

ZIMCODD

ZIMBABWE COALITION ON DEBT AND DEVELOPMENT

WEEKLY ECONOMIC REVIEW AND UPDATE

04 May 2021

*“Celebrating 20 years of People driven Social and Economic
Justice in Zimbabwe”*

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Weekly Dashboard

Forex Auction Weighted Rate

Week (20.04.2021)	Week (27.04.2021)
ZWL84.4826 per USD1	ZWL84.5032 per USD1

Total Consumption Poverty Line

Feb 2021	Mar 2021
ZWL5 187.00	ZWL5 312.00

Inflation Rate

Mar 2021	Apr 2021
240.55%	194.07%

Month-on-month inflation

Mar 2021	Apr 2021
2.25	1.58

Covid-19 Cases

Week (25.04.2021)	Week (03.05.2021)
Positive cases 38 086	Positive cases 38 281

Recovered 35 122	Recovered 35 634
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Deaths 1 557	Deaths 1 570
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COVID -19 Vaccinations

First Vaccination 03/05/21 430 068

Contents

NOTABLE ISSUES THIS WEEK.....	1
KNOWLEDGE GENERATION.....	2
COVID-19 RESOURCE TRACKER	2
THE IMPACT OF COVID 19 ON THE SOCIO ECONOMIC WELLBEING OF WOMEN.....	4
ZIMRA SURPASSES FIRST QUARTER TARGET	6
LOCAL GOVERNMENT BOARD APPOINTMENT: A THREAT TO DEVOLUTION AND DEVELOPMENT	6
ZINARA GRAND CORRUPTION: INVESTIGATE, ARREST, PROSECUTE, CONVICT AND RECOVER THE LOOT	8
WHY WE SHOULD ALL BE SAYING NO TO THE PATRIOTIC BILL	9
WEEKLY ADVOCACY MESSAGE: A CALL FOR THE IMMEDIATE RELEASE OF THE 2019 AUDITOR GENERAL’S REPORT	11
FROM THE REGIONAL DESK: MOZAMBIQUE SOLIDARITY SUMMIT CONDEMNS MILITARIST EXTRACTIVISM	12

Notable Issues This Week

Knowledge Generation

ZIMCODD continues to provide thought leadership on Debt and Public Finance Management issues at the local, national and regional level. ZIMCODD’s advocacy work is rooted in empirical research and knowledge generation which underscores the need for continued scanning of the social, economic and political environment and on-going assessments of the country’s policy trajectory. In its quest for social and economic justice, ZIMCODD engages in deliberate monitoring of the historic and prevailing socioeconomic landscape to provide compelling evidence for the development of progressive alternative policies. Essentially, knowledge generation, evidence gathering and analysis remain the cornerstone of ZIMCODD’s evidence-based lobby and advocacy work. To this end, there are opportunities to partner with ZIMCODD which have arisen more shall be explained as the review unfolds.

Local Government Board Appointment: A Threat to Devolution and Development

The review questions to constitutionality of the Local Government Board, it goes further to explain why it conflicts with the concept of devolution and development. The weekly review further discusses attempts by the central government to centralise and usurp the autonomy power of local authorities. At the core of the analysis is the concept of rent-seeking and economies of affection.

A Call for the Immediate Release of the 2019 Auditor General’s Report

Generally, the Auditor-General Report is at the apex of the hallmark of prudent fiscal management in every nation. The Auditor-General Report examines governments’ expenditure and determine if there are in alignment with fiscal regulation. The Zimbabwean 2019 Auditor-General Report is not yet out despite the fact that there are legal, regulatory and institutional frameworks created to allow its smooth yearly production. The report enables the Auditor-General’s office to fulfill its watchdog role since it is the custodian of national funds in accordance with section 309(2) of the Zimbabwean constitution. Section 10 of the Audit Office Act (Chapter 22:18) empowers the Auditor-General to create reports

and submit them before the 30th of June of every financial year. Even so, the Auditor-General has not yet released the report. What is more worrisome to the citizens and various stakeholders is that the pandemic might have opened a leeway for abuse of public resources. This is because the outbreak of the pandemic made many governments across the globe to be engaged in a procurement overdrive in a bid to curb the inimical effects of COVID-19. To this end, the failure by the government to release the 2019 Auditor-General Report has caused hysteria among citizens who are eager to know how their taxes have been used. It is critical to note that, as of the 4th of May, the 2020 Auditor-General Report is now left with 57 days to be released yet the 2019 Auditor-General Report has not yet been released.

