, *If You Can't Join Them, Beat Them! Post-Election Violence in Zimbabwe*, 5 May 2008, p.6, www.hrforumzim.com. See also James McGee, US Ambassador to Zimbabwe, who said, "This [ZANU-PF] government wishes to retain power through any means possible. They understand that if people do not turn out to vote for MDC, that they will be in a much better position to win this run-off election. So what they are doing is they are ensuring that people, number one, are too afraid to vote, or, number two, that they are not in the district, the ward, where they live [and where they

3.1 Violence and displacement after the June 2008 elections

The political violence has continued since the second round of voting on 27 June 2008.⁴³ Indeed, according to the MDC the political violence against its supporters escalated after Mugabe assumed the presidency.⁴⁴ On 9 July, MDC spokesman Nelson Chamisa stated: “As the MDC, we are deeply concerned by the upsurge in political violence, especially in the countryside. We are overwhelmed by the number of internally displaced persons who continue to flock to our offices.”⁴⁵ The Zimbabwe Peace Project reported: “At Hopley Farm in Harare, by 28 June, a witch-hunt for those who voted for the MDC had started with reports that those suspected to have voted for the MDC and spoiling ballots lost their lodgings.”⁴⁶

In August 2008, Human Rights Watch stated: “Hundreds of MDC activists who fled the violence in the weeks before the June 27 runoff remain in hiding while ‘war veterans’ and youth militia continue to terrorize villagers in the rural areas.”⁴⁷ Zimbabwe Lawyers for Human Rights reported on 31 July that at least five MDC councillors in Nyanga North constituency had been forced out of their homes after the 27 June elections and were continuing to seek refuge outside their constituency.⁴⁸

Displaced people continued to be at risk of further attacks. For example, in the early hours of 7 July 2008 two shelters where MDC supporters had sought refuge came under attack by armed militia, one at Chinyaradzo in Gokwe, and the other at the National Rehabilitation Centre in Ruwa. At least one person died in the Gokwe attack.⁴⁹ In some parts of the country, ZANU-PF supporters were reportedly refusing to allow villagers

are registered to vote].” BBC News, interview with US Ambassador to Zimbabwe, James McGee, in video reportage, *Military Involved in Mugabe’s Re-election*, 12 June 2008, news.bbc.co.uk/2/hi/africa/7440527.stm.

⁴³ See for example Zimbabwe Peace Project, *Information Alert No. 21: Violence Continues in Some Areas*, 4 July 2008; and *Information Alert No. 22: Violence Continues after the 27 June Election*, 7 July 2008.

⁴⁴ Integrated Regional Information Networks (IRIN), *Political Violence Surges after Mugabe Assumes Presidency*, 9 July 2008, www.irinnews.org/report.aspx?ReportID=79159.

⁴⁵ Ibid.

⁴⁶ Zimbabwe Peace Project, *Run Up to 27 June 2008 Presidential Run Off Election*, June 2008, www.kubatana.net/docs/hr/zpp_pres_runoff_report_full_080725.doc.

⁴⁷ Human Rights Watch, *“They Beat Me Like a Dog”: Political Persecution of Opposition Activists and Supporters in Zimbabwe*, 12 August 2008, www.hrw.org/reports/2008/zimbabwe0808.

⁴⁸ Zimbabwe Lawyers for Human Rights, *Continued attacks against members of the Movement for Democratic Change and the general public by war veterans in Manicaland*, press statement, 31 July 2008.

⁴⁹ BBC News, *Militia Attack Zimbabwe Displaced*, 7 July 2008, news.bbc.co.uk/2/hi/africa/7492761.stm; The Times, *Zimbabwe: Refugees From Violence Caught By Killer Gangs*, 8 July 2008, www.timesonline.co.uk/tol/news/world/africa/article4289934.ece; Zimbabwe Peace Project, *Information Alert No. 22: Violence Continues after the 27 June Election*, 7 July 2008; OCHA, *Zimbabwe Election Period: Weekly Situation Report, Issue No. 14*, 3-9 July 2008, p. 2, ochaonline.un.org/zimbabwe. The displaced people in Ruwa had initially sought shelter at the MDC Headquarters in Harare, Harvest House. Following a police raid, many people from Harvest House to the South African embassy in Harare. They were then persuaded to go to Ruwa by the Ministry of Social Welfare, which had assured the safety of the displaced. Some of the people at Ruwa later left and sought refuge at the US embassy in Harare. The Times, *ibid*. One international agency cautions that accounts of the attack at Ruwa have proven contradictory; email received by IDMC, 7 August 2008.

who had fled the violence to return home.⁵⁰ At the same time, some displaced people continued to have serious concerns for their safety should they return home, highlighting the need to ensure that the voluntary aspect of any returns is guaranteed at all times.⁵¹

3.2 Suspension of NGO field operations

The plight of displaced people has been compounded by a government order of 4 June 2008 to all NGOs and Private Voluntary Organisations (PVOs) to suspend all their field operations.⁵² On 12 June, a purported clarification exempted from the ban anti-retroviral therapy and home-based care programmes for people living with HIV/AIDS, as well as supplementary feeding programmes for children. The government also stated that churches were not affected by the ban on field operations.⁵³ However, more than two months after the imposition of the ban the situation on the ground has not changed, with local and provincial authorities seemingly unaware of the government's clarification of its scope. As a result, NGOs continue to face restrictions on their field activities.⁵⁴ Apart from the direct impact of suspended field operations, the ban also means that needs assessments can no longer be conducted due to the absence of staff on the ground. This in turn is hampering the process for planning an appropriate response to the humanitarian needs of displaced populations as well as other vulnerable groups.⁵⁵

In a welcome development, the Memorandum of Understanding (MoU) between ZANU-PF and the two MDC factions, signed on 21 July 2008, provides that: "The Parties agree that ... they will work together to ensure the safety of any displaced persons and their safe return home and that humanitarian and social welfare organisations are enabled to render such assistance as might be required."⁵⁶ However, in practice the ban on humanitarian operations has remained in place since the signing of the MoU, not only for NGOs but also for faith-based organisations which were supposed to have been exempted from the ban. Thus in August 2008, the Zimbabwe Catholics Bishops' Conference

⁵⁰ The Telegraph, *Robert Mugabe Seeks Dominant Role in Coalition Government*, 8 August 2008, www.telegraph.co.uk.

⁵¹ OCHA, *Zimbabwe Election Period: Weekly Situation Report*, Issue No. 15 (10-16 July 2008), ochaonline.un.org/zimbabwe.

⁵² Letter from the Minister of Public Service, Labour and Social Welfare, Mr Goche, dated 4 June 2008, "To All Private Voluntary Organizations (PVOs)/Non-Governmental Organizations (NGOs)", stating "I hereby instruct all PVOs/NGOs to suspend all field operations until further notice." See also *New York Times*, "In a Crackdown, Zimbabwe Curbs Aid Groups", 4 June 2008, www.nytimes.com.

⁵³ Letter from the Acting Permanent Secretary for Public Service, Labour and Social Welfare, Mr S.G. Mhishi, dated 12 June 2008, "To All Private Voluntary Organizations (PVOs)/Non-Governmental Organizations (NGOs), Re: Clarification of the Suspension of Field Operations of PVOs/NGOs". See also *The Nation*, *Zimbabwe Eases Ban on NGOs but Kicks Out Rights Official*, 19 June 2008, allafrica.com/stories/200806190192.html.

⁵⁴ OCHA, *Zimbabwe Election Period: Weekly Situation Report*, Issue No. 11 (9-18 June 2008), Issue No. 12 (16-25 June 2008), Issue No. 13 (26 June – 2 July), Issue No. 14 (3-9 July 2008), Issue No. 15 (10-16 July 2008), ochaonline.un.org/zimbabwe.

⁵⁵ *Ibid.*

⁵⁶ *Memorandum of Understanding between the Zimbabwe African National Union (Patriotic Front) and the Two Movements for Democratic Change Formations*, 22 July 2008, para. 10(1)(d), www.allafrica.com/stories/200807220033.html.

reported that despite the undertaking in the MoU, “it is still difficult and impossible in some areas for the church to render such help to displaced persons.”⁵⁷

On 7 August 2008, the diplomatic missions in Harare of nine western countries plus the European Commission issued a statement saying: “The Memorandum of Understanding signed on 21 July between Zimbabwe’s political parties states that they ‘will work together to ensure ...that humanitarian and social welfare organisations are enabled to render such assistance as might be required.’ We are concerned that more than two weeks after the signing of the MoU, and despite our diplomatic appeals, we have seen no concrete steps taken to carry out this commitment.”

The statement continued: “[S]afe and unhindered humanitarian access is our overriding concern. However, we are also deeply concerned about the plight of the large numbers of internally displaced people (IDPs) in Zimbabwe, many of whom have fled political violence. It is therefore essential that the Government work closely with the UN system to uphold the rights of displaced people, and ensure that any reintegration of IDPs happens on a voluntary basis, only when it is safe for them to return, and with close monitoring by the international humanitarian community.”⁵⁸

On 14 August, UN Secretary-General Ban Ki-moon called on the Zimbabwean government to lift the ban on humanitarian operations with immediate effect to avoid “a catastrophic humanitarian crisis”.⁵⁹

4. Victims of Operation Murambatsvina (“Clear the Filth”)

In 1995, in an initial state report to the Committee on Economic and Social Rights on the implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR), the government of Zimbabwe stated that the country suffered a housing crisis, as manifested by “the mushrooming of illegal backyard extensions in most high density areas resulting in overcrowding; the continued existence of substandard houses which require upgrading; and overcrowded households.”⁶⁰ The report said that waiting lists for accommodation indicated a shortage of 600,000 housing units nationwide.⁶¹

In May 2005, with little or no warning, the government of Zimbabwe embarked on what it referred to as an urban clear-up operation to deal with both the informal economy and informal housing. Operation Restore Order targeted informal traders and their market stalls and small businesses in Zimbabwe’s towns and cities. The scope of the operation

⁵⁷ Zimbabwe Catholic Bishops’ Conference, *Position on the Signing of the Memorandum of Understanding between ZANU-PF and the Two MDC Formations*, undated.

⁵⁸ *International Community Statement on Humanitarian Access in Zimbabwe*, 7 August 2008, available at www.internal-displacement.org/countries/zimbabwe.

⁵⁹ UN News Service, *Zimbabwe must lift aid agency restrictions to avoid humanitarian crisis – Ban*, 14 August 2008, www.un.org/apps/news/story.asp?NewsID=27707&Cr=Zimbabwe&Cr1=.

⁶⁰ Zimbabwe State Party Report on the Implementation of the International Covenant on Economic, Social and Cultural Rights, 25 September 1995, para. 100, www.unhchr.ch/tbs/doc.nsf.

⁶¹ *Ibid*, para. 101, www.unhchr.ch/tbs/doc.nsf.

was expanded a few days when the government unleashed Operation Murambatsvina (Operation Clear the Filth), which targeted informal housing in high-density residential areas.⁶²

According to government figures, in the course of Operation Restore Order 32,538 small and medium-sized enterprises were demolished, while Operation Murambatsvina led to the destruction of 92,460 housing structures, affecting 133,534 households. On the basis of 2002 census figures which put the average household at 4.2 persons, the UN estimated that approximately 570,000 people had been made homeless, while an estimated 98,000 people had been deprived of their livelihoods.⁶³ Some Zimbabwean organisations argued that the census figure of 4.2 persons per household was an underestimate, with the average household more likely to have between 5 and 5.8 people.⁶⁴ This would produce a correspondingly higher estimate of between 668,000 – 774,000 people made homeless by Operation Murambatsvina.

Taking into account that there was some overlap between people who lost their homes and those who lost their businesses, the UN estimated in July 2005 that between 650,000 and 700,000 people had been directly affected by the two operations. It estimated that the total number of people who had been either directly or indirectly affected was about 2.4 million people, or 18 per cent of the total population. The UN warned at the time that this number was still growing due to ongoing evictions and destruction of properties.⁶⁵

The evictions were not carried out in accordance with Zimbabwe's obligations under international law,⁶⁶ and thus violated the prohibition on forced evictions and amounted to

⁶² Most reports refer to both operations together as Operation Murambatsvina, and the Shona phrase "murambatsvina" is sometimes itself translated as "restore order". Certainly, after the start of Operation Murambatsvina it would have been difficult to distinguish the two operations in practice, since they mostly targeted the same people and the same areas. IDMC interview with Mike Davies, Combined Harare Residents Association, Harare, 11 February 2008. In IDMC interviews in February 2008, many victims of Operation Murambatsvina emphasised that they abhor the phrase Operation Murambatsvina, because the word "filth" referred not just to the supposedly illegal homes that were destroyed, but also to the people who lived in these homes and who were the victims of the operation.

⁶³ UN Special Envoy on Human Settlement Issues in Zimbabwe, *Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina*, 18 July 2005, p.32, www.un.org/News/dh/infocus/zimbabwe/zimbabwe_rpt.pdf.

⁶⁴ International Crisis Group, *Zimbabwe's Operation Murambatsvina: The Tipping Point?*, 17 August 2005, p.2, footnote 6, www.crisisgroup.org/library/documents/africa/southern_africa/097_zimbabwe_s_operation_murambatsvina_the_tipping_point.pdf.

