



LAND, HOUSING AND  
PROPERTY RIGHTS IN

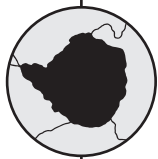
# ZIMBABWE

R E P O R T



M I S S I O N

COHRE Africa Programme



LAND, HOUSING  
AND PROPERTY RIGHTS IN  
**ZIMBABWE**

COHRE Africa Programme Mission Report, September 2001

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Land, Housing and Property Rights in Zimbabwe

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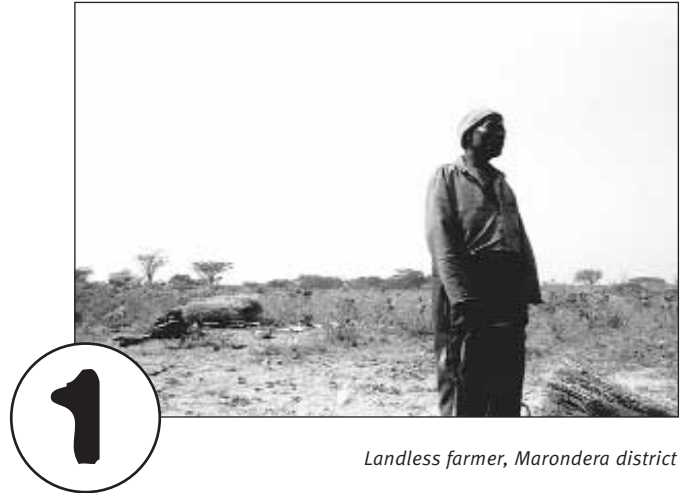
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# Introduction

The man who had introduced himself as a war veteran was angry. He was addressing a small group of people on a stretch of unbroken land next to a secondary road in the Marondera district, about 80km to the south east of Harare, Zimbabwe. Amongst them was an older man, looking confused and scared. He had been busy preparing the sandy soil to build a hut. His belongings lay scattered on the ground: tools, a few pots and pans, some enamel plates and mugs, a few spoons and a rug. To the side lay some building materials: some poles, grass for roofing.

The man's labour had been interrupted by the arrival of five strangers, three of whom were members of a COHRE fact-finding mission, accompanied by two guides from Harare. Would he mind if they asked him some questions? He agreed to talk. They wanted to know whose land it was and what he intended to plant. He told them that the chief of his area had instructed him to move to this new piece of land, across the road from the communal area, to build a house and to prepare a plot for planting. He needed to be ready by the time the rains came. His intention was to plant maize and run cattle on the land. The land had belonged to a white man, Mr. J. B. Morgan. No, he did not know whether the land was fertile, but he would soon find out.

This conversation with the visitors had not gone on for longer than ten minutes, when two men arrived on bicycles, climbed through the fence and rushed over to the group. One of them was visibly agitated. He was wearing a T-shirt bearing the face of President Robert Mugabe, a hat and steel rimmed spectacles, and a machete tied to his waist. He asked: "What are you doing here. Don't you know this is newly liberated land and you are not allowed here without permission?" The visitors replied that they had not known they needed permission, or where to get it. Should they ask the landowner, Mr Morgan? "No, you should get permission from the Ministry of Agriculture in Harare." One of the guides apologised for failing to follow the right procedures. "No comrade," the war veteran replied, "there is no sorry after death."

The threat was veiled - but the message was clear: you have no business coming here, asking questions. Leave this place, go back to where you came from, and count yourself lucky to be alive.

\*\*\*

Events over the past 18 months in the southern African State of Zimbabwe have attracted world-wide attention and publicity, most of it negative. Central to the reporting was a spate of illegal, often violent invasions of commercial agricultural land, apparently supported by the Zimbabwean government, within a context of deepening economic and political crisis.

Twenty years after the achievement of independence by this country of 40 million hectares and 13 million people, the dream of an equitable, prosperous, deeply democratic Zimbabwe seems in danger of going completely wrong. In 1980 Zimbabwe gripped the imagination; if not of the world then certainly of most Africans. Against the will of most of its own white inhabitants and of the neighbouring apartheid South African government, the people under the leadership of popular heroes such as Robert Mugabe, discarded the dual yoke of colonialism and minority rule, setting course for a new future of stability, peace and prosperity under Westminster style democratic rule. Or so it seemed at the time.

Of course, the prognosis of the cynics and opponents of democracy and independence in Africa was that it would fail, that Zimbabwe would become ‘yet another African basket case’, racked by poverty and famine, destroyed by a combination of dictatorship, nepotism and ruthless oppression. Such prophets of doom had their own stakes in keeping this spectre on the horizon. And they found fuel for their arguments: use of the army to massacre ZAPU-aligned political opponents in Matabeleland; the rise of a powerful, self-enriching elite of political and business cronies around Mugabe; and threats of large-scale land confiscation without compensation.

But there was significant progress to report, too, as supporters of Zimbabwe often did, citing achievements such as:

- impressive advances in land reform during the 1980s, in the face of constitutional constraints
- the establishment of an independent and often courageous Zimbabwean judiciary
- a growing, trained work force
- improved access to safe water and sanitation
- an emergent culture of vigorous public debate
- the emergence of a vigorous and vibrant (if not quite free) press
- a diversifying economy
- a growing tourism industry
- an enviable culture of entrepreneurship.

Until recently, conclusions about Zimbabwe and its prospects depended very much on what one wanted to believe. There was sufficient evidence either way. But in the past year, signs of looming disaster have become almost overwhelming, giving even the most uncritical proponents cause for doubt. Recent developments have included:

- unprecedented inflation
- a national debt crisis
- endemic loss of confidence in the economy
- looming food shortages
- protracted involvement in an expensive and apparently endless war in the Congo
- desperate measures by an embattled ruling party, including election violence, intimidation, human rights abuses and illegal land invasions on a large-scale.

What is the meaning of the recent developments in Zimbabwe? Has the Zimbabwean revolution collapsed on itself? Or is it poised for a breakthrough on fundamental land reform? Why has the ruling party resorted to such extreme measures, given the range of legal mechanisms at its disposal? What are the implications for the future of Zimbabwe and the basic human rights of its citizens? How does international human rights law address these issues? What is the way forward, both for the government of Zimbabwe, for Africa and for the international community?

These were some of the questions confronting the four-person all-African team of land and housing rights specialists, who visited Zimbabwe in September 2000 on behalf of the Centre on Housing Rights and Evictions (COHRE).<sup>1</sup> COHRE had been inundated with requests from its international network of organisations working on property, land and housing rights to give some clear answers to the troubling questions with respect to these issues in Zimbabwe. This report is the result of that mission.