Knowledge Generation

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AFRODAD and ZIMCODD will conduct the 2021 Annual Debt Conference which seeks to explore transparency and accountability issues around public finance management and sustainable debt management with the ultimate objective of promoting inclusive development. Given this background the two organizations call for expressions of interest to write Debt Papers on the following thematic areas: Local Governance Financing Trends & Service Delivery Nexus; Extractive Sector & Public Debt Management; COVID-19, Debt & Public Finance Management in Zimbabwe; Climate Change & its Impact on Public Debt. [Find out more](http://zimcodd.org/sdm_downloads/call-for-zimbabwe-debt-2021-conference-papers/) on: http://zimcodd.org/sdm_downloads/call-for-zimbabwe-debt-2021-conference-papers/

ZIMCODD is seeking a qualified Economic and/or Financial Analyst(s) to produce a policy brief on Percentage Share of Social Spending in Government Expenditure in the 2021 National Budget. This policy brief is a ZIMCODD's research and advocacy initiative aimed at influencing transparency and accountability in the country's fiscal policies, with a particular focus on the 2021 budget. [Find out more](http://zimcodd.org/sdm_downloads/invitation-for-expression-of-interest-for-producing-a-policy-brief-an-analysis-of-percentage-share-of-social-spending-in-the-2021-budget/) on: http://zimcodd.org/sdm_downloads/invitation-for-expression-of-interest-for-producing-a-policy-brief-an-analysis-of-percentage-share-of-social-spending-in-the-2021-budget/

COVID-19 Resource Tracker

The COVID-19 Resource tracker is a ZIMCODD initiative to keep track of all resources pledged, received and utilised by the Government of Zimbabwe in response to the COVID-19 pandemic from March 2020 to date. The aim of the COVID-19 Resources Tracker is to strengthen transparency and accountability by the government on COVID-19 resources while empowering citizens with information to hold the government to account for the allocation and utilisation of COVID-19 resources. The tracker is updated on a weekly basis to show pledges honoured, resources received and resources expended. The Government, through the Ministry of Health and Child Care, has started rolling out COVID-19 vaccination

programme which comes as an additional layer of protection against COVID-19 infection. The vaccination programme was launched on 18 February 2021. Vaccination in all provinces and districts began on 22 February 2021 and is expected to continue until all eligible people have been vaccinated.

Among other efforts to respond to the devastating effects of the COVID-19 pandemic, the Government is commended for releasing a ZWL\$100 million (approximately US\$1 183 432^[1]) for the drilling of boreholes and personal protective equipment (PPEs) for learners and teachers in rural schools. In a post Cabinet Briefing on 27 March, Honourable Monica Mutsvangwa noted that the Government has continued to provide resources from its own coffers for the COVID-19 response programme and to date has released ZW\$11 billion since the onset of the COVID-19 Outbreak. The same post cabinet briefing acknowledged the receipt of US\$75 million from the Global Fund to Fight AIDS, Tuberculosis and Malaria and to help the government fight the COVID-19 pandemic.

Overall

Total Pledges = US\$840,971,689; Honoured Pledges = \$635,474,503; Amount Spent = \$518,121,596

For the week ending 29 April 2021:

Total Pledges = US\$1,183,432; Honoured Pledges = US\$1,183,432; Amount Spent = US\$130,177,514

Major Concerns & Recommendations

- **Strong political will is necessary to plug corruption and rent-seeking:** While the government is commended for mobilizing resources for the COVID-19 response, what remains worrying is the lack of transparency and accountability on the said resources. Citizens continue to decry the manner in which government bodies and public officials who should be stewards of public resources continue to abuse public funds meant for the poor and vulnerable in such a distressed economy as Zimbabwe. ZIMCODD condemns the lack of a political will by the government to curb corruption especially grand systemic corruption which happens in the corridors of power. There is therefore need to strengthen oversight and accountability institutions to plug corruption and rent-seeking which eventually increase citizens trust in their government.
- **Reconstruct Zimbabwe's social protection system. Introduce Universal Basic Income:** The economic impacts of COVID-19 disproportionately affect women and youth from historically resource poor backgrounds. A robust social protection system is critical to keep Zimbabweans from falling further down the poverty trap. The COVID-19 pandemic and mounting climate induced crises justify the need for increased public expenditure to provide social protection for poor and vulnerable groups. Zimbabwe's inadequate and inconsistent social protection mechanisms remain a major concern which require urgent reform to ensure that all Zimbabweans access the basics for a dignified life. The introduction of a Universal Basic Income is a proven way to ensure social protection cover for those in need. Reversing setbacks to poverty reduction requires the government and line ministries to work together for resilient economic recovery. It is imperative that the government addresses immediate poverty and hunger by deepening investments in cash assistance and food security.
- **Timely and meaningful social safety nets critical to rescue the informal sector and other vulnerable groups:** According to ZimStats the cost of living for a family of five has shot up from \$26 560 to \$28 362 in March 2021. A consumer now requires \$5 672,47 to stay above the poverty line. The report comes at a time where many are still trying to recover from the effects of the COVID-19 pandemic. There has been a plunge in employment and income and an