⁶⁵ UN Special Envoy on Human Settlement Issues in Zimbabwe, *Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina*, 18 July 2005, pp.33-34. The UN report stated, "It was clear that the Operation was not over by the day the Special Envoy and her team left Zimbabwe on 9 July, seven weeks after it started." Ibid, p.14.

⁶⁶ See for example UN Special Envoy on Human Settlement Issues in Zimbabwe, *Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina*, 18 July 2005, chapter 6, www.un.org/News/dh/infocus/zimbabwe/zimbabwe_rpt.pdf; Centre on Housing Rights and Evictions and Zimbabwe Lawyers for Human Rights: *Operation Murambatsvina: A Crime against Humanity*, independent legal opinion prepared by Martin Westgate, barrister, Doughty Street Chambers, May 2007, www.cohre.org/zimbabwe; Human Rights Watch, *Evicted and Forsaken: Internally Displaced*

arbitrary displacement.⁶⁷ However, the government presented each operation as no more than “a simple clean-up operation and a crackdown on crime”.⁶⁸ It claimed that the operations’ aims were to halt and reverse a process of disorderly and unregulated urbanisation by destroying supposedly illegal structures that did not comply with Zimbabwe’s building regulations; and to put an end to illegal trading practices, including foreign currency transactions on the parallel market.

Independent analysts put forward alternative explanations for the operations, framed in terms of political control. The opposition MDC had taken 26 out of 30 parliamentary seats in major towns and cities in the parliamentary elections in March 2005. The actions of the ruling ZANU-PF party in the following months were seen as being aimed at punishing MDC supporters, weakening the MDC’s traditional urban base, and pre-empting an urban uprising against the government.⁶⁹ Economic hardship had over the years driven many people from the rural areas to towns and cities, a process which had been accelerated by the government’s disastrous land reform programme (see section 5). ZANU-PF had never been able to control Zimbabwe’s urban population in the same way as rural Zimbabwe, ZANU-PF’s traditional stronghold, where it controlled people through traditional chiefs, war veterans, youth militias and political patronage, including through government-controlled food aid.⁷⁰ Operation Murambatsvina left many of its victims with no option but to return to the rural areas, where they were less likely to pose a threat to the government. Moreover, statements by government officials indicated that Operation Murambatsvina was aimed at least in part at driving former farm workers and other rural dwellers back to the rural areas in an effort to “resuscitate rural areas”.⁷¹ A government official stated in June 2005 that “the bottom line is that our preoccupation now is to get the commercial agriculture farming sector working.”⁷² Depriving large numbers of former farm workers of their homes and livelihoods in the towns and cities

People in the Aftermath of Operation Murambatsvina, December 2005,
www.hrw.org/reports/2005/zim1205/zim1205web.pdf.

⁶⁷ UN Commission on Human Rights, *Report of the Representative of the Secretary-General, Mr. Francis Deng, submitted pursuant to Commission on Human Rights resolution 1997/39, Addendum: Compilation and Analysis of Legal Norms, Part II: Legal Aspects Relating to the Protection against Arbitrary Displacement*, 11 February 1998, E/CN.4/1998/53/Add.1, paras 3-4,
www.unhcr.ch/Huridocda/Huridoca.nsf/0/49dc663a776b2cc2c125661e002d5588?Opendocument.

⁶⁸ George Charamba, Zimbabwe’s Secretary of Information, “Zimbabwe: Operation Restore Order”, *New Africa*, No. 442, July 2005, pp. 36-39.

⁶⁹ UN Special Envoy on Human Settlement Issues in Zimbabwe, *Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina*, 18 July 2005, p.20-21; International Crisis Group, *Zimbabwe’s Operation Murambatsvina: The Tipping Point?*, 17 August 2005, pp.3-5; Human Rights Watch, *Evicted and Forsaken: Internally Displaced People in the Aftermath of Operation Murambatsvina*, December 2005, p.10, www.hrw.org/reports/2005/zim1205/zim1205web.pdf.

⁷⁰ International Crisis Group, *Zimbabwe’s Operation Murambatsvina: The Tipping Point?*, 17 August 2005, p.5.

⁷¹ Deputy Minister of Local Government, Public Works and Urban Development, Morris Sakabuya, quoted in International Crisis Group, *ibid*.

⁷² Senior official in the Ministry of Lands, quoted in International Crisis Group, *ibid*.

may have been a deliberate step towards fulfilling that ambition, by providing Zimbabwe's new farmers with an easily exploited workforce.⁷³

Urban evictions have continued ever since Operation Murambatsvina.⁷⁴ In the years since Operation Murambatsvina, informal structures have reappeared in many towns and cities, although not on the same scale as before 2005. Decisions as to how to deal with these seem again to be driven by political considerations. As members of a Zimbabwean NGO put it, "Where slums are cropping up, the government will raze these to the ground if it suits them. But if they think that there is political mileage in a certain slum population, then they will not touch the slum."⁷⁵

4.1 The long-term impact of Operation Murambatsvina

In July 2005, when Operation Murambatsvina was still ongoing, the UN gave the following estimates for the situation of victims of Operation Murambatsvina: 20 per cent of the total estimated number made homeless (or perhaps 114,000 people) were living in the open with no shelter; 20 per cent had gone voluntarily or otherwise to rural areas; 30 per cent (170,000 people) had moved in with relatives or friends in the towns and cities; and 30 per cent were seeking refuge within the community in churches and other temporary accommodation.⁷⁶ In the months after Operation Murambatsvina, the number of people leaving the country started going up as some of the Operation's victims went abroad, in many cases to South Africa.⁷⁷

Three years after Operation Murambatsvina, there are no figures, or even estimates, describing the current situation of its victims. What is clear, however, is that very few of

⁷³ IDMC interview with representative of the international community in Zimbabwe, Harare, 6 February 2008; IDMC interview with officials of the Delegation of the European Commission in Zimbabwe, Harare, 11 February 2008; IDMC interview with Bill Kinsey, Harare, 9 February 2008.

⁷⁴ It must be noted that Operation Murambatsvina was itself by no means the first time that the government forcibly evicted its own citizens in Zimbabwe's towns and cities. For example, prior to a visit by Queen Elizabeth on the occasion of the Commonwealth Heads of Government Meeting in Harare in 1991, hundreds of people were evicted and taken to Porta Farm. Many more people were resettled by the government on Porta Farm in 1993 after it evicted up to 20,000 people from Churu Farm, owned by the opposition leader Ndabaningi Sithole. Others were resettled by the government in Hatcliffe. All homes at both Porta Farm and Hatcliffe were subsequently demolished in June 2005 as part of Operation Murambatsvina. Human Rights Watch, "*Clear the Filth*": Mass Evictions and demolitions in Zimbabwe, 11 September 2005, www.hrw.org/backgrounder/africa/zimbabwe0905/zimbabwe0905.pdf. In other places too, holding camps which had been created by the government itself were subsequently destroyed in the course of Operation Murambatsvina. IDMC interview with victims of Operation Murambatsvina, Nyamhunga, 21 February 2008. See also UN Special Envoy on Human Settlement Issues in Zimbabwe, *Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina*, 18 July 2005, pp.37, 53, 61.

⁷⁵ IDMC interview with Zimbabwe lawyers for Human Rights, Harare, 6 February 2008.

⁷⁶ *Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe, Mrs. Anna Kajumulo Tibaijuka*, 18 July 2005, p.35.

⁷⁷ See Human Rights Watch, *Neighbors in Need: Zimbabweans seeking refuge in South Africa*, June 2008, www.hrw.org/reports/2008/southafrica0608/southafrica0608web.pdf.

the victims have found even a semi-permanent solution to their plight. According to a lawyer in Harare in February 2008: “People who were displaced are still displaced, without a remedy, without compensation.”⁷⁸

Operation Murambatsvina has resulted in a significant part of Zimbabwe’s population being permanently on the move. Victims are in a worse situation today than they were beforehand, despite the government’s avowals that it acted in their best interest by destroying urban dwellings that were not suitable for human habitation.⁷⁹

Indeed, Operation Murambatsvina has led to a dramatic slump in living standards, not just for the immediate victims of the operation, but for all of the estimated 2.4 million people who were either directly or indirectly affected. People have been affected in a number of different ways. On many plots in the cities’ high-density areas, informal structures had been erected over time around the main house. In most cases, the main house was left standing by Operation Murambatsvina, but all informal structures surrounding it were destroyed. Overnight, the occupiers of the main house lost their rental income from these informal structures, which for many families had been the only stable source of income.

People whose homes had not been destroyed ended up having to accommodate relatives and friends who had been made homeless, something which for many people has turned from a supposedly temporary arrangement into a permanent situation. In the process, many people have fallen victim to secondary displacement: they had been lodgers themselves, but were evicted by their landlords *after* Operation Murambatsvina, because the landlords needed the space to house relatives and friends who had been made homeless by Operation Murambatsvina. Because of the dire lack of accommodation in Zimbabwe’s town and cities after Operation Murambatsvina, rents shot up and people who could no longer pay their rent were then evicted by their landlords. Finally, victims of Operation Murambatsvina who went to the rural areas ended up putting pressure on scarce resources and support structures there, thus imposing a burden on the rural population.

The sections that follow provide a brief description of the current circumstances of the victims of Operation Murambatsvina.

4.2 People who have moved to rural areas

While Operation Murambatsvina was ongoing, the government left no doubt that it wanted the Operation’s victims to “return” to the rural areas. Justice Minister Chinamasa

⁷⁸ IDMC interview with Zimbabwe Lawyers for Human Rights, Harare, 6 February 2008.

⁷⁹ A number of IDMC’s interviewees remarked on the fact that many of the victims of Operation Murambatsvina have died as a result of being displaced. For example, David Coltart, MP for Bulawayo South (since March 2008 Senator for Khumalo), said, “One of the tragedies is that many people have died after Operation Murambatsvina. They were in a tenuous situation to begin with, and people couldn’t cope with the disruption.” IDMC interview, 16 February 2008.

told Parliament that the Operation's aims were "to ensure that people go back to their original homes", and that it was sending people "back to where they came from."⁸⁰

As noted above, by July 2005 the UN estimated that more than 100,000 people had indeed gone to the rural areas. Some had been taken there by the government, others had made their own way after having been left homeless and sleeping in the streets, or had asked church organisations or charities to provide transport to the rural areas. The total number is likely to have been higher, since victims who had initially remained on the sites of their former homes, or in the cities' streets or churches were later ordered by the police to leave and go to the rural areas.⁸¹

While many victims of Operation Murambatsvina still reside in the rural areas today, victims, NGOs and independent analysts all emphasised in interviews with IDMC that in the past three years large numbers of people have returned to the towns and cities. As one observer said: "People are leaving the rural areas because they cannot survive there. All the supposed 'gains' from Operation Murambatsvina have been lost."⁸²

Many victims of Operation Murambatsvina were regarded with suspicion by chiefs in the rural areas, precisely because they had come from the towns and cities and were thus perceived to be associated with the political opposition. Chiefs are responsible for allocating land and the distribution of government assistance such as food and farming inputs to Zimbabwe's rural population, and victims of Operation Murambatsvina were frequently denied such assistance by the chiefs. As a community representative stated, "The towns were MDC strongholds. The chiefs saw these people [victims of Operation Murambatsvina] as a nuisance."⁸³ Even people who were allocated land struggled to survive because they did not have the resources to buy farming implements such as ploughs, or seeds and fertiliser.⁸⁴

As a consequence, many families were unable to establish a new life in the rural areas, but could not afford to move back to the towns and cities because of the desperate shortage of housing. For many, there was no other choice but to send the husbands back to the towns and cities in search of employment, while wives and children stayed behind in the rural areas. An NGO worker said: "Today, there are many split families. It is one of

⁸⁰ Justice Minister Patrick Chinamasa, "Oral answer to questions without notice", Parliament of Zimbabwe, 22 June 2005, www.parlzim.gov.zw/cms/Hansards/Archives/house_of_assembly/32_2005-2006/22_june_2005_32-04.pdf.

⁸¹ IDMC interview in Mutare, 13 February 2008; IDMC interview with victims of Operation Murambatsvina, Sakubva, 13 February; IDMC interview with Christian Alliance, Bulawayo, 15 February.

⁸² IDMC interview with representative of the international community in Zimbabwe, Harare, 6 February 2008.

⁸³ IDMC interview in Mutare, 13 February 2008. The UN reported that families who had been transported to the rural areas by the government had been rejected by chiefs who said that they did not want to be exposed to "the immorality of urban lifestyles and increased risks of HIV propagation." UN Special Envoy on Human Settlement Issues in Zimbabwe, *Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina*, 18 July 2005, p.35.

⁸⁴ IDMC interview with NGO worker, Harare, 8 February 2008; IDMC interview with victim of Operation Murambatsvina who had gone to the rural areas and come back again, Killarney, 15 February 2008.

the invisible consequences of Murambatsvina. It has a big impact in social terms, it puts a huge strain on families.”