In the months following the COHRE mission to Zimbabwe, the situation continued to deteriorate dramatically, affecting regional stability and economic development and prompting a concerted diplomatic offensive by regional and Commonwealth leaders. After hard talk at a meeting of Commonwealth Foreign Ministers held on 6 September 2001 at Abuja, Nigeria, a “land deal” was struck to end the crisis. This agreement was hailed as a breakthrough, although commentators warned against naïve optimism, citing numerous serious obstacles in the way of its implementation.

What follows, is an attempt to make sense of a very chaotic, conflict-ridden and fluid situation. It is a report from the frontline of the Zimbabwean land struggle. As is invariably the case in situations of high conflict, the stakes are high and the battle lines have become blurred. It is no longer clear who is on whose side, what their objectives are, or who is winning. But what is clear is that, at this stage of the process, almost everyone is getting hurt.

<sup>1</sup> The team consisted of Yousif Ahmed (Sudan), COHRE Africa Programme; Jean du Plessis (South Africa), International Organisation Development; Felix Morka (Nigeria), Executive Director of the Social and Economic Rights Action Centre and co-ordinator of COHRE’s Africa Programme; and Jacqueline Ukpaukure, (Nigeria), human rights lawyer. COHRE wishes to thank International Organisation Development South Africa (IOD-SA) for providing technical assistance and logistical support.





Overcrowded housing outside Harare

2

## Land: An Urgent Question

“We should have dealt with the problem of land years ago,” says Professor Chengeti Zvobgo of the History Department at the University of Zimbabwe. “We should have done it district by district, a few farms at a time, learning along the way by building a school, a clinic, then other amenities. Settle the land in an orderly manner. The commercial farmers were expecting that, they were ready. Perhaps they would have complained and tried to resist, but in the end they would have co-operated.” He is deeply concerned about the failure to act when the time was right: “We have lost a decade. So now, with the invasions and the fast track programme, we are doing the right thing, but we are going about it the wrong way.” The Professor reflected, rather ominously: “South Africa must watch out, as this thing is coming their way, and there the problem is much bigger.”<sup>2</sup>

### **A Donor's View**

*The problem of the land started since the arrival of the British in 1880 when the British South African Company acquired huge amounts of land in this country. In 1930 a new law called the Land Apportionment Act was enacted. By virtue of that law, the division of the land between commercial and communal areas appeared for the first time. Forty-five per cent of the land was given to the European settlers as commercial land and only forty per cent was left for the locals. That situation remained until the independence in 1980. The independence war was mainly fought on the land issue, and the rural people were the main force behind the war, because of their strong historical attachment to the land. The Lancaster House Agreement was a bad compromise; it made it impossible for the government to carry out any meaningful land reform. In fact it contained very humiliating aspects for the Zimbabwean people. In 1992, the Land Acquisition Act came into being. One of the most important aspects of that Act is that it allowed the government to designate land for acquisition. At the same time it guaranteed compensation for the farmers. The problem, however, was that the government had no money to compensate the farmers; therefore the whole project was meaningless.*

*Paul Valerbergh, Regional Coordinator, Fund for Development Co-operation, Belgium*

In Zimbabwe the problem is big enough. The country has a classification of 56.8 on the ‘Gini’ inequality index, placing it sixth in the world, behind Brazil, Guatemala, South Africa, Kenya and Colombia.<sup>3</sup> What this means in practical terms for Zimbabweans, is that the richest 20 per cent of the population receive 60 per cent of the income. This inequality is also reflected in land distribution, with a minority of the population owning and controlling a large proportion of the best quality land. Not only is the distribution of land grossly unequal, but also a significant proportion of the commercial farming land is either under-utilised, or badly farmed. Skewed land distribution and inefficient utilisation of the national land asset worsens the plight of the poor, as access to land plays a crucial role in the survival strategies of the impoverished majority.<sup>4</sup> Furthermore, in this context of inequality with respect to land rights, the question of housing rights for the poor is pushed even further down on the list of priorities.

### **Box 1 - Historical Background**

Zimbabwe attained independence in 1980, after a protracted guerrilla war against white minority rule. A central demand during the war was to regain control over the land that had been taken away from the indigenous people. Key events in the years linked to land dispossession and land reform and resettlement leading up to independence include:

**1888** – Cecil John Rhodes acquired mineral rights in Zimbabwe. By 1893 his British South African Company occupied most of the region.

**1892** – First ‘native reserves’ created.

**1895** – The British South African Company named the territory Rhodesia.

**1896 +**

**1897** – Black African uprisings crushed by the colonisers.

**1901** – 700,000 indigenous people allocated 8.4 million hectares, while 12,600 settlers control 32 million hectares.

**1908** – Reserve boundaries approved by the Colonial Secretary. Colonial settler occupation advocated and encouraged.

**1914** – The Southern Rhodesia Native Reserve Commission formed to study land distribution.

**1923** – The Morris-Carter Commission partitioned all land into ‘European Areas’ and ‘Native Reserves’.

<sup>2</sup> Discussion at University of Zimbabwe, 26.9.2000.

<sup>3</sup> The Gini index measures the extent to which the distribution of income (or, in some case, consumption expenditures) among individuals or households within an economy deviates from a perfectly equal distribution. A Gini index of zero represents perfect equality. See Adams 2000.

<sup>4</sup> Human Development Report 1998, pp.12, 42.

- 1930** – Land Apportionment Act passed.
- 1944** – Land Settlement Board Accommodated ex-service personnel and war veterans from World War II.
- 1951** – Native Land Husbandry Act passed to improve production and conservation in the ‘native reserves’.
- 1952** – The reserves increased to 12.7 million hectares, out of total of almost 40 million hectares. The majority of land remained the preserve of white colonists.
- 1961** – Constitution formulated entrenching white political power.
- 1965** – Unilateral Declaration of Independence from Britain (UDI) declared by Rhodesian government led by Ian Smith, followed by UN sanctions and ZANU and ZAPU guerrilla attacks against the government.
- 1967** – The Tribal Trusts Land Act. 18.1 million hectares allocated to settlers and 18.2 million to indigenous population. 2.7 million hectares set aside as state land.
- 1969** – New Constitution adopted by Smith government, designed to prevent black African majority from ever gaining control.
- 1970** – Government declared a Rhodesian Republic, but this was never recognised internationally.
- 1971** – Attempts to reform government by allowing an increase in black representation. Entrenched white power remained intact.
- 1972** – Serious fighting erupted between liberation forces and government of Rhodesia, to continue for seven years.
- 1977** – The 1941 Land Apportionment Act amended to allow ‘Africans’ to purchase land in ‘European’ areas.
- 1978** – Tribal Trust Lands Act amended with all reserves made the responsibility of the President.
- 1979** – The Rural Land Act passed, providing the basis for resettlement schemes.
- 1979** – Agreement between all sides to form new a government pursuant to the terms of the Lancaster House Agreement and new Constitution. Elections held. U.K. pledged financial assistance and co-operation with Zimbabwe’s redistributive reforms.
- 1980** – (April) Independence. Recognition of the Republic of Zimbabwe within the Commonwealth. Robert Mugabe appointed Prime Minister.