^[1] Converted at the official RBZ interbank rate of 28th of April 2021 which is 84.5

increase in food insecurity. The informal sector, which makes up 80% of the Zimbabwean economy was hit the hardest and there has been little from the government to cushion its citizens from the devastating economic effects of the pandemic. As the cost of living continues to rise, it is recommended that the government prioritizes cushioning the vulnerable by providing timely and meaningful social safety nets. It is also important for the Ministry of Finance to provide a clear post COVID-19 recovery plan to rescue the vulnerable and economy from further plunging.

- **Parliament's oversight role remains cardinal to ensure transparency and accountability in resource mobilisation and utilisation:** While government's efforts of preparedness for a looming 3rd wave of the pandemic, as indicated in the post-cabinet briefing this week, is commendable, it remains worrisome that there is no clear strategy on how it intends to mobilise resources in the wake of another wave. The Government must draw lessons from 2020 when the pandemic hit the country whilst it wasn't prepared to respond and mitigate the effects of the pandemic and come up with an inclusive clear strategy on how it intends to mobilise human and financial resources in the wake of another wave of the pandemic. ZIMCODD continues to call for parliament to effectively exercise its critical oversight role and ensure that the expenditure of the respective funds is done in a transparent and efficient manner.
- **The Government to ensure access to health for all as enunciated in section 76 of the Zimbabwean constitution:** While the government's announcement on the establishment of virtual hospital for the management of COVID-19 patients to alleviate the pressure of hospitals, it remains unclear as to where the equipment support for the programme will be procured. The feasibility of the initiative is also questionable with the government struggling to maintain the current health facilities which are already in place. While it is a noble idea to have virtual hospitals to alleviate pressure in the healthcare system, it is important to note that only the urban population will have access to healthcare leaving the vulnerable in peri-urban and rural areas. We encourage the government modern technological systems in the already available or existent medical health facilities to ensure efficient service delivery.

The Impact of COVID 19 on the Socio-Economic Wellbeing of Women

The year 2020 marking the 25th anniversary since the ratification of the Beijing Platform for Action. The Beijing Platform for Action of 1995 was intended to be the landmark celebrating the achievements of gender equality and women's rights, however, with the emergency of the COVID 19 pandemic in the first quarter of the year, even the little progress made over the last decades have been undermined. In the Zimbabwean context, despite the existence of international, regional and domestic progressive laws and legal frameworks which seek to foster gender equality and promote women's rights, their rights continue to be undermined. The COVID 19 pandemic has further exacerbated pre-existing inequalities exposing the vulnerable in social and economic structures.

Addressing the burden of Unpaid Care Work

There is gross imbalance in the gender distribution of unpaid care work between men and women. Prior to the advent of COVID 19, women were doing three times as much unpaid care work and domestic work. With the emergence of the pandemic, the increased demand for work is deepening the pre-existing inequalities in the gender division of labour. The extent to which a country achieves its social and economic objectives rests not only on the amount of paid work done but also on the amount of the unpaid care work. However, in Zimbabwe what is worrying to note is that this unpaid care work is not paid for by the government let alone recognized. The less visible parts of the care economy are coming under the increasing strain but remain

unaccounted for in the economic response. A more practical example would be that under normal scenarios, women and girls often do more than their fair share of unpaid care work, however, in a pandemic situation like the COVID-19 crisis, this share of unpaid care work is multiplied. In Africa alone, women spent 40 billion hours alone every year walking, looking for water (World Health Organization, 2002). This is also supported by the United Nations Millennium Development Goals (UN MDGs) report of 2012 which stated that 71% of the burden of collecting water for household use falls on women and girls in Sub Saharan Africa. The above assertions remain true in Zimbabwe especially in most cities of the country where residents are experiencing acute water shortages¹ culminating in the increase of unpaid labour. It is women who spend hours and walking long distances in quest for nearest alternative sources of water for example wells and boreholes. This is also costly especially for poor women with multiple roles like taking care of their families. Moreover, the time that they spend collecting water also deprive them from participating in economic governance processes. It is also women who go out of their way and subsidize for services that could have been provided for by the government in taking care of COVID 19 patients, self-isolating people, and children who remain at home. All this unpaid caring fall more heavily on women because of the existing structural and patriarchal patterns within the society.