The government may have wanted the victims of Operation Murambatsvina to go the rural areas, but it did not plan for their survival there.⁸⁵ As a community representative said, “The people who have gone to the rural areas still want to come back to the town. They are mostly working as hired labour in other people’s fields. They don’t have land, they don’t own a residential stand, or livestock. Some are staying with their parents, some are squatting. People are living from hand to mouth. Some young women are turning to prostitution.”⁸⁶

Moreover, in claiming that “no one in Zimbabwe comes from nowhere; everybody belongs somewhere”⁸⁷, the government wilfully ignored the fact that Operation Murambatsvina had affected tens of thousands of people who had in fact no rural home to go to. Among them were people of foreign descent, including many former farm workers who had moved to the towns and cities after having been forced off the commercial farms as a result of the fast-track land programme (see section 5).⁸⁸ The government claimed that it would resettle people of foreign descent on land expropriated from white commercial farmers under the land reform programme.⁸⁹ However, what this seems to have amounted to in practice is that the government simply dumped some people of foreign descent in rural areas and instructed the chiefs to make a piece of land available.⁹⁰ If it was difficult for people with a rural home in Zimbabwe to be allocated land by their chiefs, it was practically impossible for people who could claim no chief as theirs.

Another group of victims of Operation Murambatsvina who had nowhere to go in the rural areas were widows who did not have any land. As one widow explained, “A woman may not inherit her husband’s land; the oldest son may inherit. Only recently the government introduced a law saying that wives can inherit land from their deceased husbands. But many people don’t know the law. And even if you know your rights, you could go to the police to enforce your rights, but you would be harassed by your in-laws. In practice many women have no option but to move away. You could go to your own

⁸⁵ Zimbabwe is a state party to the International Covenant on Economic, Social and Cultural Rights. The Committee on Economic, Social and Cultural Rights has stated, “Evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights. Where those affected are unable to provide for themselves, the State party must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available.” Committee on Economic, Social and Cultural Rights, *General Comment 7: The Right to Adequate Housing (art. 11.1 of the Covenant): Forced Evictions*, 20 May 1997, [www.unhchr.ch/tbs/doc.nsf/\(symbol\)/CESCR+General+Comment+7.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(symbol)/CESCR+General+Comment+7.En?OpenDocument).

⁸⁶ IDMC interview in Mutare, 13 February 2008.

⁸⁷ Quoted in UN Special Envoy on Human Settlement Issues in Zimbabwe, *Report of the Fact-Finding Mission to Zimbabwe to Assess the Scope and Impact of Operation Murambatsvina*, 18 July 2005, p.90.

⁸⁸ Ibid, p.35.

⁸⁹ Justice Minister Patrick Chinamasa, “Oral answer to questions without notice”, Parliament of Zimbabwe, 22 June 2005, www.parlzim.gov.zw/cms/Hansards/Archives/house_of_assembly/32_2005-2006/22_june_2005_32-04.pdf.

⁹⁰ IDMC interview with victim of Operation Murambatsvina, Harare, 4 February 2008.

parents' home, but if you know that your parents can't take care of you, you go somewhere else."⁹¹ Since few widows in this position can afford to pay rent for accommodation in the town or city from which they were displaced, they mostly had no other options but to go to a squatter area in either the rural or urban areas.

4.3 The “invisibly displaced”

A substantial number of the victims of Operation Murambatsvina have moved in with relatives or friends whose homes were not demolished. Humanitarian agencies in Zimbabwe refer to this group as the “invisibly displaced”. They mostly live in appalling conditions characterised by severe overcrowding. A community representative observed: “Families now rent rooms, not houses.”⁹²

In towns and cities that were badly affected by Operation Murambatsvina, the housing stock has been drastically reduced. However, and as noted above, the fact that there is much less habitable space in most urban areas does not mean that the process of urbanisation has been halted, let alone reversed: the pressure to move to the cities continues to make itself felt. The lack of space and the resulting rise in rents means that it has become common for families of eight or ten people to occupy one room, whereas before Operation Murambatsvina a family might have occupied a number of rooms. A victim of Operation Murambatsvina said, “In one room you have a whole family, the average is five people, but if the family has ten people, there will be ten people in one room”.⁹³ Families try to create some sense of privacy by using lengths of rope and sheets or blankets to divide a room into smaller spaces. Some families have so little space that the men are forced to sleep outside on the verandas, regardless of the weather.

The overcrowding has led to serious consequences for both displaced people and their hosts. In many places, water and sewerage infrastructure has crumbled under the pressure of too many people, with grave consequences for public health. For example, certain parts of Mbare, a high-density area on the outskirts of Harare, were not directly affected by Operation Murambatsvina. Many victims from other parts of the city moved there in the weeks and months following the operation. Today Mbare's apartment blocks are housing up to 20 people per apartment, and its infrastructure has largely collapsed under the strain. The stench of sewage in the apartment blocks is overpowering. A woman told IDMC, “The situation in Mbare is very different now. There are outbreaks of diseases: cholera, dysentery, diarrhoea, TB [tuberculosis]. Many of the people living here are affected by TB.”⁹⁴

Many families are struggling to cope with the pressures of long-term overcrowding. Women who are forced to live with their in-laws have a low status in the family

⁹¹ IDMC interview with victim of Operation Murambatsvina, Killarney, 15 February 2008. See also Human Rights Watch, “*Clear the Filth*”: Mass Evictions and demolitions in Zimbabwe, 11 September 2005, p. 17.

⁹² IDMC interview in Mutare, 13 February 2008.

⁹³ IDMC group interview with victims of Operation Murambatsvina, Nyamhunga, 21 February 2008.

⁹⁴ IDMC interview with resident of Mbare, 20 February 2008.

hierarchy, and many complain that they are treated no better than servants. One NGO worker observed that three years after Operation Murambatsvina, its consequences are not diminishing, but growing. But, she said, “the consequences are invisible. It leads to families breaking up. There is much psychological stress, and in the worst cases physical abuse.”⁹⁵ NGOs are observing an increase in sexual abuse of women and girls, and violence against children.⁹⁶

Adding to the pressure on the “invisibly displaced” is the fact that many have been forced to move from place to place ever since their homes were destroyed in 2005. A community worker said: “Many people who were displaced by Operation Murambatsvina have had to move many times since. People go to live with a relative, until that person can no longer provide for them; then they go to another relative, and so it continues.”⁹⁷

4.4 Homeless people, squatters, and people at continued risk of eviction

Some victims of Operation Murambatsvina continue to be homeless and live in the streets to this day. Some people have constructed makeshift shelters in high-density areas from bits of wood, plastic and cardboard. Others have “homes” of an even more temporary nature: each night they construct shelters using pieces of cardboard, plastic, and lengths of string, only to take the structures down again at daybreak, for fear that the police will forcibly remove them from the cities and dump them in the rural areas.⁹⁸

As noted above, in some high-density areas people are rebuilding informal homes to replace the ones that were destroyed in 2005. They do so in the full knowledge that their homes might be demolished again. As an NGO worker said, “In some areas you can still get away with building informal structures, but the situation is so much in flux that you don’t have any security: you would have to take the risk, which people do because they have no other options.”⁹⁹

In an equally perilous position are people who are squatting on either government-owned or privately-owned land. A number of squatter communities on privately-owned land on the outskirts of urban areas first sprang up when former farm workers came to the cities after the start of the fast-track land reform programme in 2000 (see section 5). Some of these communities were left untouched by Operation Murambatsvina, and victims of the operation who had nowhere else to go then joined the former farm workers. All such squatters are at permanent risk of being served with notices to vacate by the owners of the land in question.¹⁰⁰

⁹⁵ IDMC interview with Dialogue on Shelter, Harare, 5 February 2008.

⁹⁶ IDMC interview with international aid agency, Harare, 11 February 2008.

⁹⁷ IDMC interview in Bulawayo, 16 February 2008.

⁹⁸ IDMC interview in Harare, 20 February 2008.

⁹⁹ IDMC telephone interview, 22 January 2008.

¹⁰⁰ IDMC group interview with former farm workers and victims of Operation Murambatsvina, Glenview, 20 February 2008. All families in this squatter community had recently been served with notices to vacate by the owner on the grounds that he planned to develop the land.

Much larger squatter communities are occupying tracts of government-owned land. In some cases, the presence of squatters, while illegal, had been condoned by the authorities prior to Operation Murambatsvina. For example, about 800 people had lived for more than twenty years on government land at Killarney, north of Bulawayo. The city council even kept a record of the people who lived there.¹⁰¹ This did not, however, stop the demolition of the squatters' home in the course of Operation Murambatsvina. Today, several hundred people have returned to the site, but they now live in very much worse structures than the homes that were destroyed in 2005. Having lost everything they possessed, they do not have the means to rebuild the homes they once occupied.¹⁰² Moreover, having been evicted once without any warning, the squatters at Killarney live with a constant fear of being evicted again. As one woman said, "We always have the fear of eviction in our minds. If it happens, where do we go? We will be out in the cold. Knowing that anything can happen, it hurts the mind."¹⁰³

Yet other victims of Operation Murambatsvina live in skeleton houses. Due to the economic crisis in Zimbabwe there is a dire lack of building materials in the country. Hyperinflation means that few prospective home owners can afford to pay for what little cement and corrugated iron sheeting is available. Construction of new homes has largely come to a halt, and owners of homes that have been left unfinished rent these out to victims of Operation Murambatsvina who have nowhere else to go. In many cases, these structures consist of no more than bare walls: most do not have roofs, so that people's only protection from the elements is provided by pieces of plastic. Neither do such skeleton houses have water or sanitation facilities.¹⁰⁴

A final group of victims of Operation Murambatsvina who continue to be at risk of eviction are people who reside in so-called transit camps or holding camps. These holding camps, including Caledonia Farm near Harare, were created by the government in the immediate aftermath of Operation Murambatsvina. They were meant to provide temporary shelter for people who had been made homeless by Operation Murambatsvina until they had either made arrangements themselves to go to a rural area, or had been provided with government transport to their rural destinations. As with holding camps created by the government after previous eviction campaigns, these holding camps have acquired a semi-permanent nature, and several thousand victims of Operation Murambatsvina continue to live in these camps three years after Operation Murambatsvina. With very few exceptions, people in the camps have not been allocated residential stands and have no security of tenure. Just as previous government-created holding camps were subsequently demolished by the government in the course of Operation Murambatsvina, the people who reside in holding camps today have no guarantees that the government will continue to permit them to stay there.¹⁰⁵

¹⁰¹ IDMC interview with Churches in Bulawayo/Christian Alliance, 15 February 2008.

¹⁰² IDMC interview with squatters at Killarney, 15 February 2008.

¹⁰³ Idem.

¹⁰⁴ IDMC interview with residents of Chinotimba (Victoria Falls), 18 February 2008.

¹⁰⁵ IDMC interview with Dialogue on Shelter, Harare, 5 February 2008.

4.5 The search for durable solutions: saving schemes and housing co-operations

In towns and cities around the country, victims of Operation Murambatsvina are attempting to provide their own durable solutions. They have come together in saving schemes and housing co-operations with a view to building their own homes. They are assisted by the Zimbabwe Homeless People's Federation, which has bought land from a number of city councils on behalf of its members. In each locality it is the Federation's members who then take responsibility for the entire process of developing the land, from paying for surveyors and planners, obtaining approval for a building plan from the city council, constructing access roads, laying water and sewerage pipes, and finally constructing their homes.

Zimbabwe's restrictive regulatory framework for low-cost housing in Zimbabwe means that no housing can be built unless each stand (building plot) is connected to water and sewerage systems.¹⁰⁶ Few city councils have the resources to develop land and pay for such infrastructure, but most councils are willing to sell land to the Federation for residential purposes. The councils ultimately stand to benefit, since as soon as residents have moved onto the stands, they must start paying rates (local taxes and charges for services such as water), thus contributing to the council's revenues.

While in principle this system enables members of the Federation to provide their own housing solutions, they are hampered by the economic meltdown in Zimbabwe. When land is sold to the Federation by a city council, the sale agreement stipulates that for the council to release the title deeds, the Federation must, within a given time period after the sale has been agreed, develop the land and build permanent houses that satisfy the building regulations. If these conditions have not been met at the end of the specified period, the council is entitled to repossess the stands.¹⁰⁷

Unemployment, poverty, inflationary pressures and a lack of building materials are all conspiring against Federation members in their efforts to meet these deadlines. The Homeless People's Federation showed IDMC a number of locations where land has been developed by Federation members, but after having progressed as far as laying water and sewerage pipes, they have been unable to start building houses on the stands that would satisfy the building regulations. Some members have bricks but cannot afford to buy cement; others have managed to erect walls but cannot afford to buy corrugated iron sheeting for their roofs. They have only a few months left to complete their homes before

¹⁰⁶ See *Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe, Mrs. Anna Kajumulo Tibaijuka*, 18 July 2005, pp.24-26, www.unhabitat.org/downloads/docs/1664_96507_ZimbabweReport.pdf.