*New shelter under construction on reclaimed land*

# The Land Reform and Resettlement Programme<sup>5</sup>

A formidable land reform task faced the new government when it took power in 1980. The overwhelming majority of Zimbabweans were crowded into the communal areas, comprising 41 per cent of the land, while a few thousand white commercial farmers owned 39 per cent of the land. In addition, war veterans<sup>6</sup> and displaced communities were returning, demanding from their political leaders a place to settle and land to farm. The huge task of reconstruction had to commence. On the eve of independence the distribution of land was as follows:

**Table 1 - Zimbabwe Land Distribution, 1979**

<b>Tenure Category</b>	<b>Estimated Land Distribution (x 1m ha)</b>	<b>Proportion of Total (%)</b>
<b>Communal Areas</b>		
<i>Land held in trust by State for tribes</i>	16.4	41.41
<b>Nat. Parks &amp; Forests</b>		
<i>State Land</i>	6	15.15
<b>State Owned Farms</b>		
<i>State Land</i>	0.3	0.75
<b>Large Scale Commercial Farming (LSCF)</b>		
<i>Freehold</i>	15.5	39.14
<b>Small Scale Commercial Farming (SSCF) (State Lease)</b>		
<i>State Land</i>	1.4	3.53
<b>Total Hectares</b>	39.6	

Twenty years later, with the population estimated at between 11 and 12 million people, the distribution pattern had changed to the following:

**Table 2 - Zimbabwe Land Distribution, 1999**

<b>Tenure Category</b>	<b>Estimated Land Distribution (x 1m ha)</b>	<b>Proportion of Total (%)</b>
<b>Resettlement</b>		
<i>State Permit</i>	3.6	9.09
<b>Communal Areas</b>		
<i>Land held in trust by State for tribes</i>	16.4	41.41
<b>National Parks &amp; Forests</b>		
<i>State Land</i>	6	15.15
<b>State Owned Farms</b>		
<i>State Land</i>	0.3	0.75
<b>Large Scale Commercial Farming (LSCF)</b>		
<i>Freehold</i>	11.9	30.05
<b>Small Scale Commercial Farming (SSCF) (State Lease)</b>		
<i>State Land</i>	1.4	3.53
<b>Total Hectares</b>	39.6	

As can be seen from the statistics, Zimbabwe made some progress in the two decades after independence in countering the inequalities in land ownership. Just over 3.5 million hectares of land, almost 10 per cent of the total land in the country, was acquired for resettlement, allowing relatively small but by no means insignificant numbers of poorer Zimbabweans access to land.

The underlying mechanism of redistribution initiatives of the 1980s and 1990s was acquisition of land from the large-scale commercial farming sector. The land acquired from this sector for redistribution was retained by the State, and made available to resettlement beneficiaries via the issuance of State permits, with a resulting decrease in private land ownership from 40 per cent to 30 per cent, and increase in State land from 60 per cent to 70 per cent.<sup>7</sup> Indications are that future acquisitions will be carried out in the same way.<sup>8</sup> This deliberate increase of land held by the State, and exclusion of other options of ownership (including individual and group freehold) on that land, has a number of implications, a few of which are relevant here:

- the land market is affected, and with it so is the banking and agricultural credit industry
- the land and housing rights of beneficiaries can be vulnerable to arbitrary changes in government policy or administrative practice
- land allocation and administration can become subject to patronage and nepotism
- the fundamental land and housing rights of the occupants of the land require explicit, enforceable Constitutional and legal protection, which is not adequately provided at present.

### The Effect of the Land Reform Programme on Women

*Section 23(3) of the Zimbabwean Constitution is discriminatory towards women because their full enjoyment of property rights are hindered first by culture and second by the fact that communal land is State land and is allocated to the head of the household and women only have access to land as mothers and sisters. Considering the fact that 52 per cent of the entire population are women, they are grossly under represented in Parliament. There are only 11 women Parliamentarians out of 130. How can this number influence the law-making process to favour women? Although Zimbabwe is a party to international instruments that could better the status of women in the society, Section 111b of the Constitution requires Parliament to adopt these instruments into law before they can be enforced. In a situation where you have Parliamentarians who have no knowledge of these instruments how do you adopt them?*

*The law of inheritance is silent on the issue of land. Under the Matrimonial Causes Act, a woman upon dissolution of marriage has to prove the marriage by a certificate before she can inherit land. However most of the rural women and even women in the urban areas do not possess such a certificate, as marriages under native law and custom do not arm you with such a certificate. In effect, most black Zimbabwean women cannot inherit land in their own right. Even as a widow a woman does not inherit any of her late husband's property.*

*Abby Taka Mgugu, Director, Women and Land Lobby Group*

- 5 Statistics in this section taken from a combination of sources: Moyo, S, "The Interaction of Market and Compulsory Land Acquisition Processes with Social Action in Zimbabwe's Land Reform", Paper presented at the Annual colloquium on Regional Integration: Past, Present and Future, held in Harare on 24-27 September 2000; Adams, M., **Breaking Ground: Development Assistance for Land Reform, October 2000**; Commercial Farmers Union, "Facts on Land and the Present Situation", April 2000; Government of Zimbabwe, **Report of the Commission of Inquiry into Appropriate Agricultural Land Tenure Systems, Volume Two: Technical Reports**, October 1994.
- 6 The "war veterans" are members of an organisation ostensibly comprised of veterans who fought for Zimbabwe's independence, although some have argued that many of those currently identifying themselves as veterans were not, in fact, involved in the fight for liberation.
- 7 This is in contrast to the approach taken in neighbouring South Africa, where land that is acquired for redistribution and restitution purposes, is legally transferred to the beneficiaries, either as individuals or to a legal entity specially created by them for the purpose. It is then up to the new owners to decide, by majority vote, to what extent the land will in future be transactable and what the tenure relationships within the group will be.
- 8 Interview with Dr Clever Mumbengegwi, Department of Economics, University of Zimbabwe, 26.9.2000.