Addressing Gaps in the Public Health System

Another important dimension relates to the fact that health services have been repurposed and refurbished to target COVID-19 pandemic at the expense of other healthcare services. For instance, the provision of sexual and reproductive health services including maternal health care and gender-based violence related services are central to the health and wellbeing of women. Despite the above fact, they have gone beyond the reach of many women, the majority who are poor. This means that, there has been an inadvertent reduction in the provision of routine emergency medical care and facilities for non-COVID-19 cases in the country. Consequently, the dire scene where seven babies were stillborn in one night at Harare Central Hospital due to alleged negligence following the longstanding impasse between the government and medical practitioners is another cause for concern². The emergence of midwives in high density suburbs of Harare who help stranded women deliver in the midst of a strike by health practitioners brings to light the plight of Zimbabwean women³. As the process has many anomalies that are deemed unsafe under normal medical process. Pregnant and breastfeeding women are also further exposed to the virus as they are excluded from the vaccination program. These are just but a few examples of the already existing inequalities that are being amplified by the crisis and will deepen further if not addressed. All this points to the fact that very little has been done by government to increase the capacity of the public health system. There is need for government to apply a gender lens through gender responsive budgeting and ensure that all critical sectors

¹ Mutizwa, B and Obieguo, K, I. (2020). Water Education and Security: Unlocking Untapped Youth Potential in Nigeria and Zimbabwe, Nairobi, UNESCO.

²² <https://savannanews.com/maternity-genocide-7-out-of-8-children-dying-in-the-womb-at-a-harare-hospital-saysdoctor/#:~:text=Still%20births%20at%20Harare%20hospital%3A%20Seven%20out%20of,mother%20and%20children%20are%20dying%20in%20the%20hospitals.>

³ <https://www.herald.co.zw/woman-delivers-100-babies-in-8-days/>

that advance the realization of women's rights particularly the health sector is sufficiently resourced.

ZIMRA Surpasses First Quarter Target

Key Take Aways:

- Net revenue collections were ZW\$88.26 billion
- Q1 2021 collections grew by 86.78% compared to SPLY
- Companies were major contributors

The revenue performance report shows that ZIMRA surpassed its first quarter target despite the COVID-19 related-lockdown which came into effect on the 5th of January 2021 to the 1st of March 2021. According to the performance report, ZW\$ 90.62 billion was the gross revenue collected for the 2021 first quarter. This translates to an excess of 4.73% against the target of ZW\$ 86.5 billion for the period. After the deduction of refunds worth ZW\$ 2.35 billion net collections were ZW\$88.26 reflecting 2.01% excess against the target. The increase in revenue collection does not necessarily translate into effective economic performance as there are underlining economic forces to consider. The easing of the lockdown at the beginning of March 2021 introduced massive economic activity given the 'bottled' demand – leading to the leap in revenue collection. The easing of lockdown measures meant that non-essential businesses and the SME sector could operate thereby widening the taxing spectrum. This dovetails with the realization that companies were the major contributors to the jump in the tax revenues as business got revived by the easing of the lockdown. Also, the increase in the tax revenues can be attributed to the inflationary pressures in the economy as supported by the negative exchange rate pass through caused by inadequate foreign currency. Effectively, as inflation pushes up the prices, the value of taxable income also increases translating into magnified tax income. Under inflationary conditions, it is imperative to consider the real value of the revenues instead of celebrating nominal amounts. The ZWL 88.26 billion is merely US\$ 1 billion over the first quarter, implying that a paltry US\$4 billion might be collected in 2021. These resources remain meagre in supporting meaningful fiscus-supported investments and catering for the unrest in the civil service that is affecting the health and education sectors amongst many affected public services. Noting the dire need for social support after the damages caused by the COVID-19 pandemic, government still has a long way to go in widening the tax base and magnify its social spending. The tax revenue reported by ZIMRA did not expound on the tune of USD denominated revenues generated from local USD sales and export proceeds. Since the government has resorted to charging for all its services and fees in USD, it is prudent to get public with the quantum of resources raised. Since the USD is the government's preferred currency, it would have been informative if the revenues were reported in USD as the base currency. All in all, the preferential reporting of revenues by ZIMRA warrants investigation as the scarce resource (foreign currency) might be misappropriated without any checks in place.