¹⁰⁷ This system is meant to ensure that land which is sold for residential purposes is not left undeveloped, and to prevent people from buying land for the purposes of speculation. However, this objective could be achieved by different means that would not affect buyers such as the Federation and its members. For example, city councils could be given the right of first refusal if land is put up for sale without having been developed. IDMC interview with Combined Harare Residents Association, Harare, 27 February 2008.

the deadline, and they risk losing everything they have achieved so far should the council proceed to repossess the stands.¹⁰⁸

In the meanwhile, these Federation members are living in temporary shacks on their stands, in much worse conditions than the homes that were destroyed by Operation Murambatsvina. Some members have not even been able to build a temporary structure on their stand because they cannot afford the building materials. They continue to squat on government or private land, or they are part of the “invisibly displaced”, living with relatives or friends. Far from having found a durable solution, these victims of Operation Murambatsvina continue to be at risk of further displacement if nothing is done to either relax the regulatory framework for low-cost housing in Zimbabwe, or to provide them with financial or material assistance to complete their homes.¹⁰⁹

5. Victims of the fast-track land reform and resettlement programme

When Zimbabwe gained independence in 1980, the country inherited an unequal and race-based land ownership pattern, with a few thousand white commercial farmers representing less than one per cent of the population owning 37 per cent of all land in Zimbabwe (14.6 million hectares out of a total of 39.6 million hectares).¹¹⁰ The new government embarked on an ambitious land reform and resettlement programme to address this, with a plan to resettle 162,000 black families on nine million hectares of land through the acquisition of land from the large-scale commercial farming sector.¹¹¹ In the first ten years after independence the government was constrained by the Lancaster House agreement, which ruled out compulsory acquisitions for the purposes of agricultural settlement.¹¹² After 1990, the government amended the constitution to allow for compulsory acquisition of land for resettlement purposes. By the end of 1999, the government had resettled just over 70,000 black families on 3.6 million hectares of land.¹¹³ By that time, about 4,500 large-scale commercial farmers (the vast majority of them white) still held 22 per cent of the land (8.6 million hectares).¹¹⁴

¹⁰⁸ IDMC interviews with members of the Zimbabwe Homeless People’s Federation, three different districts, 13 February, 17 February, 21 February 2008.

¹⁰⁹ The Federation and its partner organisation Dialogue on Shelter for the Homeless have negotiated with a number of city councils for local bylaws to be relaxed, so that houses can be built without first having to put water and sewerage facilities in place on each stand. See Homeless International, *Two Years On From the Mass Evictions in Zimbabwe*, www.homeless-international.org.

¹¹⁰ IDMC interview with the Justice for Agriculture Trust (JAG), Harare, 6 February 2008. In total, land reserved for large-scale commercial farming comprised 15.5 million hectares. Centre on Housing Rights and Evictions (COHRE), *Land, Housing and Property Rights in Zimbabwe*, September 2001, p.11, www.cohre.org/store/attachments/COHRE%20Report%20Housing%20Rights%20Zimbabwe%202001.pdf.

¹¹¹ *Ibid*, p.15.

¹¹² Lancaster House Agreement, art. V.1, www.zwnews.com/Lancasterhouse.doc.

¹¹³ Human Rights Watch, *Fast Track Land Reform in Zimbabwe*, Vol 14, No. 1(A), March 2002, p. 6, www.hrw.org/reports/2002/zimbabwe/ZimLand0302.pdf; and COHRE, September 2001, p. 15. Only 19 per cent of this was classed a prime agricultural land, while the rest was either marginal, or unsuitable for grazing or cultivation. Tapera Knox Chitiyo, *Land Violence and Compensation: Reconceptualising Zimbabwe’s Land and War Veterans’ Debate*, Centre for Conflict Resolution (Cape Town), May 2000,

The discrepancy between the government's target and the actual number of people who had been resettled by the end of phase one did not result from a shortage of land, as the government routinely argued, but from disagreement between the government of Zimbabwe and donor governments about funding for the land reform programme, and from the government's own failure to prioritise the acquisition of land for resettlement in terms of budgetary allocations.¹¹⁵

In February 2000, President Mugabe suffered a defeat in a national referendum on a draft for a new constitution. With parliamentary elections scheduled later that year, ZANU-PF faced its worst crisis since independence: never before had Mugabe lost at the hands of the electorate. In a bid to reverse its fortunes the party took as its rallying cry the need to address the historical injustices of land ownership in Zimbabwe.

Within days of the announcement of the referendum result, a number of commercial farms were forcibly occupied by war veterans and associated ZANU-PF militia.¹¹⁶ The invasions rapidly gained momentum when President Mugabe repeatedly reversed statements by members of his own government instructing the occupiers to vacate the farms.¹¹⁷ According to the Commercial Farmers Union, in the course of 2000 more than 1,600 farms were forcibly occupied.¹¹⁸

5.1 Displaced farmers

Prior to the parliamentary elections in June 2000, the government used its parliamentary majority to amend the constitution with the aim of abolishing its obligation to pay

www.ccr.uct.ac.za/archive/two/9_1/zimbabwe.html. Additionally, by 1997 about 400 black elite farmers were leasing 400,000 hectares of land, and about 350 black farmers had bought their farms. Human Rights Watch, March 2002, pp.6-7.

¹¹⁴ IDMC interview with the Justice for Agriculture Trust (JAG), Harare, 6 February 2008. By that time, the total large-scale commercial farming sector comprised 11.9 million hectares. COHRE, September 2001, p. 12; Human Rights Watch, March 2002, p. 7. JAG estimates that in 1999, there were between 3,800 and 4,500 white commercial farms. Justice for Agriculture Trust, *Land, Retribution and Elections: Post-election violence on Zimbabwe's remaining farms 2008*, May 2008, p.4, www.zwnews.com/JAG%20post%20elections%20violence%20report.doc.

¹¹⁵ Kay Muir-Leresche, *Agriculture and Macro-Economic Reforms in Zimbabwe: A Political Economy Perspective*, International Food Policy Research Institute, Trade and Macroeconomics Division, Discussion Paper No. 29, August 1998, p.25, www.ifpri.org/divs/tmd/dp/papers/tmdp29.pdf.

¹¹⁶ The term "war veterans" (or "war vets" for short) refers to members of the War Veterans Association, a pro-Mugabe organisation comprised of veterans of Zimbabwe's liberation struggle. However, many people who claim to be war veterans are too young to have fought in Zimbabwe's fight for independence, leading independent analysts to refer to self-proclaimed war vets as "so-called war vets".

¹¹⁷ COHRE, September 2001, p.28.

¹¹⁸ *Ibid*, p.27 and Annex 3. Some farms were only occupied for a short period of time. The farm invasions in 2000 were not the first such invasions in Zimbabwe's post-colonial history: in 1998 a number of farms had been invaded by war veterans and others who were impatient with the slow pace of the government's land reform programme. *Ibid*, p.22.

compensation for land compulsorily acquired for resettlement purposes.¹¹⁹ In July 2000, the government formally announced the “fast track” land reform and settlement programme,¹²⁰ and thousands of privately-owned farms were listed for compulsory acquisition.¹²¹

The land reform programme operates with two resettlement models: the A1 model for individuals who get from six to 15 hectares each, and the A2 model for small, medium, and large-scale commercial farm units ranging from 15 to 1,000 hectares.¹²² The government’s goal is to acquire over 11 million hectares of land by December 2010 for distribution and resettlement purposes.¹²³ By February 2003, the Commercial Farmers Union (CFU) estimated that about 2,300 of its members were no longer farming on their properties, and that only between 800 and 900 were still either fully or partial operational.¹²⁴ By the elections of 29 March 2008, the CFU reported that the number still operational had dropped to 180, while an estimated 400 commercial farmers were still on the land.¹²⁵ Following the 29 March elections, a further 142 farms were invaded, leading to the eviction of another 34 farmers.¹²⁶

The aim of the land reform programme was to address Zimbabwe’s racially skewed land distribution by resettling landless black Zimbabweans on land that had come to be owned by white commercial farmers as a result of colonial policies of expropriation. However, not only has the government used much of the land for the purposes of political patronage,¹²⁷ but the fast-track land reform programme has displaced many more people

¹¹⁹ Constitution of Zimbabwe as amended by the Constitution of Zimbabwe Amendment (No. 16) Act, 2000 (entry into force 19 April 2000), Art. 16A(1). The constitutional amendment purported to shift the responsibility for paying compensation to “the former colonial power”.

¹²⁰ Ministry of Lands, Agriculture and Rural Settlement, *Land Reform and Resettlement Programme: Revised Phase II*, April 2001.

¹²¹ United Nations Development Programme, *Zimbabwe: Land Reform and Resettlement: Assessment and Suggested Framework for the Future – Interim Mission Report*, January 2002, <http://www.niza.nl/docs/200212221643237498.pdf>.

¹²² IDMC interview with the Justice for Agriculture Trust (JAG), Harare, 6 February 2008; Michael Roth and Chrispen Sukume, *Farm Size Protection, Informal Subdivisions: The Impact of Subdivision Policy on Land Delivery and Security of Property Rights in Zimbabwe*, 7 May 2003, www.ies.wisc.edu/lrc/live/zimbabwe/reports&publications/roth_sukume_mupambireyi&ncube_03.pdf; Walter Chambati, *Impact of FTLRP on Farm Workers and Labour Processes in Zimbabwe*, African Institute for Agrarian Studies, June 2007, www.networkideas.org/ideasact/Jun07/Beijing_Workshop_07/Walter_Chambati.ppt.

¹²³ Government of Zimbabwe, Ministry of Lands, Land Reform and Resettlement, *Progress Made So Far in Line with the Current Land Reform Programme*, undated (2006), www.lands.gov.zw/current%20events/progress%20inline%20with%20current%20reform%20prog.doc.

¹²⁴ Commercial Farmers Union, *The Current Status of Commercial Agriculture in Zimbabwe*, February 2003, www.swradioafrica.com/Documents/CFU-info.htm.

¹²⁵ Justice for Agriculture Trust, *Land, Retribution and Elections: Post-election violence on Zimbabwe’s remaining farms 2008*, May 2008, p.4, www.zwnews.com/JAG%20post%20elections%20violence%20report.doc.

¹²⁶ *Ibid.*, pp.5-6.

¹²⁷ Many of the A2 commercial farm units have been allocated to government ministers, other government officials, and influential supporters of the ZANU-PF regime. A list of commercial farm allocations up to 1999 was obtained by independent MP Margaret Dongo and published in early 2000. It has been republished in COHRE, *Land, Housing and Property Rights in Zimbabwe*, September 2001, Annex 2.

than it has resettled. It has left many others at risk of displacement. The sections that follow examine the situation of three different groups. Firstly, tens of thousands of farm workers and their families were displaced when their employers, the farm owners, were driven off their land (section 5.2). Secondly, tens of thousands of others are still living on the farms but are no longer employed: many are at risk of displacement but have nowhere else to go (section 5.3). Finally, many supposed beneficiaries of the land reform programme continued to face serious challenges, including a risk of displacement, largely because they did not get security of tenure (section 5.4).

5.2 Displaced farm workers

At the start of the fast-track land reform programme, the large-scale commercial farms employed an estimated 300,000-350,000 farm workers, who lived with their families on the farms. A large proportion of the additional 250,000-270,000 seasonal workers and their families were also resident on the farms. Farm workers, seasonal workers, and farm workers' families together numbered an estimated two million people.¹²⁸

The main aim of the fast-track land reform programme was to resettle people who lived in Zimbabwe's overcrowded communal areas: the land reform programme was never explicitly aimed at farm workers.¹²⁹ As a result, the vast majority of farm workers have not benefited from the land reform programme: indeed, independent studies suggest that only about two per cent of all farm workers have been resettled on land acquired by the state.¹³⁰ Even according to highest estimates, no more than 10-12 per cent of all former farm workers have benefited from the fast-track land reform programme.¹³¹

Perhaps about ten per cent of the farm workers are still employed on the farms, either on those large-scale commercial farms that are still operating, or by new A2 farmers.¹³² Few

¹²⁸ IDMC interview with the Justice for Agriculture Trust (JAG), Harare, 6 February 2008. There are no precise figures for the total number of farm workers at the start of the fast-track land reform programme, and estimates vary somewhat. According to the General Agriculture and Plantation Workers' Union of Zimbabwe (GAPWUZ), prior to the start of the fast-track land reform programme there were about 500,000 farm workers, including seasonal workers, about 200,000 of whom were members of GAPWUZ. IDMC interview with Gertrude Hambira, GAPWUZ Secretary-General, Harare, 6 February 2008. According to the African Institute for Agrarian Studies, most studies overestimate the number of farm workers: the Institute provides a lower number of 350,000 full-time and part-time workers. Nevertheless, the Institute's estimate for the total number of farm workers and their families is two million people, in line with the estimates provided by JAG and GAPWUZ. Walter Chambati, *Impact of FTLRP on Farm Workers and Labour Processes in Zimbabwe*, African Institute for Agrarian Studies, June 2007, www.networkideas.org/ideasact/Jun07/Beijing_Workshop_07/Walter_Chambati.ppt.

¹²⁹ Prior to Zimbabwe's independence, these were known as the Tribal Trust Lands. See Ministry of Lands, Land Reform and Resettlement, *Land Reform Programme: Agrarian Reform*, www.lands.gov.zw/landreform/landreform.htm.

¹³⁰ The Economist, "Coming to a Crunch", 19 March 2008, www.economist.com/daily/news/displaystory.cfm?story_id=10880693.

¹³¹ Ibid, and Walter Chambati, *Impact of FTLRP on Farm Workers and Labour Processes in Zimbabwe*, African Institute for Agrarian Studies, June 2007.