One of the many small businesses hit by recession



## The Pace of Delivery

In the current context of crisis in Zimbabwe, the significance and the lessons of the progress made since 1980 are often missed. It is generally acknowledged, both inside and outside Zimbabwe, that the process has been too slow and that an enormous amount of land still has to be made available to the poor. However, to conclude from this slow and qualified progress that the process thus far has been a total failure can have the effect of concealing important lessons from the past on the best way forward.

### **An Opposition Movement for Democratic Change (MDC) Parliamentarian's View**

*If the invasions were a true and proper reflection of the land hunger one would say why was only 3.5m hectares of land acquired in 20 years, of which about 2.2m was acquired between 1980 and the mid-1980s. The use of the Lancaster House Agreement is a political gimmick. It is incorrect to say that there is land reform in Zimbabwe; rather what we have is a politicisation of land issues.*

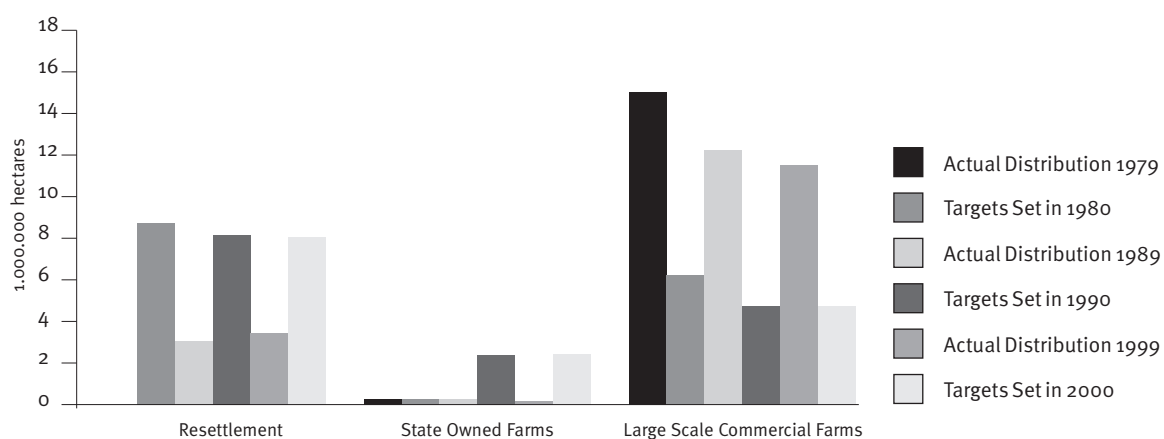
*Tendai Biti, MDC Member of Parliament*

The charts that follow illustrate the rate of increase of resettlement areas and decrease of commercial farming land between 1980 and 2000, against targets set by the government. It is apparent that for the duration of the period the respective sizes of the Communal Areas, National Parks and Forests and Small Scale Commercial Farms remained more or less constant. Ambitious targets for land resettlement were partially achieved, mainly through the reduction in the number of Large Scale Commercial Farms.

Table 3

	<b>1979 Distribution just prior to indep. ('000 000 ha)</b>	<b>1980 Distribution targets set by new govt<sup>9</sup></b>	<b>1989 Distribution at the end of the first decade</b>	<b>1990 Distribution targets set by govt</b>	<b>1999 Distribution at the end of the second decade</b>	<b>2000 Distribution targets<sup>10</sup></b>
<b>Resettlement</b>						
<i>State Permit</i>	0	9	3.3	8.3	3.6	8.3
<b>Communal</b>						
<b>Areas</b>	16.4	16.4	16.4	16.4	16.4	16.4
<b>National Parks &amp; Forests</b>	6	6	6	6	6	6
<b>State Owned</b>						
<b>Farms</b>	0.3	0.3	0.3	0.3	0.3	0.3
<b>LSCF</b>						
<i>Freehold</i>	15.5	6.5	12.5	5	11.9	5
<b>SSCF</b>						
<i>State Lease</i>	1.4	1.4	1.4	1.4	1.4	1.4

Chart 1



<sup>9</sup> The target set in 1980 of settling 162,000 families on 9 million hectares is cited in Adams 2000. The rest of the figures in this column are inferred, as they were not specified at the time. That the land would come from the Large Scale Commercial Farming Sector is assumed.

<sup>10</sup> Some public statements cite the figure of 5 million hectares, a figure dating from the Communiqué issued after the 1998 Donors' Conference on Land Reform and Resettlement in Zimbabwe. Moyo 1998 p. 9 and 2000 p. 7 quotes an figure of 8.8 million for 1990 and 2000 respectively, which should perhaps be assumed to be the figure representing the longer term vision.



The most visible progress with redistribution and resettlement was made during the first decade of independence. This was not a minor achievement, as the process was constrained by the stringent rules of the Lancaster House Constitution. The Constitution prescribed that acquisition should be on a ‘willing buyer, willing seller’ basis, and that compensation for an acquired farm should be at market price, promptly paid in a country and currency of the land owner’s choice. Between 1980 and 1990, more than 1300 farms amounting to around 3 million hectares were acquired and resettled by more than 50,000 families. The relatively rapid progress during this period was in part due to the post-liberation energy and enthusiasm of the new government, in a context of urgently needed reconstruction, but also because the British government honoured its commitment to cover the acquisition and a portion of the resettlement costs (the British contribution amounted to about £33 million over the decade).

In the second decade, land redistribution slowed dramatically, with less than 20,000 families resettled. The decrease seems paradoxical, as it coincides with the falling away of the entrenched constraints of the “cease-fire” Lancaster House Constitution. From 1990 onwards the government was free to amend the Constitution and pass laws that could give it the required powers to implement an accelerated programme, which it promptly did based on:

- the Constitution of Zimbabwe Amendment (No.11) Act 30 of 1990
- the Land Acquisition Act (Chapter 20:10) of 1992
- the Constitution of Zimbabwe (No. 12) Act 4 of 1993
- the Constitution of Zimbabwe (No 14) of 1994.

In combination, these laws provided the State with significant powers to implement accelerated land reform, including a number of “non-market” solutions and sanctions through which landowners could be convinced or, failing that, forced to co-operate.

