

URGENT ACTION

CIVIL SOCIETY UNDER ATTACK WITH NEW DRAFT LAW

On 1 March, the government of Zimbabwe gazetted the Private Voluntary Organisation (PVO) Amendment Bill 2024 to allegedly 'curb money-laundering and financing of terrorism and to ensure that Non-Governmental Organisations do not undertake political lobbying.' Following the President's refusal to sign the PVO Amendment Bill of 2021, and the subsequent lapse of this Bill in August 2023, there was hope that the President had considered the submissions made by Civil Society Organisations in 2023. However, the new bill reflects that most of the issues raised were not addressed and it still contains provisions which will negatively impact civic space and threaten the rights to freedom of expression, peaceful assembly and association, and the continued existence and operations of Civil Society Organisations.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Speaker of Parliament

Jacob Francis Nzwidamilimo Mudenda
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Dear Hon. Jacob Francis Nzwidamilimo Mudenda,

On 1 March, the Zimbabwean government gazetted the Private Voluntary Organisation (PVO) Amendment Bill of 2024 which was introduced immediately in parliament for the first reading. I am therefore writing to express my concern about the Bill and its implications to the work of **Non-governmental Organisations (NGOs)** and the rights to freedom of expression, peaceful assembly and association in Zimbabwe.

If signed into law, the 2024 PVO Amendment Bill will impose severe restrictions on the important work of NGOs in Zimbabwe. The bill will violate human rights including the rights to freedom of association, peaceful assembly and association, as all NGOs will be compelled to register as PVOs, and NGOs that may be denied registration will not be able to continue with their operations; this includes NGOs that have already been operating as trusts and common law universities.

The Bill also gives significant powers to the Minister and Registrar, which can be used to interfere with the operations and independence of NGOs. The Minister can remove executive committees and board members of NGOs and replace them with interim trustees who are empowered to make significant decisions which can affect the operations and the existence of organisations. The Registrar at the direction of the Minister is also empowered to order the termination of NGO employees' contracts of employment, in violation of national labour laws. The Bill further introduces civil and criminal penalties which can be imposed against NGO board members, officers and employees. Such penalties will discourage people from associating with NGOs as they fear that some of the vague provisions of this law may be used against them.

I therefore urge Parliament to urgently repeal the provisions in the 2024 Private Voluntary Organization Amendment Bill that violate the rights to freedom of expression, peaceful assembly and association, and the work of non-governmental organizations, and ensure that such provisions are removed or amended and brought in line with the country's constitutional and international human rights obligations and commitments. I urge you to ensure genuine public consultations are conducted which take into account the views of the people. I further urge you to engage NGOs and ensure that their views and feedback are taken into consideration in the process, especially as they would be significantly affected by this Bill if passed into law.

Yours sincerely,

ADDITIONAL INFORMATION

Zimbabwe was placed on the Financial Action Task Force's monitoring programme in 2018 after gaps were noted in its policy and legal framework. In 2022 the country was removed from the FATF grey list; however, the government continues to push for the enactment of the PVO Amendment Bill.

On 31 August 2021, the Zimbabwe Government, through its cabinet, approved amendments to the Private Voluntary Organisations Act which were proposed by the Minister of Justice, Legal and Parliamentary Affairs. The proposed changes to the Act were met with widespread scepticism based on the current national context and historical experiences. The interpretation of the provisions of the proposed PVO Amendment Bill 2021 must be understood in the current context within which it is proposed. Overall, post-election disputes, a collapsing economy and widespread -economic hardships caused by poor economic policies and austerity measures have raised tensions in the country. NGOs have been falsely accused of meddling in political affairs and stirring the populace to vote against the ruling party.

The PVO Amendment Bill 2021 placed all civic organisations registered under different laws under one law and the clauses indicate an attempt to control and shut down civil society perceived to be 'anti-government.' The bill aimed to limit CSOs activities and infringe on their constitutionally guaranteed civil and political rights. The Bill contains vague and overly broad provisions where supporting or opposing a political party or candidate is prohibited, but it is not clear what supporting or opposing a political party means. Civil society has presented oral and written submissions, including the 'CSOs' Consolidated Analysis of the PVO Bill', highlighting their concerns to the Parliament Legal Committee and the Parliament Portfolio Committee on Public Service. On 11 April 2022, civil society met with the Minister of Justice during a consultative meeting and the Minister addressed parliament agreeing to introduce various amendments. The proposed amendments which the Minister of Public Service, Labour and Social Welfare brought back to Parliament are more repressive than the first with provisions that introduced additional, excessively punitive, criminal and civil penalties for noncomplying PVOs, as well as individual liability for trustees, employees and managers of PVOs, and anyone involved in the control of a PVO, including members of the public.

In February 2023, PVO Amendment Bill 2021 was passed by both the National Assembly and Senate and was submitted to the president for signing. In March 2023, Civil Society Organisations (CSOs) reached out to President Emmerson Mnangagwa and engaged him highlighting that the PVO Amendment Bill contained provisions which were not in line with international human rights standards and the Constitution and would hinder the work of CSOs. They further submitted that Zimbabwe has adequate regulatory regime which could be used to ensure that CSOs are not used to finance terrorism and money laundering. The president did not sign but sent the bill back to Parliament with reservations.

In August 2023, the PVO Amendment Bill 2021 lapsed when parliament dissolved ahead of the 2023 elections. In October 2023, the PVO amendment was included in the list of bills when the president announced the legislative agenda. The PVO Amendment Bill 2024 was gazetted in March 2024 and was introduced immediately in parliament for the first reading. The new bill remains repressive and has not taken into account any concerns raised by CSOs or inputs from the public during the parliamentary public hearings for the previous PVO Amendment bill 2021.

PREFERRED LANGUAGE TO ADDRESS TARGET: English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 14 JUNE 2024

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/afr46/5880/2022/en/>