¹³² IDMC interview with the Justice for Agriculture Trust (JAG), Harare, 6 February 2008. In June 2007, the African Institute for Agrarian Studies estimated that 15 per cent of farm workers were still employed,

of the new A2 commercial farming units are productive, and there is little employment for farm workers, even on a casual basis.¹³³ The remaining farm workers, who have not been resettled and are also no longer employed, have either been forced to leave their homes on the farms, or are still living on farms but are at risk of being displaced. Together with farm workers' families, this group comprises hundreds of thousands of people.

A significant number of former farm workers have had to move away from their former employers' farms, either because the new owners did not allow them to stay, or because they could no longer survive on the farms without employment. Some have moved to cities, others have joined relatives in the rural areas.¹³⁴ Some have moved to other farms, where their presence is condoned, if not secure. Some are squatting on government-owned land,¹³⁵ and others are in rural informal settlements of displaced people.¹³⁶

Some farm workers were forced off their employers' farms during the wave of farm invasions in 2000, before the official announcement of the fast-track land reform programme. Others have been displaced more recently, in the ongoing process of land acquisitions by the government, or even more recently in the violence following the elections on 29 March 2008. Whatever the duration of their displacement, and wherever farm workers and their families have gone since being forced off the farms, very few have found a durable solution to their plight in accordance with the *Framework for Durable Solutions for Internally Displaced Persons*, which provides that for solutions to internal displacement to be considered durable, they must be based on "long term safety and security, restitution of or compensation for lost property, and an environment that sustains the life of the former IDPs under normal economic and social conditions."¹³⁷ Instead, many displaced farm workers have become "nomads against their will": people who have not found a permanent place to settle since having been forced off the farms.¹³⁸

but given the ongoing farm acquisitions and farm invasions, this number has likely gone down since then. Walter Chambati, *Impact of FTLRP on Farm Workers and Labour Processes in Zimbabwe*, African Institute for Agrarian Studies, June 2007.

¹³³ Many of the government ministers, other government officials, and influential supporters of the ZANU-PF regime who have been given A2 farms never had any intentions to farm the land. These A2 farms have thus become unproductive, which is one of the reasons for the dramatic fall in farm production since the start of the fast-track land reform programme in 2000.

¹³⁴ In June 2007 the African Institute for Agrarian Studies estimated that 25 per cent of former farm workers had relocated to their communal areas. Ibid.

¹³⁵ IDMC interview with NGO, 22 February 2008.

¹³⁶ For example, an estimated combined total of about 50,000 people live in the informal settlements of Chihwiti and Gambuli, near Chinhoyi in Mashonaland West. About 60 per cent of the residents are displaced farm workers. The settlements were first established in the early 1990s. IDMC interview with Godfrey Magaramombe, Executive Director, Farm Community Trust of Zimbabwe, Harare, 4 February 2008.

¹³⁷ Brookings-Bern Project on Internal Displacement, *Framework for Durable Solutions for Internally Displaced Persons*, May 2007, www.humanitarianinfo.org/iasc/tools/download.asp?docID=2329&type=pdf. It must of course be noted that in today's Zimbabwe, few people may be said to enjoy "long term safety and security", or "an environment that sustains their life under normal economic and social conditions." See section 7 of this report for a discussion of the situation of displaced people as compared to the general population.

¹³⁸ The phrase was used by a Zimbabwean NGO worker in an IDMC interview.

A significant number of former farm workers have again been forcibly displaced in the course of government operations described in other sections of this report: some who went to towns or cities were later affected by Operation Murambatsvina (section 4); others who went to work in the mining areas were affected by Operation Chikorokoza Chapera (section 6).

Displaced farm workers who went to the rural areas from which they or their ancestors originated did not necessarily fare much better. Some have been allocated small plots of land by their chief, but not everyone has been helped in this way.¹³⁹ Sometimes chiefs have not been able to allocate land to displaced farm workers, because of the overcrowding in Zimbabwe's communal areas and the resulting shortages of land. In other cases, former farm workers have been denied land in the rural areas because of their perceived association with their former employers, the white farm owners, who in turn were perceived to be supporters of the political opposition.

This perceived association of former farm workers with the opposition has also led some chiefs and headmen in rural areas to deny them access to government assistance, including food aid, seeds and fertiliser.¹⁴⁰ One chief summarised the reasons for his hostility to the former farm workers who had come to his area in these stark terms: "These are not my people, I am not a chief of enemies."¹⁴¹

5.3 The "displaced-in-place" – people at risk of displacement

Not all former farm workers who have lost their employment on the farms have been able to leave the farms and move somewhere else. An estimated 200,000 former farm workers still live on the farms, despite the fact that their former employers, the white farm owners, have been driven away. They have come to be referred to as "displaced-in-place", an oxymoron which is nevertheless widely used by humanitarian agencies in Zimbabwe.¹⁴²

¹³⁹ IDMC interview with community representative, Mutare, 13 February 2008.

¹⁴⁰ IDMC interview with community representative, Harare, 11 February 2008.

¹⁴¹ IDMC interview with chief in Makoni district, Manicaland, 14 February 2008. It is not only former farm workers who are denied access to food aid, but real and perceived supporters of the political opposition generally. The politicisation of food aid in Zimbabwe is a long-standing problem. See for example Human Rights Watch, *Not Eligible: The Politicization of Food in Zimbabwe*, October 2003, www.hrw.org/reports/2003/zimbabwe1003/zimbabwe1003.pdf. In interviews with IDMC in February 2008, a number of Zimbabwean NGOs stated that not only food controlled by Zimbabwe's Grain Marketing Board (the GMB) was politicised and often reserved exclusively for people with ZANU-PF membership cards, but that the same continued to be true for food aid supplied by international aid agencies, despite precautionary measures that have been put in place by these agencies. An NGO worker observed that the politicization of food aid was a particularly abhorrent form of violence: "You can't see it, but people die." IDMC interview with Zimbabwean NGO worker, Mutare, 13 February 2008. Condemnation of President Mugabe's use of food as a political weapon grew after his government ordered all international NGOs and UN agencies to suspend their operations in Zimbabwe in the run-up to the second round of the presidential elections. See Mail and Guardian, *Zim Accused of Using Food as Vote Weapon*, 5 June 2008, www.mg.co.za/articlePage.aspx?articleid=341413.

¹⁴² The Justice for Agriculture Trust (JAG) estimates that between 25-30 per cent of all former farm workers are displaced-in-place on the former commercial farms. (IDMC interview with JAG, Harare, 6

The plight of farm workers who are stuck on their former employers' farms is more accurately captured by the phrase "affected populations" in the sense of "persons or communities at risk of displacement if their protection problems are not addressed" (see section 2.1 above).¹⁴³ Many former farm workers find themselves in a precarious situation. The wages they are offered by the new A2 farmers are often derisory, but they have little choice: if they refuse to work for the new farmers, they risk being threatened with eviction from their homes on the farms.¹⁴⁴ In interviews with IDMC, both former farm workers and NGOs that assist them made frequent reference to conditions of slave labour on the farms. Some new farmers demand that farm workers work for them for free. One group of former farm workers who still reside on a farm in Manicaland reported that the new farmer, a member of the War Veterans Association, had told them: "I fought for free to liberate this country. Now you must work for free for me. You should be grateful."¹⁴⁵

It must be understood that the situation of farm workers on large-scale commercial farms prior to the start of the land reform programme was often far from easy. According to the African Institute for Agrarian Studies, farm workers were paid the least of all workers in Zimbabwe, earning one-third of the wages of workers with the lowest pay in other sectors, and had "appalling housing, health, schools and other basic facilities".¹⁴⁶ Moreover, not only did farm workers suffer from insecure residential and agricultural land tenure rights, but "worker mistreatment was rife" in the large-scale commercial farming sector.¹⁴⁷

Nevertheless, the situation of many farm workers on the former large-scale commercial farms has deteriorated markedly with the loss of their employment on the farms. While the situation was different from farm to farm, in many cases farm workers could use the infrastructure and resources on the farms, often in exchange for part of their wages. For example, they could use the farm's bore holes to obtain clean drinking water, or natural resources on the farm, such as thatching grass and trees, as building materials for their

February 2008.) The General Agriculture and Plantation Workers' Union of Zimbabwe (GAPWUZ) estimates that about 100,000 former farm workers still live on the same farms on which they used to be employed, and that an additional 60,000 former farm workers have moved to other farms. (IDMC interview with Gertrude Hambira, GAPWUZ Secretary-General, Harare, 6 February 2008.) The Farm Community Trust of Zimbabwe (FCTZ) emphasises that the situation differs from district to district, and that in some districts as many as 60-70 per cent of all former farm workers are displaced-in-place, with a total estimated number of about 200,000 displaced-in-place. (IDMC interview with FCTZ, Harare, 4 February 2008.) In June 2007 the African Institute for Agrarian Studies (AIAS) estimated that 200,000 former farm workers still resided on the former large-scale commercial farms, irrespective of their employment status. Walter Chambati, *Impact of FTLRP on Farm Workers and Labour Processes in Zimbabwe*, AIAS, June 2007.

¹⁴³ Inter-Agency Standing Committee Principals Meeting, *Cluster Working Group on Protection: Progress Report*, 12 December 2005, p.4, ocha.unog.ch/ProCapOnline/docs/library/Report%20of%20IASC%20PWG_Dec%202005.doc

¹⁴⁴ IDMC interviews with former farm workers on an A2-model farm, 23 February 2008.

¹⁴⁵ IDMC interview with former farm workers on an A2-model farm, 13 February 2008.

¹⁴⁶ Walter Chambati, *Impact of FTLRP on Farm Workers and Labour Processes in Zimbabwe*, African Institute for Agrarian Studies, June 2007.

¹⁴⁷ Ibid.

homes. Some farm workers could catch fish in the dams on the farms, or they could use farm equipment to cultivate plots of land allocated to them for private use. Many farm owners ran farm shops where workers could exchange part of their wages against seeds and fertiliser at subsidised prices. Some groups of farm owners together provided a health worker for workers and their families, or a basic clinic. Farm workers' children attended primary schools on the farms. Some farm owners provided extra livelihood opportunities for farm workers' wives through, for example, small weaving and embroidery businesses.

With the forced departure of the commercial farm owners, former farm workers have not just lost their jobs and their wages, but almost everything else too. On many of the former large-scale commercial farms, the new farm owners have sold everything of value: not just tools and tractors and farming equipment, but for example bore hole pumps too, leaving the former farm workers with no other option but to get their drinking water from dams and unprotected shallow wells.¹⁴⁸ In other cases new farmers have simply cut off farm workers' water supplies. New farmers have denied their access to the natural resources on the farm, on the basis that they no longer work on the farm. In some cases, farm workers have been told that they can no longer bury their dead on the farms.¹⁴⁹

The state never provided social services for farm workers on the privately-owned large-scale commercial farms, and the service infrastructure in these areas is very weak. As a result, for the former farm workers who still reside on the farms, there is little to fall back on in terms of services such as health and education.

Surveys have shown that the “displaced-in-place” are amongst the most vulnerable people in the country.¹⁵⁰ Yet despite the obvious needs of the former farm workers who are stuck on the farms, humanitarian agencies are faced with the risk of making things worse for former farm workers by providing assistance. As one international agency stated: “The new farmers resent food distributions and livelihood interventions aimed at farm workers, because it gives farm workers more options and leaves them less exploitable. New farmers need the farm workers. They don't want livelihood interventions on their farm. They argue that if farm workers are given alternative livelihoods, other than farm work, they might as well move somewhere else.”¹⁵¹ A donor government representative added: “We have to tread carefully. It is in the new farmers' interest to keep the farm workers in a state of impoverishment: then they are willing to work for almost nothing. We do not want to create resentment and get these workers pushed off the land, because the one thing they have on the farms is a proper roof over their head: we do not want them to lose that.”¹⁵²

¹⁴⁸ IDMC interviews with former farm workers on an A2-model farm, 23 February 2008.

¹⁴⁹ IDMC interview with the Farm Community Trust of Zimbabwe, Harare, 4 February 2008.

¹⁵⁰ International Organization for Migration, *Community Reassessment for the Emergency Assistance Programme*, September 2007, p.90.

¹⁵¹ IDMC interview with international aid agency, Harare, 8 February 2008.

¹⁵² IDMC interview, Harare, 5 February 2008.

Former farm workers of foreign descent

About 30 per cent of all former farm workers are of foreign descent: they were born in Zimbabwe or in the former Rhodesia, but their ancestors came as migrant labourers from countries such as today's Zambia, Malawi, or Mozambique.¹⁵³ When the land reform programme resulted in the loss of farm workers' employment, farm workers of foreign descent did not have the option of returning to their relatives, so they had few options: they could either join the urban poor in Zimbabwe's towns and cities, or they could stay on the farms. Hence a disproportionate number of former farm workers who are still resident on former large-scale commercial farms are of foreign descent.