Local Government Board Appointment: A Threat to Devolution and Development

The 2013 Constitution of Zimbabwe recognizes local government as the lowest tier of government in a three-tier arrangement. To this end, the rural and urban authorities owe their existence to the Constitution and not to the legislation as it was prior the 2013 Constitution. The 2013 Constitution unlike the Lancaster House Constitution envisages local authorities exercising devolved powers and not only delegated powers. The concept of devolution is at the core of the founding principles and values of the 2013 constitution⁴. The principle of devolution is further fastened by Chapter 14 preamble which notes that:

Whereas it is desirable to ensure: (a) the preservation of national unity in Zimbabwe and the prevention of all forms of disunity and secessionism; (b) the democratic participation in government by all citizens and communities of Zimbabwe; and (c) the equitable allocation of national resources and the participation of local communities in the determination of development priorities within their areas; there must be devolution of power and responsibilities to lower tiers of government in Zimbabwe.

The preamble projects an instruction to the central government to devolve power to local authorities. The preamble is given breathe by section 264(1) which notes that: “*whenever appropriate, the national government must devolve powers and responsibilities to local authorities ‘which are competent’ to carry out those responsibilities ‘efficiently and effectively’*”. Even so, the major impediment to this provision is reflected by the fact that someone has to determine when it is “appropriate” to devolve power or when a local authority is “competent” to carry responsibilities “efficiently and effectively”. This million-dollar question is who decides when it is “appropriate”? It therefore stands to reason that the national government will make that decision. Such clauses reflect rent-seeking elements from the central government which intends from time to time to intervene with the operations of the local authorities. Nevertheless, the Constitution gives local authority autonomy to operate and manage their affairs within their jurisdiction.

A Threat to Devolution and Development

The concept of the Local Government Board is not only unconstitutional but a threat to the devolution concept under implementation. The appointment of the Local Government Board is unconstitutional in the sense that it was made in terms of Section 135 (1)(a) and (b) which gives the Local Government Board power to approve or disapprove recommended persons by council for employment on “senior” positions. The senior positions in this regard refers to the position of Town Clerk, Chamber Secretary, directors and deputy directors. Section 134 (1) further reinforce section 135 by noting that “a council shall appoint persons approved by the Local Government Board to be senior officials of the council.” Nonetheless, section 274(2) of the Constitution notes that, “*Urban local authorities are managed by councils composed of councilors elected by voters...*” and Section 276 (1) reinforced section 274(2) by articulating that “*a local authority has the right to govern, on its own initiative, the local affairs of the people within the area for which it has been established, and has all the powers necessary to do so.*” To this end, the provisions

⁴ Muchadenyika D (2015) The inevitable devolution in Zimbabwe: from constitution-making to the future. In: De Visser J (ed) Constitution-building in Africa. Community Law Centre: University of the Western Cape, Bellville, pp 119–139

of the Urban Councils Act (Chapter 29 :15) that gives breathe to the Local Government Board in hiring senior management of council is inconsistent with the Constitution of Zimbabwe.

According to the Constitution “*any law, practice, custom or conduct inconsistent with it is invalid to the extent of its inconsistency.*” Thus, the setting up of a Local Government Board by the Minister of Local Government was illegal and an attempt to usurp the autonomy of local authorities in governing their own affairs⁵. It is an attempt to disrupt the ongoing devolution process and a re-engineered centralization process. The establishment of the Local Government Board culminates in the duplication of roles as the local authorities are already vetting their own applicants and have the capacity to employ the best candidates. It is the government’s way of promoting “economies of affection” by putting in power those who are loyal to the ruling party. The concept of the Local Government Board will also upset democracy as the councilors who are Constitutionally empowered to run the local authority derive their mandate from the people in terms of section 274(2) while the Local Government Board derive their power from the minister’s appointment and an act of parliament that need to be realigned to the constitution.

ZINARA Grand Corruption: Investigate, Arrest, Prosecute, Convict and Recover the loot

In a country where national roads have turned out to be death traps, the department responsible for the maintenance and development of national roads is marred with poor corporate governance, organised corruption and abuse and misappropriation of public funds. Recently, the Parliamentary Portfolio Committee on Public Accounts produced a damning report which clearly shows how the Zimbabwe National Roads Administration (ZINARA) has since departed from its mandate simply due to systematic corruption. According to the Committee’s report and analysis for ZINARA 2017 and 2018 financial statements, “the parastatal absolutely misrun and totally mismanaged state resources running into hundreds of millions of United States Dollars.” The anomalies include the recruitment of unqualified personnel enabled by the absence of a human resources policy as exemplified by the employment of a Finance Director who only had a Certificate in Bible Study, flaunting of public procurement rules and regulations as stipulated in the Public Procurement and Disposal of Public Assets Act, a case in point being that of the awarding of Univern’s three software contracts. Other cases of gross financial malpractices include the payment of a hair allowance for every lady employee for a hair do at She and He, Red Rose and Ladies Hairdo saloons for a total amount of USD \$24 500,⁶ and the purchase of Christmas hampers worth USD 55 700 from OK MART on the 11th of December 2018 from a Commercial Bank of Zimbabwe (CBZ) Account where each Board member received hampers valued at USD 9 600. Those Christmas hampers were accounted for in the records of ZINARA as expenditure for ‘office supplies.’⁷