With these powerful instruments at hand, one would have expected the rate of delivery to escalate, but the opposite happened, making the 1990s a decade of lost opportunities for land reform and resettlement in Zimbabwe. The reasons behind this negative trend include:

- The question of further funding of the programme had become contentious, due to growing mistrust between the British and Zimbabwean governments. The Labour Government in Britain, which came into power in 1997, was apparently reluctant to accept responsibility for historical land problems in Zimbabwe
- The parameters of the Economic Structural Adjustment Programme were not very conducive to pro-active, supply driven land reform
- As can be seen from the budget allocations during these years, land redistribution was in fact not very high on the governmental priority list<sup>11</sup>

<sup>11</sup> See Kay Muir-Leresche, “Agriculture and Macro-Economic Reforms in Zimbabwe: a Political Economy Perspective”, IFPRI MERRISA Project Discussion Paper, January 1998, footnotes pp.15, 17.

- The government invariably failed to follow its own legal and procedural requirements, which provided defensive land owners with ammunition for resistance in the courts (see Annex 1)
- Government failed to seriously consider the proposals of the Rukuni Commission in 1994, which proposed that a combination of subdivision and land taxation legislation would finally open up the land market and make available huge amounts of land for redistribution purposes<sup>12</sup>
- Furthermore, there was a policy shift in the 1990s, away from assistance to the impoverished - peasantry to settlement of individual black commercial farmers. This programme was soon discredited as a result of accusations of cronyism and corruption in the allocation of farms, which further decreased delivery. (See Annex 2 for list of commercial farm allocations.)<sup>13</sup>

<sup>12</sup> Government of Zimbabwe, **Report of the Commission of Inquiry into Appropriate Agricultural Land Tenure Systems, Volume Two: Technical Reports**, October 1994.

<sup>13</sup> The war veteran and opposition politician, Mrs Margaret Dongo, released this statement of protest and list in late 1999 or early 2000 (Annex 2).



*Typical dwelling in rural Zimbabwe*

5

## Back to Basics

It is an unfortunate but unavoidable reality of resettlement and development programmes in rural areas that success takes considerable time, often longer than a generation, to be realised. By the late 1980s there were already signs of potential success in the resettlement projects.<sup>14</sup> But it was only a decade later, in the late 1990s, that the full value and impact of the progress made by the earlier redistribution initiatives in substantially increasing the rural livelihoods of the beneficiaries became fully apparent.<sup>15</sup> In such situations, the danger is that political pressure leads to premature deviation from the initial programme, or at least a reduction of political will to proceed regardless. Had the Zimbabwean government used its new tools, introduced the reforms suggested by the Rukuni Commission and intensified the resettlement programme, Professor Zvobgo's fear ten years later that things had been left too late, and that disaster was perhaps inevitable, would probably not have materialised.

By the second half of the 1990s it was clear to most parties concerned with land reform in Zimbabwe that a serious rethink was necessary. Notice of Compulsory Acquisition had been given in respect of 1,471 farms in November 1997, but the project had become mired in political controversy and administrative and legal confusion. Pressure was building from the side of war veterans for land allocations and a number of invasions had taken place.<sup>16</sup> From the government's perspective, the time had come for the donors to face up to their obligations to assist Zimbabwe redress the injustices of the past. Promises had been made and expectations raised in the years leading up to independence. There had been talk of ongoing and substantial donor assistance. After all, the land acquisition programme that was part of the Kenyan decolonisation process had been sponsored by £500 million. Why was Zimbabwe being treated differently?

From the perspective of the donors, the Zimbabwean government needed to take stock of what had gone wrong with their land redistribution programmes. The government had to agree to increase community participation, try out certain market-linked alternatives, eliminate corruption and cronyism, and put in place transparency and accountability guarantees.

<sup>14</sup> Cusworth and Walker, 1988

<sup>15</sup> Kinsey 1999

<sup>16</sup> Moyo 2000

The International Donors' Conference on Land Reform and Resettlement in Zimbabwe (the Land Donors' Conference) was held in Harare in September 1998. A set of principles and parameters were determined for Phase Two of the Land Reform and Resettlement Programme, which was to commence with a two year "inception phase", to test the new system.<sup>17</sup> The principles that were agreed to included:

- focus on poverty eradication in redistribution programmes
- implementation in a transparent, fair and sustainable manner
- further and ongoing consultations with stakeholders and partners
- integration of the land reform and resettlement programme into the national macro economic policy reform process
- refining of policy – including the introduction of a land tax, streamlining of subdivision regulations and improved land tenure arrangements.

In the months following the conference, a Technical Committee worked on finalising an Inception Phase Framework Plan. Even as this work was proceeding, which included wide spread consultation, public seminars and the finalisation of both the Plan (April 1999) and a National Land Policy (August 1999), the fragility of the conference agreements were becoming apparent. On the one hand, donors who had pledged financial support were accused of not committing the funds. The Zimbabwean government, on the other hand, was accused of ignoring the principles agreed to. The parties suspected each other of double agendas, and the earlier mutual mistrust reappeared with a vengeance.

A number of Zimbabweans who attended the conference have expressed concern about the approach of some of the foreign participants. They say that hidden inside the language of accountability and transparency were international conditionalities around issues of economic restructuring, Zimbabwe's involvement in the war in the Democratic Republic of Congo (DRC), and even questions around the integrity of the Zimbabwean government. It may be reasoned that foreign governments considering releasing millions of dollars towards a specific government programme, have a right (or an obligation) to consider the proposed funding against macro policy issues. It may also be argued that, given the track record of the ruling party over the previous decade on a number of issues, including the way in which it had implemented land reform, potential donors were correct in taking steps to minimise the risk of the funds being mismanaged.

However, in retrospect, if seen against subsequent developments around land reform in Zimbabwe, it appears that more care should have been taken at the conference to formulate a common set of goals and a much clearer agreement of co-operation towards a rapidly implemented, intensive and successful Inception Phase. This should have included agreement on both immediate and medium term deliverables, followed by vigorous, visible implementation soon after the conclusion of the conference.

<sup>17</sup> Communiqué issued after the 1998 Donors' Conference on Land Reform and Resettlement in Zimbabwe, 9-11 September 1998, Harare, Zimbabwe.

In defence of the Zimbabwean government, if looked at in isolation from the broader events and political intrigue engulfing the country during 1999 and 2000, concerted efforts definitely were made from September 1998 to December 1999 to get land redistribution moving. But these efforts were frustrated at every turn by a mixture of administrative error attributable to the government, legal resistance and outright obstruction by affected landowners, and a conspicuous absence of donor funding. Some progress, however, was made. By the end of 1999, a total of thirty-five farms totalling 70,000 hectares had been purchased and paid for at a cost of approximately Z\$90 million. In addition, vouchers had been made out for a purchase of a further eight farms, totalling 18,000 hectares. Another four farms comprising 6,000 hectares had agreements of sale signed. These acquisitions had more than exhausted the Z\$150 million allocated for land purchase for the 1999 financial year.<sup>18</sup> A further Z\$225 million had been allocated to the Ministry by Parliament following the debate on the Budget, but the Ministry of Finance agreed to release only a further Z\$25 million.<sup>19</sup> In addition to the purchased farms, 45 farms from the former Model B Co-operative Resettlement Schemes had been reclaimed from the system and allocated to the pool for redistribution. Furthermore, in line with undertakings made at the Land Donors' Conference, a draft Land Tax Bill was produced and steps were taken to limit farm sizes.