While many of these farm workers are in principle entitled to Zimbabwean citizenship under Zimbabwe's Constitution and the Citizenship of Zimbabwe Act, they are often unable to prove that they satisfy the legal requirements for citizenship because they do not have the necessary documents, such as birth certificates.¹⁵⁴ The 2001 Citizenship of Zimbabwe Amendment Act complicated the situation even further, by prohibiting dual citizenship and providing for the automatic loss of Zimbabwean citizenship for people with dual citizenship unless they renounced their foreign citizenship.¹⁵⁵ This left many workers of foreign descent at risk of statelessness as a result of a "catch-22" situation: while the Zimbabwean authorities treated them as if they were in possession of a second nationality, the countries of their supposed second nationality did not in fact regard them as citizens, and so refused to process declarations of renouncement of citizenship.¹⁵⁶

5.4 Land reform beneficiaries who lack security of tenure – people at risk of eviction

Beneficiaries of the land reform programme under the A1 and A2 models do not obtain land titles; instead, ownership of all land acquired under the land reform programme for resettlement purposes is retained by the state. Beneficiaries' presence on the land is regulated by land use permits under the A1 model, and 99-year lease agreements for the A2 model.

In practice, the government has been slow to issue permits and leases.¹⁵⁷ Beneficiaries have had to rely on so-called offer letters instead, and some of the A1 beneficiaries have

¹⁵³ General Agriculture and Plantation Workers' Union of Zimbabwe (GAPWUZ), *Report on the Survey of Displaced Farm Workers in Zimbabwe*, March 2002; Andrew Hartnack, "My Life Got Lost": *Farm Workers and Displacement in Zimbabwe*, *Journal of Contemporary African Studies*, Vol.23, No.2, May 2005, pp.173-192.

¹⁵⁴ Peter Mayayo, "Non-Citizens in a Democratic Space: Perspectives on Human Security in Zimbabwe's Large-Scale Commercial Agriculture under the Land Reform Programme, 1980-2002", *African Journal on Conflict Resolution*, Vol.4, No.1, 2004, pp.45-64 (see especially pp.48-53), www.accord.org.za/downloads/ajcr/ajcr_2004_1.pdf.

¹⁵⁵ Citizenship of Zimbabwe Act [Chapter 4:01], ss.9 and 9A, www.parl.zim.gov.zw/cms/Acts/Title04_CITIZENSHIP_AND_IMMIGRATION/CITIZENSHIP_OF_ZIMBABWE_ACT_4_01.pdf.

¹⁵⁶ IDMC interview with Zimbabwe Lawyers for Human Rights, Harare, 6 February 2008.

¹⁵⁷ The first such leases were not issued until November 2006. Government of Zimbabwe, Ministry of Lands, Land Reform and Resettlement, *Progress Made So Far in Line with the Current Land Reform Programme*, undated (2006).

not even received those.¹⁵⁸ The result is that beneficiaries of the land reform programme can be evicted from the land as quickly as they were allocated it in the first place: they have no security of tenure, and their right to be on the land is dependent on considerations of political expediency. Some beneficiaries of the land reform programme have already been evicted again in favour of new beneficiaries whose votes and political support the government needs to secure, and in the absence of secure tenure all beneficiaries of the land reform programme are facing the same risk.¹⁵⁹

To the extent that A2 farms in particular have been allocated to government supporters who never had any intention of farming the land, decisions by the government to reverse these allocations in favour of more deserving beneficiaries have been welcomed.¹⁶⁰ But continuing to deny security of tenure to beneficiaries of the land programme is no solution to the problem of cronyism in allocating land. Instead, it serves only one purpose: to perpetuate the overriding role of political patronage in all land allocations under both the A1 and the A2 model.

The people who are hardest hit by the lack of security of tenure are the landless poor whose plight the land reform programme is supposed to address. In the absence of security of tenure for beneficiaries of the land reform programme, the somewhat contradictory conclusion must be that many of these beneficiaries must be regarded as “affected populations” in the sense of “persons or communities at risk of displacement if their protection problems are not addressed” (see section 2.1 above).

Beneficiaries’ lack of security of tenure has a number of adverse consequences. A2 farmers are reluctant to invest in the farms when they have no guarantees that their investment will be secure, and banks are reluctant to lend money to farmers in the absence of such guarantees.¹⁶¹ Without investment in the farms, farm workers have no future there. At the same time, lack of security of tenure also means that donors and NGOs are reluctant to allocate funds for livelihood interventions for beneficiaries under

¹⁵⁸ IDMC interview with the Farm Community Trust of Zimbabwe, Harare, 4 February 2008. In respect of the A2 farmers, the 99-year leases contain a clause which provides that the government can revoke the leases by giving 30 days notice. This in effect turns the 99-year leases into 30-day leases, depriving A2 farmers of security of tenure even if they have been issued with a lease. IDMC interview with officials of the Delegation of the European Commission in Zimbabwe, Harare, 11 February 2008.

¹⁵⁹ IDMC interview with the Farm Community Trust of Zimbabwe, Harare, 4 February 2008; and IDMC interview with Zimbabwe lawyers for Human Rights, Harare, 6 February 2008. See also for example Centre on Housing Rights and Evictions (COHRE), *Land, Housing and Property Rights in Zimbabwe*, September 2001, pp.12-13.

¹⁶⁰ In February 2008, the government announced that it had reclaimed more than 1,400 A2 farms from farmers who according to a government audit had not made the farms sufficiently productive. Analysts pointed to the timing of the announcement, a few weeks prior to the March 2008 elections, as a probable factor in the government’s decision to reclaim and reallocate the farms. Integrated Regional Information Networks (IRIN), *New Land Owners Face Eviction*, 11 February 2008, www.irinnews.org/report.aspx?ReportID=76682.

¹⁶¹ The 99-year leases can be registered with the Deeds Registry Office in the same way as title deeds, which in theory should make it possible for A2 farmers to use the leases as collateral for loans. Government of Zimbabwe, Ministry of Lands, Land Reform and Resettlement, *Progress Made So Far in Line with the Current Land Reform Programme*, undated (2006).

the A1 model, many of whom are struggling to grow enough food for themselves and their families.¹⁶²

6. Victims of Operation Chikorokoza Chapera (“No Illegal Panning”)

Many former farm workers who had been deprived of their livelihoods by the fast-track land reform programme turned to informal gold panning as their only alternative source of income. They were later joined by small traders who had been deprived of their market stalls by Operation Murambatsvina in 2005. In November 2006, the government of Zimbabwe unleashed yet another operation: Operation Chikorokoza Chapera (“No Illegal Panning”), in the course of which the homes of thousands of informal miners were destroyed.¹⁶³

The government accused the informal gold panners of fuelling inflation by selling the gold on the black market. It also voiced concerns about environmental damage caused by illegal mining practices. As with Operation Murambatsvina, independent observers were sceptical about the government’s official reasons, and put forward alternative explanations for their actions. These focused mostly on the fact that all legally-mined gold had to be sold to Zimbabwe’s Reserve Bank, at a price well below the world market price. The Reserve Bank then sold the gold on the world market. After the collapse of the commercial farming sector as a result of the fast-track land reform programme this had become the government’s most important source of much-needed foreign currency. Since informally mined gold did not pass through these official channels, the government was deprived of a substantial part of its foreign currency earnings.¹⁶⁴

Operation Chikorokoza Chapera attracted less international attention than Operation Murambatsvina, in part because what happened in the mining areas was less visible than what happened in the cities.¹⁶⁵ Nevertheless, Operation Chikorokoza Chapera affected tens of thousands of gold panners, and led to the arrest of more than 25,000 people.¹⁶⁶ The government destroyed the homes of thousands of informal miners, in many cases forcing the men to destroy their own homes while forcing the women to watch and sing songs of praise for the government.¹⁶⁷

¹⁶² IDMC interview with officials of the Delegation of the European Commission in Zimbabwe, Harare, 11 February 2008; IDMC interview with the Farm Community Trust of Zimbabwe, Harare, 4 February 2008.

¹⁶³ Integrated Regional Information Networks (IRIN), *Operation Glossary - A Guide to Zimbabwe's Internal Campaigns*, 1 May 2008, www.irinnews.org/Report.aspx?ReportId=78003.

¹⁶⁴ See Sokwanele, “Pillage and Patronage: Human Rights Abuses in Zimbabwe’s Informal Gold-Mining Sector”, 27 January 2007, www.sokwanele.com/articles/sokwanele/pillage_and_patronage_27jan2007.html.

¹⁶⁵ Apart from the fact that there were fewer ordinary citizens around to witness the events, it was also much more difficult for journalists to operate in the rural areas where the mines are located than in the cities. IDMC interview with a mine owner, Chegutu, 23 February 2008.

¹⁶⁶ Integrated Regional Information Networks (IRIN), *Operation Glossary - A Guide to Zimbabwe's Internal Campaigns*, 1 May 2008.

¹⁶⁷ IDMC interviews, Chegutu, 23 and 25 February 2008.

The victims of Operation Chikorokoza Chapera have joined the legions of displaced people in Zimbabwe who have not been able to find a durable solution to their plight. Many of them were already the victims of the fast-track land reform programme or Operation Murambatsvina or both, and they are today in a much worse position than before Operation Chikorokoza Chapera. Some have built shacks on the mines where their homes used to be, or in nearby locations, and continue to engage in illegal panning, despite the risks that this entails. Others have joined what an NGO worker referred to as Zimbabwe's "floating population": they are squatting on privately-owned or government land, either in the cities or in the rural areas.

7. The situation of IDPs as compared to the general population

Most if not all of the hundreds of thousands of Zimbabweans who have been forcibly displaced by their own government are in desperate need of humanitarian assistance and protection. However, against the background of the general political and economic crisis in Zimbabwe the question must be asked whether IDPs in Zimbabwe are in need of assistance and protection *by virtue of* their displacement, or whether their circumstances are in fact no different from the majority of Zimbabwe's citizens who have been left struggling to cope with the combined effects of hyperinflation, unemployment levels above 80 per cent, food shortages, fuel shortages, power cuts, water cuts, and the breakdown of education and health services.

In other situations of internal displacement, the general assumption is that citizens who have never been displaced are in a better situation than internally displaced people, and that over time the situation of IDPs will improve until it can no longer be distinguished from the situation of people who have never been displaced. In Zimbabwe, the situation has been turned on its head. The situation of Zimbabwe's general population has rapidly deteriorated to the point where almost everyone in the country has serious needs for protection and assistance, and where few citizens can be said to enjoy their human rights.

However, while large numbers of Zimbabweans are struggling to cope with the impact of the country's economic meltdown and the government's widespread human rights violations, IDPs have frequently been less able to cope with the hardships of Zimbabwe's shrinking economy and diminishing livelihood opportunities. A priest who works closely with displaced communities said, "If you were made homeless and you lost everything you had, and now you are not employed, you cannot recover, you cannot get back to where you were in life. The impact will last a lifetime."¹⁶⁸

The lasting consequences of operations such as Operation Murambatsvina often make themselves felt in indirect ways. Victims of Murambatsvina in Nyamhunga explained that they had electricity in the homes that were destroyed by the Operation, but in the shacks where they live now they do not, and they cannot afford it. Without electricity they must

¹⁶⁸ IDMC interview with Churches in Bulawayo / Christian Alliance, Bulawayo, 15 February 2008.

buy paraffin for lighting and firewood for cooking, both of which have become unaffordable for most families as a result of Zimbabwe's hyperinflation.¹⁶⁹

Another example was provided by victims of Operation Murambatsvina in Harare, who had been members of a private saving scheme for income generation projects. They related how after Operation Murambatsvina hit their neighbourhood the members of the saving scheme had dispersed, which had made it difficult to resume the group's activities. Moreover, it had taken time to regain access to the group's savings account. By the time these issues had been addressed, much of the value of the group's savings had been lost due to Zimbabwe's high rate of inflation.¹⁷⁰

Local NGOs and faith-based organisations working with displaced communities emphasised that while in the current circumstances it might in many ways be difficult to distinguish between IDPs and the general population in Zimbabwe in terms of needs, the assessment is likely to change if and when Zimbabwe is set on a path to recovery. At that time, many of Zimbabwe's displaced people will be in a weaker position to take advantage of new opportunities, and many will have needs for assistance over and above those of the general population. An appropriate response to those needs will have to be formulated.

8. The government's response to the IDP crisis

The government of Zimbabwe has a primary duty and responsibility for providing humanitarian assistance to internally displaced persons.¹⁷¹ However, the government has consistently failed to acknowledge that its actions have caused a displacement crisis in Zimbabwe, and has failed to take responsibility for providing humanitarian assistance to the victims of its disastrous policies and programmes. Indeed, IDPs have frequently been excluded from government-controlled aid, including food aid, on the basis of their actual or imputed support for the political opposition.

Plans announced by the government to assist victims of some of its operations have come to nothing. For example, in the immediate aftermath of Operation Murambatsvina the government launched Operation Garikai ("Live Well"), under which it planned to build affordable accommodation as well as small and medium-sized business units.¹⁷² In July 2005 the UN Special Envoy on Human Settlements Issues in Zimbabwe questioned the

¹⁶⁹ IDMC interview with victims of Operation Murambatsvina, Nyamhunga, 21 February 2008.

¹⁷⁰ IDMC interview with victims of Operation Murambatsvina, Harare, 11 February 2008.

¹⁷¹ See for example *Guiding Principles on Internal Displacement*, Principle 25(1), www.unhcr.ch/html/menu2/7/b/principles.htm. The Guiding Principles provide an authoritative normative framework for the protection of IDPs. Although not legally binding, the Guiding Principles reflect and are consistent with international human rights law and international humanitarian law.