The shocking corruption and gross mismanagement of funds are happening despite the existence of well-articulated values which should govern the corporate’s business conduct and employees. One of ZINARA’s core values is integrity where the parastatal values the quality of being honest and morally upright in all their behaviour, operations and activities to build public trust from

⁵ <https://www.herald.co.zw/govt-appoints-local-government-board/>

⁶ <https://www.zimbabwevoice.com/2021/04/23/zinara-corruption-shocker-finance-director-had-only-a-certificate-in-bible-study/>

⁷ *ibid*

clients, stakeholders and the general public.⁸ Findings in the Committee's report and analysis, clearly highlights that the roads administration agent lacks probity and has since undermined public trust and confidence in the corporate. Because ZINARA is a government agent, there is high likelihood that the case of ZINARA further erodes public trust in the whole government in general. This is simply because, Zimbabwe has a history of impunity where perpetrators of corruption are let loose and go scot free. As it stands, there is no incentive for public officials to act according to the dictates of the law let alone to abide by the basic principles of public finance management as provided for in the Constitution. Impunity has undermined Zimbabwe's efforts to fight corruption and its high time those with the mandate to fight corruption act in good faith for the restoration of public trust.

Key Asks on the ZINARA case

The Zimbabwe Coalition on Debt and Development (ZIMCODD) make the following recommendations;

1. **Investigate, Arrest, Prosecute and Convict.** The Zimbabwe Anti- Corruption Commission (ZACC) the Zimbabwe Republic Police (ZRP) and the National Prosecuting Authority, must be guided by the forensic audit Report to launch an investigation into the corruption at ZINARA by both former and current employees. The investigation must lead to the arrest, prosecution and conviction of the perpetrators. No acts of impunity must be tolerated.
2. **Recover the Loot.** Where possible the anti – corruption agencies in Zimbabwe specifically ZACC and ZRP should recover all the loot which prejudiced the parastatal's coffers. The recovery of the loot however takes strong political will since there is a highly possibility that some perpetrators are politically exposed individuals.
3. **Place ZINARA under Judicial Administration.** The grand corruption at ZINARA simply shows that the parastatal has failed to abide by the principles of good corporate governance including transparency and accountability in public financial management. ZINARA has since failed to effectively deliver its mandate as highlighted by the state of our roads. It can therefore be prudent for the government to put the department under judicial management to a point where it can fully carry out its mandate.

Why We Should All Be Saying NO to the Patriotic Bill

There have been a series of Bills that are being fast-tracked at the expense of long delayed government plans to align existing laws with the 2013 Constitution. One such bill is the Patriotic Bill. Recently, Civil Society Organisations reignited conversations around this bill. In their expression of concerns, a consortium of Civil Society Organisations noted that:

“[We] strongly condemn the increasing attempts to silence and shrink the civic space through the proposal to introduce the Patriotic Bill. It is our position that the proposed Patriotic Bill serves a single purpose, which is to criminalise free speech, and ultimately control, intimidate and stifle citizens' democratic rights and fundamental freedoms as enshrined in the Zimbabwe Constitution Chapter 4 Bill of Rights,”⁹

⁸ <https://www.zinara.co.zw/about-zinara/>

⁹ E Ntali “Zimbabwe: Patriotic Bill an Attempt to Silence Civic Space” <https://allafrica.com/stories/202104280847.html> (Accessed 30 April 2021).

The Patriotic Bill when viewed, details an attempt to stifle the activities of pro-democracy activists and civil society organisations, thus undermining their role in preserving national democracy, good governance, demanding accountability and independent monitoring of duty bearers. It is important to note that many civil society organisations in their role as watchdogs, raise alarm both domestically and internationally on human rights developments.

The proposed bill is intended to criminalise communication, by what is being termed as “self-serving” citizens, with foreign governments or any office or agent by “prohibiting any Zimbabwean citizen from wilfully communicating messages intended to harm the image and reputation of the country on international platforms or engaging with foreign countries with the intention of communicating messages intended to harm the country’s positive image and/or to undermine its integrity and reputation”¹⁰.