Relative to the scale and urgency of the need for land for resettlement purposes, these were modest achievements. As the Commercial Farmers' Union (CFU) is quick to point out, mistakes were made along the way, and irresponsible actions by certain individuals and groups were left unpunished. But the ball was, however slowly, beginning to roll again. With the help of substantial financial and technical assistance from donor countries, combined with more sympathetic and proactive assistance by all internal players, even more significant advances could have been made in the wake of the Land Donors' Conference. These could have provided a basis for trust relationships and a way forward in the realisation of the fundamental land rights of the rural poor.<sup>20</sup>

It was not to be. Soon, in fact, it would no longer be possible to discuss land issues in their own right. Drawn into a whirlpool of events and processes, the question of land would become absorbed and distorted by much greater forces. Politicised to an unprecedented degree, it would send tremors through the Zimbabwean society, tremors so powerful that they would reverberate beyond the borders, to be felt in the South African Stock Exchange, the value of the rand and the newspaper headlines of the world.<sup>21</sup>

18 Commercial Farmers' Union, "Chronological Sequence Of Events Relating To Land Reform Since Independence", unpublished document, June 2000. At time of writing the official exchange rate was US\$1=Z\$54.

19 From the revised budget estimate for 1999 given in the Millennium Budget, Zimbabwean Government, 21.10.99.

20 A start towards collaborative approaches had been made by for example SAPES/SARIPS. Cf. Subdivision of Large Scale Commercial Farms into Economically Viable Intensive Production Units for Settlement of New Farmers within the Framework of Land Reform in Zimbabwe, A Project Concept, drafted by Innocent Matshe for SAPES / SARIPS. Also see a CFU document entitled "Land Reform Programme", which has the following statement of purpose: "to set out a detailed plan on how the Commercial Farmers' Union (CFU) can assist Government in implementing a successful Land Reform Programme", December 1997.

21 Some examples: The Economist, 22 April 2000: "At risk in Africa", pp.11-12; and "The mess one man makes", pp.17-19; Time Magazine, 1 May 2000: "Zimbabwe in Flames: Power to the Mob", pp.33-36; and "Ulterior Motives: Mugabe prizes political dominance over peace and prosperity", p.37. For an analysis of the effect of events in Zimbabwe on the value of the S.A. rand against the U.S. dollar, see for example "No Respite for South African rand despite stronger Euro", by Miriam Isa, on Reuters 11 October 2000, 14h27.

## **Box 2 - Build-up to Breaking Point: Review of Key Events, 1980 - 1999**

- 1980's** First phase of redistribution process. Main goals: poverty reduction, social stability and reconstruction main goals. Good progress, in spite of criticisms. Over 3 million hectares of land acquired and used for resettlement projects. Most of this acquired via 'willing buyer, willing seller' system, plus some derelict land.
- 1982** Communal Land Act, repealing the Tribal Trust Land Act. Authority shifted from chiefs to District Councils and Village Development Committees.
- 1988** Overseas Development Administration (ODA - now known as DFID) Land Resettlement Evaluation Report.
- 1990** Zimbabwean Constitution: entrenched constraints of Lancaster House Agreement fall away.
- 1992** The Land Acquisition Act passed, giving considerable powers to government to implement intensive resettlement.
- 1992** (July) Designation of 13 farms for acquisition and resettlement.
- 1993** (April) Designation of 73 farms. 50 de-listed after negotiations with owners. 23 remained, but later fell away due to failure by government to follow the prescribed deadlines.
- 1993** In the course of 1993 a scandal breaks over 62 State owned properties where leases were cancelled and land was allocated through an allegedly corrupt process.
- 1994** Constitutional Amendment 14 removed constitutional protection of compensation for land in the compulsory acquisition process.
- 1994** (October) Report of Commission of Inquiry into Appropriate Agricultural Land Tenure Systems ('Rukuni report'), which made wide ranging proposals on Zimbabwean land reform. The proposals included the introduction of a land tax, the passing of legislation to enable quick and easy subdivision of land, and the granting of title to beneficiaries of land reform.
- 1994** Presidential election campaign: 23 properties from 1993 designation served with Compulsory Acquisition Notices. Order allowed to lapse: Minister again in default of own requirements.
- 1994** (November) Courts find against three farmers contesting designation of their properties. Case taken to Supreme Court. Upheld in June 1996.

**mid-1990's** – Overall responsibility for implementation of resettlement taken from Ministry of Lands and Agriculture, and placed directly in Politburo, under Senior Minister Msika, Chair of the National Land Acquisition Committee. Followed by devolution of certain functions to Provincial Offices of resident Governors.

**September/October 1996** – ODA Land Appraisal Mission .

**1997** Tense confrontation between the ruling party elite and the leadership of the war veterans over the war veterans' demand for huge pension payments.

**November 1997**

Land Reform and Resettlement Programme Phase II launched. Listing of 1,471 farms with intention to compulsorily acquire published in Gazette Notice No 737. Various confusions and delays follow (see Annex 1).

**1998** About 30 high profile land invasions took place in the course of 1998 involving war veterans, chiefs and others who doubted the ability of government to deliver the promised land reform. They were evicted by the government after the September Land Donors' Conference.

**May 1998**

Government of Zimbabwe: Land Acquisition and Resettlement Programme draft policy framework paper.

**15 July 1998**

Four farm owners defend Compulsory Notices of Acquisition in the Administrative Court. Judge President dismisses the case on the grounds that the Minister had not followed the prescribed procedures. Minister instructed by Court to start afresh.

**9-11 September 1998**

Land Donors' Conference held in Harare. Zimbabwe Government and certain donors sign on to new programme of land reform in accordance with donor rules, including a "willing buyer, willing seller" principle, which included:

512 of the farms designated in 1997 de-listed on 11 September by Gazette Notice 488.

Agreements from Land Donors' Conference result in the identification of 102 'conceded' farms from the original 1997 designations as start-up acquisitions. CFU alleges that only 44 of these had in fact been conceded by the owners, but government proceeds with resettlement process (inspection of land and pegging and occupation of sites in some cases).