¹⁷² See National Association of Non-Governmental Organisations (NANGO), *Report of the Operation Garikai/Hlalani Kuhle National Audit*, 23 August 2007, p.20, available at www.internal-displacement.org/countries/zimbabwe.

efficacy of Operation Garikai.¹⁷³ Three years later, her concerns have been realised. No more than a few thousand housing units have been built, and most of these have not been occupied because they are unfit for habitation. Of the rest, the vast majority has been allocated to government supporters instead of victims of Operation Murambatsvina.¹⁷⁴ A priest in Mutare told IDMC: “In terms of building new accommodation, the government is broke. Operation Garikai is a total failure. There are too few units, many are still incomplete, and many are not fit for human habitation. In Mutare, there are about one hundred Operation Garikai units. Many are still incomplete: there is no water, no electricity. Some people have moved in, just to find some cover over their heads. Most of the units were allocated to government officials; the people who suffered in Operation Murambatsvina never got them because of government corruption.”¹⁷⁵

Moreover, the government has made no attempt to reform the regulatory framework for low-cost housing, which continues to be based on the colonial-era Regional Town and Country Planning Act and the Housing Standard Act.¹⁷⁶ The standards set by these instruments for low-cost housing are so high that they continue to function as obstacles to the provision of housing for low-income groups. In the words of one observer: “The building regulations in Zimbabwe are ridiculous. The idea is that you either live in brick-and-tile structures, or in the rural areas. There are many things that could be done to address the housing crisis.”¹⁷⁷

Similarly, the government has made few moves to provide more of its citizens with security of tenure. The absence of secure tenure presents an enormous obstacle to individuals, NGOs, and foreign donors in terms of the construction of shelter, since without secure tenure there can be no guarantees that any investment will pay off. Similar considerations apply to livelihood interventions which depend in some way on permanent infrastructure.

¹⁷³ *Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe, Mrs. Anna Kajumulo Tibaijuka*, 18 July 2005, pp.47-50, www.unhabitat.org/downloads/docs/1664_96507_ZimbabweReport.pdf

¹⁷⁴ A city council official in Bulawayo said, “The city council made land available to the government, but the government used the land to give stands to its friends.” IDMC interview with senior city council official, Bulawayo, 15 February 2008. Also IDMC interview with local priests, Victoria Falls, 18 February 2008; IDMC interview with lawyer, Mutare, 13 February 2008. See also National Association of Non-Governmental Organisations (NANGO), *Report of the Operation Garikai/Hlalani Kuhle National Audit*, 23 August 2007, p.21, available at www.internal-displacement.org/countries/zimbabwe.

¹⁷⁵ IDMC interview with priest, Mutare, 13 February 2008.

¹⁷⁶ See *Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe, Mrs. Anna Kajumulo Tibaijuka*, 18 July 2005, pp.24-26, www.unhabitat.org/downloads/docs/1664_96507_ZimbabweReport.pdf.

¹⁷⁷ IDMC interview with Mike Davies, chairman, Combined Harare Residents Association, Harare, 11 February 2008. UNDP in Zimbabwe has started work on a project to assess the regulatory framework for low-cost housing. IDMC interview with Peter Mutavati and Kerstin Engstrand, UNDP, Harare, 6 February 2008.

8.1 Government obstruction of humanitarian aid provided by others

The UN Guiding Principles on Internal Displacement provide:

“International humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced. Such an offer shall not be regarded as an unfriendly act or an interference in a State's internal affairs and shall be considered in good faith. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.

“All authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced.”¹⁷⁸

The government of Zimbabwe has violated this principle at every step. It has been, and remains, extraordinarily difficult for humanitarian agencies to obtain access to displaced communities.¹⁷⁹ Even where access has been granted, the government is liable to withdraw its permission on arbitrary grounds.¹⁸⁰ The government's order to NGOs of 4 June 2008 to suspend all their operations is only the latest example of its apparent contempt for the welfare of its people, including the hundreds of thousands of IDPs.

The government's insistence that there are no IDPs in Zimbabwe has also made it impossible for humanitarian agencies to conduct a comprehensive survey of the total number of displaced people in the country, and of IDPs' protection and assistance needs. Without the permission and cooperation of the Zimbabwean authorities, it is not possible to profile Zimbabwe's IDP population, or to survey IDPs' levels of vulnerability. As a result, humanitarian agencies are left to plan their interventions on the basis of incomplete information.

8.2 Internally displaced, or mobile and vulnerable?

The government does not tolerate the use of the phrase “internal displacement”, since admitting that there are IDPs in Zimbabwe would be tantamount to admitting that

¹⁷⁸ Ibid, Principle 25(2)-(3).

¹⁷⁹ For an account of government obstruction to international humanitarian assistance in the aftermath of Operation Murambatsvina, see *Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe, Mrs. Anna Kajumulo Tibaijuka*, 18 July 2005, pp.53-54, www.unhabitat.org/downloads/docs/1664_96507_ZimbabweReport.pdf; and Human Rights Watch, *Evicted and Forsaken: Internally Displaced People in the Aftermath of Operation Murambatsvina*, December 2005, pp.21-24, www.hrw.org/reports/2005/zim1205/zim1205web.pdf.

¹⁸⁰ For example, one agency was ordered to stop its food distribution to a community of several hundred displaced former farm workers and victims of Operation Murambatsvina. This community was squatting on government-owned land, and the district authorities apparently acted in the hope that they could force the people to leave by depriving them of food aid. IDMC interview, 22 February 2008.

government programmes such as the land reform and resettlement programme have failed.¹⁸¹ What is more, the government denies access to humanitarian agencies and NGOs which explicitly target displaced communities. As one UN official put it: “The government is in denial, it does not recognise that there are IDPs in Zimbabwe. If you mention IDPs to a government official, that will be the end of the meeting: IDPs are taboo.”¹⁸²

International aid agencies, unable to refer to internally displaced Zimbabweans as IDPs, have coined the phrase “mobile and vulnerable populations” (MVPs).¹⁸³ The use of this euphemistic phrase has undoubtedly facilitated access to some displaced communities that might otherwise have remained beyond the reach of humanitarian assistance.¹⁸⁴ However, the term MVP has come to refer to both IDPs as well as people who are vulnerable for reasons other than displacement, thus introducing a measure of conceptual confusion which has had a number of unfortunate consequences. It has allowed Mugabe’s government to divert attention from the causes of displacement in Zimbabwe, and by extension the causes of displaced people’s vulnerability. It has also contributed to a disconcerting equivocation on the part of the UN country team in Zimbabwe as to whether the UN has a responsibility for addressing the plight of Zimbabwe’s displaced people, and if so, which part of the UN system is mandated to respond to the crisis.

9. The response of UN agencies in Zimbabwe

A report prepared by OCHA in 2002 on the IDP situation in Zimbabwe stated that the UN system in Zimbabwe must advocate with the government “to ensure that it recognizes its responsibility for Zimbabweans that have become displaced.”¹⁸⁵ In the meantime, “Since government has to date given limited recognition to the IDP problem, the UN system has a responsibility to ensure that the humanitarian and protection needs of IDPs are met.”¹⁸⁶ The report noted that lack of humanitarian access had become a serious

¹⁸¹ One NGO told IDMC that when it conducted an assessment of areas targeted by Operation Murambatsvina, the official purpose of the assessment was to survey the needs of urban vulnerable populations, as opposed to victims of Operation Murambatsvina: “The point was not to rub anything in the face of the government of Zimbabwe: we pitched it so that it was not perceived as finger-pointing.” IDMC interview with NGO official, Harare, 11 February 2008.

¹⁸² IDMC interview with UN official, Harare, 11 February 2008.

¹⁸³ See for example the *Consolidated Appeal for Zimbabwe 2008*, 10 December 2007, ochaonline.un.org/humanitarianappeal/webpage.asp?Page=1634. The government does not interpret the term MVP to imply that the government is the cause of displacement, apparently on the grounds that the term “mobile” leaves open the possibility that people have not been forcibly displaced but have moved out of their own free will.

¹⁸⁴ Even so, access remains difficult. As the 2008 Consolidated Appeal for Zimbabwe states: “Meanwhile, access and space to conduct needs assessments remained a challenge, particularly in areas where there were MVPs and populations at risk of being forcibly evicted from their dwellings.” Office for the Coordination of Humanitarian Affairs (OCHA), *Zimbabwe Consolidated Appeal*, 10 December 2007, p.9, ochaonline.un.org/cap2005/webpage.asp?Page=1634.

¹⁸⁵ IDP Unit (OCHA, Geneva), *The IDP Situation in Zimbabwe: Current Trends and a Strategy for the UN System. A report to the UN Country Team and the Inter-Agency Humanitarian Assessment Mission*, 27 May 2002, p.13, www.reliefweb.int/idp/docs/reports/Zimbaberep.pdf.

¹⁸⁶ Ibid.

concern in many areas, and that “humanitarian actors, as well as the donors, are increasingly looking to the UN system to be proactive in negotiating humanitarian space.” It went on to say that “it is incumbent upon the UN system to do whatever it can to ensure that humanitarian space is maintained so that all vulnerable populations can be assisted.”¹⁸⁷

In the five years since the release of the OCHA report, during which period Zimbabwe’s government has displaced many hundreds of thousands of its citizens, the UN agencies in Zimbabwe have paid insufficient heed to this call to action. While in the wake of Operation Murambatsvina two high-level missions to Zimbabwe by UN officials drew attention to the plight of the hundreds of thousands of Zimbabwe who had been made homeless by the actions of their government,¹⁸⁸ UN agencies with a presence in Zimbabwe have not become the consistent and outspoken advocates for IDP rights which Zimbabwe’s displaced populations so badly need.

Moreover, while UN agencies such as UNICEF and WFP include displaced communities among their beneficiaries, UN agencies have not been at the forefront of efforts to ensure that the particular humanitarian and protection needs of IDPs are met. Instead, the UN Country Team in Zimbabwe has relied mostly on commendable efforts by the International Organisation for Migration (IOM) to negotiate access to displaced communities and to provide assistance to IDPs. On the whole, the UN Country Team has failed to develop a coherent and systematic response to the ongoing displacement crisis in Zimbabwe.

The recurrent argument provided by UN agencies in Zimbabwe for not advocating more actively with the government on issues of IDP assistance and protection is that doing so might cause agencies to risk losing access to their beneficiaries, including in some cases their existing limited access to IDPs, and might ultimately lead to the UN’s expulsion from Zimbabwe.

There can be no doubt that Zimbabwe presents one of the most difficult and highly politicised operating environments for the UN and indeed for all humanitarian actors. The government has on more than one occasion placed restrictions on the UN’s ability to operate in Zimbabwe.¹⁸⁹ Nevertheless, both local NGOs and international donors voice strong concerns over the UN’s overly cautious approach in its dealings with the government of Zimbabwe. Local NGOs in particular are disappointed that the UN has not

¹⁸⁷ Ibid, p.10.

¹⁸⁸ The UN Special Envoy on Human Settlements Issues in Zimbabwe, Anna Kajumulo Tibaijuka, conducted a mission in Zimbabwe between 26 June and 8 July 2005. The then UN Emergency Relief Coordinator, Jan Egeland,, conducted a mission in December 2005. See the excerpt of Jan Egeland, *A Billion Lives: An Eyewitness Report from the Frontlines of Humanity*(March 2008) at www.kubatana.net/html/archive/locgov/080305je.asp?spec_code=050601evictdex§or=URBDEV&year=0&range_start=1&intMainYear=0&intTodayYear=2008.

¹⁸⁹ For example, the UN Office of the High Commissioner of Human Rights (OHCHR) has been unable to establish a permanent presence in Zimbabwe, and in June 2008 an OHCHR official was asked by the Zimbabwean authorities to leave the country. See The Nation, *Zimbabwe Eases Ban on NGOs but Kicks Out Rights Official*, 19 June 2008, allafrica.com/stories/200806190192.html.

done more to create a space for them to assist Zimbabwe's IDPs. As one NGO worker said: "The UN agencies maintain this charade of there being a government to work with to assist the displaced. But they don't interrogate the state that is the cause of the problems. The UN is complicit by ameliorating the effects of the government's policies. The UN is following behind the regime and picks up the pieces, instead of addressing the causes of these problems. The UN needs to do advocacy. Even mild advocacy on the part of the UN would achieve a lot. Mugabe's Achilles heel is the issue of legitimacy: he doesn't want to be a common-and-garden dictator like Idi Amin. He wants to be seen as a liberator. The government won't kick out the UN: without UN food aid, Zimbabwe will collapse. Mugabe couldn't survive for a month without WFP food aid."¹⁹⁰

An international donor told IDMC: "The UN agencies are ducking and diving under their mandates because they are afraid that they will be kicked out of the country. But there comes a time when you have to ask yourself whether it is worth paying that price. Perhaps we have reached the point where it is worth taking that risk of being kicked out."¹⁹¹

A 2004 study by the Brookings-SAIS Project on Internal Displacement and OCHA reached similar conclusions: "Countries where access is denied and the displacement problem ignored or minimized ... require exposure to public scrutiny and more assertive response from UN agencies on the ground and from UN headquarters and the Security Council."¹⁹² "Without wanting to underestimate the difficulties involved for R[esident] C[oordinator]s in balancing the need for close relations with the government with that of raising protection issues, failure to raise these issues will only serve to undermine the UN's credibility."¹⁹³ The report questioned the validity of arguments that raising protection concerns with the government might lead to the UN's expulsion from a country, noting that "most countries ... have strong political and economic reasons for wanting the UN to remain." The report observed that there have not in fact been many examples of the UN being threatened with expulsion, and concluded that some UN country teams "may have exaggerated this risk to avoid raising the hard issues".¹⁹⁴

9.1 The cluster approach

In 2005 the Inter-Agency Standing Committee (IASC) adopted the so-called "cluster approach". Introduced as part of the humanitarian reform programme, the cluster approach aims to ensure that "within the international humanitarian response, there is a

¹⁹⁰ IDMC interview with local NGO, Harare, 11 February 2008. As noted in section 1 of this report, FAO and WFP expect the total number of people in Zimbabwe who are dependent of food aid to rise from 2.04 million between July-September 2008, to 3.8 million between October-December 2008, and 5.1 million (or 45 per cent of the total population) between January-March 2009.