This bill is a demonstration of over criminalisation and over regulation of the exercise of fundamental human rights and freedoms particularly freedom of expression, as we have seen with other laws that have been enacted in Zimbabwe, some of which have been repealed¹¹. This law, if enacted, will cripple the work and mandate of non-governmental organisations that work with foreign governments, embassies or similar organisations in foreign countries, among others. It should be noted that in exercising freedom of expression, it is lawful for citizens to demand accountability from duty bearers. Demanding accountability from duty bearers is at the heart of ZIMCODD’s work and is underpinned by the founding values and principles of the Constitution. When citizens exercise their constitutional rights to call or advocate for transparency and accountability, such conduct should not be viewed as attacks on the government, the ruling party or any specific individuals. Honest views about one’s country’s shortcomings cannot be considered to be unpatriotic or campaigning against one’s own country.

Restricting and over policing the exercise of rights such as media freedom and freedom of expression, access to information, freedom of conscience, political rights, freedom to demonstrate and petition, and freedom of assembly and association such a manner as this bill is unjustifiable in a democratic society based on openness, justice, equality and freedom. In echoing the views of Zimbabwe Election Support Network, Women’s Coalition of Zimbabwe, Zimbabwe Human Rights NGO Forum, Media Alliance of Zimbabwe and Zimbabwe Congress of Trade Unions, there is no room for such a law as the proposed Bill in a democratic society.¹² To this end, ZIMCODD reiterate the following recommendations:

1. Government should revoke the Patriotic Bill.
2. Alignment of existing laws with the Constitution must be seen to be done.
3. There is need to accelerate implementation of political, electoral and legislative reforms.¹³

¹⁰ Bill Watch15/2021 – Debate on the Need for a “Patriotic Bill” <http://www.veritaszim.net/node/4827> 09/03/21 (Accessed 30 April 2021).

¹¹ AIPPA and POSA

¹² “Civil Society Wants Govt To Dump Patriotic Bill” <https://www.newzimbabwe.com/civil-society-wants-govt-to-dump-patriotic-bill/> 30/04/21 (Accessed 30 April 2021).

¹³ “Civil Society Wants Govt To Dump Patriotic Bill” <https://www.newzimbabwe.com/civil-society-wants-govt-to-dump-patriotic-bill/> 30/04/21 (Accessed 30 April 2021).

Weekly Advocacy Message: A Call for the Immediate Release of the 2019 Auditor General's Report

The office of the Auditor General which is established by section 309 of the constitution of Zimbabwe and the Audit Act. Its functions are—(a). to audit the accounts, financial systems and financial management of all departments, institutions and agencies of government, all provincial and metropolitan councils and all local authorities; (b). at the request of the Government, to carry out special audits of the accounts of any statutory body or government-controlled entity; (c.) to order the taking of measures to rectify any defects in the management and safeguarding of public funds and public property...This is a very important constitutional body that plays a role in providing information to all citizens as to how public finances are being managed by government and all its agencies.

The Office of the Auditor General has over the years been consistent in releasing the audited accounts on time. However, in 2020 this important office failed to release the 2019 audited financial and appropriation statements. This delay has compelled ZIMCODD to raise any eyebrow over this matter and is therefore calling on the OAG to release the report for the following reasons:

1. **Constitutional supremacy:** Zimbabwe is a democratic country with a constitution that is supreme above any other law in Zimbabwe. Therefore, our advocacy ask is that the Auditor General plays her constitutional role and release the 2019 report which is long overdue since it was supposed to be released in 2020. Any further delays will compromise best practices of accounting as well as transparency and accountability in the management of public finances.
2. **The fight against corruption:** When President Mnangagwa was sworn into office in 2017, he highlighted that the fight against corruption will be one of his administration's area of focus. The OAG's report will go a long way in assisting the government in its anti-corruption drive as it will have details of maladministration and corrupt activities in government departments, ministries and local authorities. Zimbabwe cannot win the battle against corruption when tools like the OAG's report are supposed to be some of the evidence tools that constitutional commissions like ZACC, the NPA and the ZRP are to use in pursuing corruption at all levels of government.
3. **Right to Information:** The constitution of Zimbabwe is clear on the rights that Zimbabweans have in Chapter 4. One of the most important rights in the constitution is the right to access information. Section 62 of the constitution of Zimbabwe unambiguously states that "Every Zimbabwean citizen or permanent resident, including juristic persons and the Zimbabwean media, has the right of access to any information held by the State or by any institution or agency of government at every level, in so far as the information is required in the interests of public accountability." Judging from previous reports from the OAG which have helped citizens demand for public accountability particularly in public finance management it is in the best interest of constitutionalism, our national principles and values for the 2019 OAG report to be released.
4. **Enhancing Parliament's Oversight Role:** Parliament is a very important organ of the State and it must serve the collective aspirations of all Zimbabweans since its legislative authority is derived from the people of Zimbabwe. The Auditor General's report is one important component or tool for parliament's effective oversight role over the Executive