In reaction to the fact that the land acquisition process was going ahead but only on a limited scale, farm invasions take place particularly in Mashonaland East Province.

Government is asked to intervene, but fails to do so. Tension mounts and violence erupts in certain cases.

**16-28 November 1998**

Compulsory acquisition of 841 farms announced, according to CFU in contravention to agreements reached at Land Donors' Conference. Notice of Compulsory Acquisition of 841 of the farms designated in 1997.

**December 1998 onwards**

Attempts by government to obtain court confirmation of November 1997 notices. Defence pointed out various procedural flaws. Attorney General quoted as saying, on 6 January 1999, that the government was committed to acquisition of the properties and "would not let the law stand in its way."

**January 1999**

Setback for the government in Administrative Court. Attorney General applied for condonation of (permission to proceed with) a late application for a confirming order of acquisition of a property belonging to a Mr Fick. Application dismissed with costs. For the second time, a Judge President pointed out that government should follow its own rules, as laid down in an Act of Parliament and in the Constitution. This caused confusion and implied huge delays in many cases of intended acquisition.

**January/February 1999**

International Monetary Fund (IMF) pressure on government. IMF withheld balance of payment support until assurance was given on a number of issues, including the land issue. 5 February Cabinet meeting ratifies a statement, issued by Senior Minister Msika (also chairperson of ZANU-PF), on 6 February 1999, which commits government to the principles outlined in the Land Donors' Conference Communiqué.

**April 1999**

Inception Phase Framework Plan produced. (May – Nov: consultations). Modest and conditional support offered by donors.

**September 1999**

First draft of a Land Tax Bill released for public input.

**November 1999**

Government of Zimbabwe: National Land Policy Framework paper.

**1999** In the course of 1999, 35 farms were purchased and paid for, a further 12 were in the process of being purchased. 45 State farms were also made available for resettlement.

**December 1999**

Farm size limits per Natural Region prescribed by regulation (S.I. 419 Rural Land (Farm Sizes) Regulations).





*"No sorry after death" -*

*COHRE team confronted by war veterans*

## The Crisis

In the course of 1999, a very significant process was unfolding which was of direct relevance not only to land or housing rights, but also to all of the fundamental Constitutional rights of the people of Zimbabwe. A constitutional review had been initiated by the President with a view to replacing the "cease-fire" Constitution negotiated at Lancaster House which, while it had been amended fifteen times since 1980, still carried with it vestiges of the past. At the end of May 1999, President Mugabe inaugurated a Constitutional Commission consisting of almost 400 members. "Every sovereign people is entitled to give birth to its own constitution," Mugabe said at the inauguration.<sup>22</sup>

The Commission faced heavy criticism from its inception, most vehemently from the National Constitutional Assembly (NCA), a broad alliance of civic and opposition groups established more than two years earlier, and which had initiated the debate on a new constitution. Critics warned that people should not be duped into believing the process would bring about genuine change. Alois Masepe, an opposition politician, said: "It would be political recklessness and irresponsible to think that the ruling Zanu-PF can seriously entertain the idea of championing the drive for a new democratic constitution".<sup>23</sup> Even though some high profile government critics agreed to join the Commission, many individuals and organisations chose to boycott the new initiative. It was not trusted, they argued, because, inter alia:

- The initiative was coming from the wrong place, viz. the President and his party, who had caused all the problems in the first place
- The Commission had been appointed by the Commissions of Inquiry Act, which made it subject to the powers of the incumbent President and its findings both legally and politically reversible by the government, as had been the cases with previous Commissions
- The existing Constitution had been 'mutilated' by the ruling party during its twenty years in power, in the process concentrating almost boundless powers in the hands of the President. This would simply be a repeat of that process

<sup>22</sup> Quoted on BBC News, 19 November 1999.

<sup>23</sup> Quote in Daily Mail and Guardian (web page), 22 June 1999.

- The process was too rushed. The Lancaster House negotiations had lasted just four months, and this process was due to be completed within six
- The Commission lacked independence and credibility as it had been appointed mainly from Zanu-PF party ranks. About three quarters of the members were ruling party central committee members, MPs, government-appointed executive mayors, provincial chairpersons and business people with strong party ties
- Only 22 per cent of the Commission members were women. In view of the problems women had with aspects of the existing Constitution (Section 23 and Section 111b in particular), they should have had a stronger voice and at least 50 per cent representation.

In spite of these criticisms and the boycott — perhaps even in reaction to them — the consultative process undertaken by the Commission proceeded apace. The process captured the imagination and raised the hopes of many ordinary Zimbabweans, hundreds of thousands of whom took part in a public consultation exercise run by almost 100 teams of constitutional commissioners. More than 5,000 public meetings were held and in the process countless public representations and views were recorded. The people were given a chance to speak, and many of them did. In an unusual move for Zimbabwe, the government media regularly reported the views expressed. Hence, the following demands for change were heard throughout Zimbabwe: The powers of the President must be reduced; his term of office must be limited; the size of his cabinet must be reduced; and corruption and nepotism must end.

#### **A Movement for Democratic Change (MDC) Party Member's View**

*The Constitution that had been proposed had some good aspects but with some strange clauses. The electorate was asked to approve the draft but that if there was anything that was not liked it would be changed. There were aspects that were added which were not discussed at the preliminary stages. The issue of land was circumvented because the land issue was not agreed upon. Mugabe had betrayed his people but enriched himself and his cronies. In fact, there is a blatant disregard for public money in the country; this is why at the referendum the people voted 'NO'.*

*Topper Whitehead, MDC Party Member*

When the new draft constitution was finally made public in late 1999, the critics were vindicated. According to them, the draft released in late November did not contain the key proposals made in the consultations.<sup>24</sup> But worse, at the Zanu-PF Congress in December 1999, further changes were made, including a stronger presidential indemnity clause and compulsory acquisition principles. The final document did not represent the views and suggestions that had been submitted to the Commission. It excluded the very issues that had led to calls for a constitutional review in the first place. Instead, it retained a powerful, executive presidency, thereby further eroding democracy, and skirted issues of governance, corruption and the need for checks and balances.

<sup>24</sup> See Daily Mail and Guardian ([www.mg.co.za](http://www.mg.co.za)), 26 November 1999. November draft published on 1 December 1999 in the Herald.