¹⁹¹ IDMC interview with international donor, Harare, 5 February 2008.

¹⁹² The Brookings-SAIS Project on Internal Displacement and OCHA, *Protect or Neglect? Toward a More Effective United Nations Approach to the Protection of Internally Displaced Persons*, November 2004, p.50, www.reliefweb.int/idp/docs/references/Protect%20or%20Neglect.pdf.

¹⁹³ Ibid, p.40.

¹⁹⁴ Ibid, p.41.

clear system of leadership and accountability for *all* the key sectors or areas of humanitarian activity.”¹⁹⁵ To this end, lead agencies have been identified at the global level for 11 clusters,¹⁹⁶ with cluster lead arrangements at the country level normally following those at the global level.¹⁹⁷

However, for a number of clusters the leadership arrangements depend on the nature of the humanitarian crisis. In particular, while UNHCR is the lead of the protection cluster at the global level, at the country level leadership of the protection cluster depends on the nature of the humanitarian crisis. In complex emergency situations UNHCR will, as a rule, assume the role of cluster lead for the protection of IDPs and affected populations,¹⁹⁸ where a “complex emergency” is defined as “a humanitarian crisis in a country, region or society where there is total or considerable breakdown of authority *resulting from internal or external conflict* and which requires an international response that goes beyond the mandate or capacity of any single agency and/or the ongoing United Nations country program”.¹⁹⁹

In the case of persons displaced as a result of, or affected by, disasters, as well as persons facing acute protection needs that require an international response even if no displacement has occurred, the arrangements for the protection cluster leadership at the country level are less straightforward. In such situations, the three core protection-mandated agencies (UNHCR, OHCHR and UNICEF) will consult closely and, under the overall leadership of the Humanitarian Coordinator/Resident Coordinator (HC/RC), agree which of the three will assume the lead role for protection.²⁰⁰ This approach enables the HC/RC “to rely on one protection agency to lead the response for the [protection] cluster”,²⁰¹ in line with the stated aim of the cluster approach, namely “to strengthen overall levels of accountability for humanitarian response and to ensure that gaps in

¹⁹⁵ Inter-Agency Standing Committee, *Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response*, 24 November 2006, p.4 (emphasis in the original), www.humanitarianreform.org/humanitarianreform/Portals/1/cluster%20approach%20page/Introduction/IASCGUIDANCENOTECLUSTERAPPROACH.pdf.

¹⁹⁶ See www.humanitarianreform.org/humanitarianreform/Default.aspx?tabid=70.

¹⁹⁷ Inter-Agency Standing Committee, *Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response*, 24 November 2006, p.5.

¹⁹⁸ *Ibid*, p.3.

¹⁹⁹ Inter-Agency Standing Committee Principals Meeting, 12 December 2005, *Cluster Working Group on Protection: Progress Report*, p.3, ocha.unog.ch/ProCapOnline/docs/library/Report%20of%20IASC%20PWG_Dec%202005.doc; emphasis added. It must be noted that in countries with conflict-induced internal displacement UNHCR will *not* assume the role of cluster lead for the protection of IDPs in situations where this might undermine the right to asylum or the protection of refugees. *Ibid*, p.5.

²⁰⁰ Inter-Agency Standing Committee, *Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response*, 24 November 2006, p.3. For two other clusters (emergency shelter, and camp coordination and camp management) cluster leadership is also split between situations of conflict-induced displacement and disaster situations.

²⁰¹ Inter-Agency Standing Committee Principals Meeting, 12 December 2005, *Cluster Working Group on Protection: Progress Report*, p.5.

response do not remain un-addressed because there are no clearly assigned responsibilities.”²⁰²

However, allowance has been made for situations where none of the three protection-mandated agencies are able to take the lead on protection in disaster situations. In such circumstances, “the fall-back option would be to strengthen the capacity of the HC/RC to define an overall strategy and programme to enhance protection.”²⁰³ The IASC acknowledges that in most cases this would ultimately remain an unsatisfactory option: while it might provide a solution in terms of the coordination of protection activities in the country in question, it would “still be difficult for the HC/RC, even with a strengthened coordination capacity, to respond operationally and be accountable for the protection response.”²⁰⁴

9.2 Falling through definitional gaps: conflict or disaster?

Clearly, the displacement crisis in Zimbabwe has not been caused by external conflict or by civil war. Nor has it been caused by natural disaster.²⁰⁵ Beyond this, it is less apparent how the cause of displacement in Zimbabwe should be categorised in terms of the distinctions made by the cluster approach. The most recent post-election displacement is the result of a campaign of violence authorised and orchestrated by the state against its own citizens. On the other hand, the displacement crisis triggered by the land reform programme and by Operation Murambatsvina is perhaps more adequately described as having been caused by man-made disasters in the form of catastrophic government policies.

Either way, uncertainty about how to categorise the cause of displacement in Zimbabwe must not be allowed to lead to uncertainty about responsibilities for responding to the humanitarian and protection needs of IDPs in Zimbabwe. Whether the displacement crisis in Zimbabwe is ultimately seen in terms of conflict or disaster, it is imperative that effective leadership is in place for all aspects of the humanitarian response, in line with the cluster approach’s stated aim of “strengthen[ing] overall levels of accountability for humanitarian response and ensur[ing] that gaps in response do not remain un-addressed because there are no clearly assigned responsibilities.”²⁰⁶

²⁰² Inter-Agency Standing Committee, *Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response*, 24 November 2006, p.9.

²⁰³ Inter-Agency Standing Committee Principals Meeting, 12 December 2005, *Cluster Working Group on Protection: Progress Report*, p.5.

²⁰⁴ Ibid.

²⁰⁵ Apart from relatively small numbers of people who have been displaced by flooding, mainly in the north-east of the country.

²⁰⁶ Inter-Agency Standing Committee, *Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response*, 24 November 2006, p.9.

In Zimbabwe, the cluster approach was adopted in February 2008.²⁰⁷ However, in the case of protection, the IASC Country Team in Zimbabwe did “not recommend the establishment of a formal cluster at this stage, but a sectoral working group with a rotating Chair will continue to meet on a monthly basis to ensure the necessary coordination”.²⁰⁸ This arrangement is a deliberate attempt *not* to identify a lead agency on protection and goes against the advice of the global Protection Cluster Working Group: “Experience has shown that an effective protection response, regardless of whether the cluster approach is formally applied or not, can best be ensured by identifying a lead agency for protection.”²⁰⁹

The arrangement with a rotating chair of the protection sectoral working group was put in place in response to the considerable constraints on humanitarian agencies in Zimbabwe. In particular, it was an attempt to ensure that no one agency could be singled out for retaliation by the authorities for being seen as too outspoken on the highly sensitive issue of protection. Nevertheless, the lack of leadership on protection in Zimbabwe undermines one of the main objectives of the Humanitarian Reform Programme, to achieve predictability and accountability. Whether the protection working group is called a working group or a cluster, a lead agency needs to be identified. Recent efforts by the UN agencies in Zimbabwe to tighten the leadership arrangements on protection are a welcome step; this process must be given the highest priority and new arrangements must be put in place at the earliest possible time. Moreover, the protection sectoral working group must prioritise its work according to the urgency of the various protection needs: arguments to the effect that IDP protection is too sensitive an issue for the working group to address should have no place in planning the working group’s activities. As of August 2008, the working group is reportedly finalising a strategy and action plan aimed at improving and focusing its work efforts to meet the protection needs of the internally displaced.

10. International donors

Donor governments insist that for as long as President Mugabe’s regime is in place, they cannot provide development assistance to Zimbabwe: aid money cannot be seen to benefit Mugabe’s government. Thus until the country has a different government, the donors will only fund humanitarian emergency assistance.

However, despite the appeal of this stance at first sight given ZANU-PF’s terrible record in government, in practice the donors’ approach raises a number of questions. First, the dividing line between development aid and humanitarian assistance is not as clear as the

²⁰⁷ Five clusters have been activated in Zimbabwe: nutrition, WASH, emergency telecommunications, health, and agriculture. Letter from Resident and Humanitarian Coordinator in Zimbabwe, Dr A. Zacarias, to the Under Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, Mr J. Holmes, 25 February 2008, www.icva.ch/doc00002856.pdf.

²⁰⁸ Ibid.

²⁰⁹ Protection Cluster Working Group website, www.humanitarianreform.org/humanitarianreform/Default.aspx?tabid=79.

labels suggest. As one donor acknowledged, “Ultimately humanitarian aid assists the government too. By giving food aid and other humanitarian assistance, Mugabe can remain in power.”²¹⁰

Secondly, as donors are well aware, this approach leads to many unsatisfactory compromises. A donor explained: “We cannot give direct support to the government, because there are no guarantees that the money will be spent in the right way. So we are left with unsatisfactory options. In many cases, we know what the right solution is, but we can’t get there. For example in the case of cholera outbreaks, the problem is crumbling water and sanitation infrastructure. In a normal situation, you would assist the government to address that problem. But we can’t do that here. It is the same with housing: we can’t help the government to build housing, and in any case it would be problematic to help the government to rebuild houses that it itself destroyed. So instead we are left with the option of feeding people who are living in temporary structures that are probably coming to the end of their lifespan.”²¹¹

A number of observers are more robust in their criticism of the donors’ approach. A Zimbabwean NGO worker said: “The donors’ refusal to provide development aid is hurting people.”²¹² An official from an international NGO that works with victims of Operation Murambatsvina explained the conundrums created by the donors’ stance. He said: “It has been a tough sell to get donors to fund the construction of rooms or houses for victims of Murambatsvina, because they say it is problematic to pay for houses when the government itself destroyed these homes. Even so, building rooms, or houses, is not necessarily the best response for the ‘invisibly displaced’. People may rent the extra rooms out, because they have no other sources of income, which means that the extra space does nothing to reduce the overcrowding. What is really needed is livelihood interventions. But the donors won’t fund livelihood programming, because that is seen as development aid.”²¹³

Local actors in Zimbabwe are calling for a number of changes. First, as one opposition politician said: “When donors say that they can only give humanitarian assistance, not development aid, my challenge to them is: provide all the humanitarian aid that is needed in Zimbabwe, because not enough is done.”²¹⁴ Second, the definition of humanitarian aid must be broadened to embrace for example livelihood interventions. DfID’s Protracted Relief Programme goes furthest in this direction and should be adopted as a model by other international aid agencies. Third, while most NGOs agree that no development aid must be given to the government, donor governments are not doing enough to work with Zimbabwean NGOs and civil society organisations. While these organisations are involved in livelihoods programming for Zimbabwe’s IDPs, currently the scope of their

²¹⁰ IDMC interview with international donor, Harare, 7 February 2008.

²¹¹ IDMC interview with international donor, Harare, 5 February 2008.

²¹² IDMC interview with Zimbabwean NGO, Harare, 5 February 2008.

²¹³ IDMC interview with international NGO, Harare, 11 February 2008.

²¹⁴ IDMC interview with David Coltart, MP for Bulawayo South (since March 2008 Senator for Khumalo), Bulawayo, 16 February 2008.

activities is limited because all funding for this purpose must be raised from sources other than donor governments.²¹⁵

11. Conclusion

Zimbabwe's IDPs remain to a large extent invisible. The adjective which sums up their condition, "displaced", has essentially been erased from the vocabulary of UN agencies and NGOs in Zimbabwe, in what can only be described as a sad victory for President Mugabe's government in its attempts to deny responsibility for the consequences of its actions. The UN and other humanitarian actors in Zimbabwe must do more to impress upon Zimbabwe's government that it has primary responsibility for the protection and assistance of its displaced citizens. At the same time, more must be done by the international humanitarian community to assist Zimbabwe's IDPs. Too many people have already been forced to leave the country altogether. Zimbabwe's hundreds of thousands of displaced people cannot wait any longer to be given help to rebuild their lives.

²¹⁵ It must be noted that a number of observers pointed out that in practice this might create its own difficulties for the Zimbabwean organisations in questions, because when NGOs are seen to receive funds from international donor governments, the NGOs themselves are seen as puppets of the former colonial powers. IDMC interview, Victoria Falls, 18 February 2008. In fact, one NGO said that it now generally tried to get people to take initiatives themselves, "because if an NGO is involved, the authorities are immediately suspicious." IDMC interview, Harare, 20 February 2008.