arm of the State. In section 299(1) of the constitution, it is clearly stated that “Parliament must monitor and oversee expenditure by the State and all Commissions and institutions and agencies of government at every level, including statutory bodies, government-controlled entities, provincial and metropolitan councils and local authorities, in order to ensure that--(a). all revenue is accounted for; (b). all expenditure has been properly incurred; and (c) any limits and conditions on appropriations have been observed. Parliament cannot therefore exercise its oversight role properly if important reports like that of the Auditor General are taking time to be made public.

5. The need for Strong institutions: One of the hallmarks of any successful and robust democracy anywhere in the world is that a democracy relies heavily on strong institutions. The Office of the Auditor General is one of the few institutions in Zimbabwe that has been consistent until this long delay in releasing the 2019 report, in carrying out its constitutional mandate effectively. ZIMCODD believes that if our democracy is to grow and improve critical institutions like the OAG are supposed to be robust and effective in discharging their mandates.

From the Regional Desk: Mozambique Solidarity Summit condemns militarist extractivism

Leaders and representatives of people’s movements and Civil Society in Southern Africa met in solidarity with the people of Mozambique in a bid to urge SADC leaders to urgently address the climate, security and humanitarian impacts of the conflict in Northern Mozambique. A resource driven conflict triggered by the discovery and concessioning of an estimated \$128 million worth of fossil fuels in Northern Mozambique has been simmering since 2012. In spite of this SADC, AU and the United Nations have failed to intervene in a manner that creates conditions for local dialogue to find lasting solutions to the conflict. Resultantly, militarist approaches including the deployment of mercenary companies and foreign troops with unaccountable legal mandates have resulted in heightened tensions and a preventable yet widespread humanitarian catastrophe. Hundreds of thousands of Mozambicans are suffering because of their own natural resources. Unfettered extractivism is at the heart of the conflict in Northern Mozambique. In spite of this, the conflict is widely regarded as an Islamist insurgency. This helps to mask the vested interests of multinational corporations and their regional and local compradors vying to exploit an estimated \$128 billion worth of gas reserves in Northern Mozambique. It is widely understood that vast area, not only in Cabo Delgado, but in Nampula and Tete have already been granted in concessions without local consultation. The shameful correlation between extractivism and conflict observable throughout the Region is a vital indicator that extractivism is not in the Region’s best interest. The call to ‘leave the resources below the ground’ echoed throughout the Summit is the call most resonant with host communities’ who have interfaced with extractivism.

The unprecedented impacts of climate change on Mozambique have registered in terms of repeated cyclones and severe draughts which disproportionately impact a largely agrarian rural majority still recovering from decades of civil war. Any solution to the conflict in Mozambique must have the climate change crisis in mind. SADC level Region alternative pathways towards a green future and climate just economic growth and development must replace the current reliance on fossil fuel dependent economic growth. The humanitarian impacts of the Mozambique conflict have been underreported. However, an estimated half a million civilians are in need of

urgent humanitarian assistance. SADC leaders must prioritize the mobilization of humanitarian assistance and not outsource the responsibility to charitable foreign aid agencies.

Securing conditions for the delivery and distribution of humanitarian goods and the evacuation of civilians caught between fighting should be the core mandate of a limited SADC military intervention. Concerns by the government of Mozambique against intrusion on the country's sovereignty echoes legitimate fears of a repeat of the situation in East DRC in which multiple military interventions have failed to secure lasting peace. A clear legal mandate must be the basis for any deployment of forces into Northern Mozambique.

Finally, pledges of active solidarity expressed during the Summit were roundly welcomed. In which regard, Movements and social movement in the Region committed to:

- i. Organise solidarity protests in African capitals to urge SADC and the African Union to formulate a long-term plan to resolve the conflict in Northern Mozambique;
- ii. Conduct regional awareness raising and mobilisation to push for the reversal of extractivism and the adoption of climate friendly economic growth alternatives;
- iii. Stand in solidarity with Civil Society's efforts to find lasting solutions to the conflict through inclusive local dialogue and engagement process under the guidance of SADC and the Africa Union.

Social and Economic Justice in Our Life Time