The disappointment of many Zimbabweans at the failure of this process was intense. Public opposition to the draft increased, which in addition to the presidential powers included an extension of government's already substantial powers to expropriate land and to determine what compensation if any should be payable by the government to the owner of the land. The NCA campaigned against the draft, and was joined by the CFU, which took a public stand particularly against the provisions relating to land acquisition, and began mobilising their workers to assist in the opposition. The opposition grew dramatically and began to converge in a loose alliance, eventually to become the Movement for Democratic Change, under leadership of the trade union leader Morgan Tsvangirai.

A Referendum on the draft constitution was held on 12 and 13 February 2000. The draft was rejected by 55 per cent of the 1.3 million votes cast<sup>25</sup>, an unexpected and humiliating defeat for the President and his party. The result was greeted by many as a sign that the ruling party would lose the upcoming elections. It was a disaster for the party, calling for extreme damage control. The main tool available to the President and his party in the critical period that followed, however, was the land question.

<sup>25</sup> Zimbabwe has 5 million eligible voters.



*Farm security, rural Zimbabwe*

# The Occupations

In the weeks and months after the referendum Zanu-PF faced its worst crisis since independence. Admittedly every previous election had seen land featuring strongly in election speeches, serving to bolster an already secure support base. But in the ensuing months the demand for land was to become a central part of the ruling party's desperate struggle for political survival. Within days of the announcement of the Referendum result, a number of farms in Masvingo Province were forcibly occupied, and soon thereafter in other provinces also. It is virtually impossible to quantify the land occupations with any degree of accuracy. The following, however, is known:<sup>26</sup>

- In the course of 2000 more than 1,600 commercial farms were at one stage or another forcibly occupied.<sup>27</sup>
- The affected farms predominantly belonged to white commercial farmers, but included some land belonging to black farmers and multinational corporations, plus some State farms, as well.
- A number of the farms were occupied more than once during the period, with the initial group departing of their own accord, or forced off by the landowner (sometimes with but mostly without any assistance from government), or supplanted by a rival group of occupiers.
- In many cases the occupiers received supplies and money, delivered to them on a regular basis, allegedly in government trucks.
- In some cases an "occupation" would be fairly innocuous, involving little more than the pegging of an area or a single dwelling built on the land. In more serious cases large groups would settle and build a number of dwellings and commence agricultural activities.
- Distribution of occupations has been geographically uneven, affecting different areas at different times. More occupations were reported in the three Mashonoland provinces and Masvingo province, and less reported in the Matabeleland provinces, Manicaland and Midlands.

<sup>26</sup> Information gleaned from Moyo 2000, CFU documents and press reports.

<sup>27</sup> As discussed in a later section, a year later between 80 and 90 per cent of a total of 5,500 commercial farms would be affected, whether in the form of direct invasion, enforced work stoppages, looting or intimidation.

Detailed estimate figures as of May 2000, a few months after the referendum, can be seen in Annex 3. The totals per Province are summarised below:

**Table 4**

<b>Province</b>	<b>number of invasions</b>	<b>% farms invaded</b>
Mashonoland East	415	39
Central Mashonoland	331	38
Mashonoland West (S)	137	32
Mashonoland West (N)	234	24
Masvingo	84	24
Midlands	98	23
Manicaland	111	20
Matabeleland	115	16
<b>Totals</b>	<b>1525</b>	<b>28 %</b>

The Zimbabwe government sent out mixed messages about the occupations. For example, immediately after the first reports that land had been occupied, appeals were made to all levels of government to intervene, and on 28 February 2000 the Minister for Home Affairs issued a statement instructing the occupiers to vacate the land. This statement was immediately reversed by the State President, after which the occupations increased in intensity. Again in April 2000, following intensive lobbying by the CFU, Acting President Msika made a statement requiring all war veterans and their followers to vacate the occupied farms. President Mugabe was in Cuba at the time, and when he returned he reversed the statement and announced that the occupiers could remain.

Such chaotic reversals of policy may have aided the election efforts of the ruling party. But it also greatly exacerbated the prevailing tension and confusion amongst all stakeholders. The confusion persisted beyond the election period, as can be seen in the following examples of events during just one week in September 2000:

- On 20 September 2000 a 12-member group of war veterans armed with automatic rifles and whips beat up 13 Featherstone commercial farmers and about 350 workers. The farmers and workers had been demolishing shacks that had been erected by occupiers on private land, following a statement by Minister John Nkomo that illegal occupiers had to leave the land they had occupied. A Featherstone police officer, who was on the farm at the time, was also attacked. Mr Charles Gumbo, head of the Central Intelligence Organisation in Chivhu, allegedly led the group. The attackers had arrived in government vehicles. Several farmers were arrested, but the attackers walked free.

- On 26 September Cosmas Gonese, Secretary-General of the War Veterans' Association, said that the eviction of the unlawful occupiers on private land was necessary. "If we do not control farm invasions all the farms will be filled up with people and the issue of the rule of law will not be observed. Zimbabwe will be ungovernable . . . To contain the chaotic situation, it is in the interest of the nation to put a full stop to farm invasions".
- Two days later Stanslous Chikukwa, the Manicaland Executive Member of the War Veterans' Association, made virtually the opposite statement, vowing that war veterans will not move out of the farms they were occupying: "We are going to plough and plant on the farms we are occupying. If the government tries to evict us, there will be war".
- On the 26 September Dr. Michael Mawema, aged 73, committed suicide. Dr. Mawema, a veteran nationalist, the first president of the National Democratic Party and later a staunch Zanu-PF member, had become involved as a go-between in a Z\$3.8 million scheme selling land to the landless. As one of the land purchasers explained: "They told us they were a pressure group for the government to ensure we got land . . . For one to be eligible, he had to pay a commitment and registration fee. We would be allocated a gazetted farm, the map of the farm and a number". Dr. Mawema apparently took his own life when he realised that it was a scam and that those who had paid would not receive any land, but would not get their money back either.
- During the same week a report was received of another suicide, this time a war veteran who had taken his own life when he heard that he would have to leave the land he had occupied shortly after the Referendum. Apparently he had sold the land on which he had been living, and had nowhere to which to return.<sup>28</sup>

The only institution that appears to have been independent and unambiguous on the question of land occupations is the judiciary. Unaffected by the double talk of government, the courts made sure that those cases that did reach them were firmly dealt with in accordance with the law. A number of jail sentences were handed down, to the great surprise of some of those found guilty.

#### **A War Veteran's View**

*Since 1980, several communities have occupied farms illegally. Many peasants invaded farms and police intervened to maintain law and order and evacuated them. This has continued since independence. The 1998 invasions were the latest and this resulted in a search for a legal approach to solving the problems.*

*The war veterans are the people who have liberated this land but the government has not done anything in order for us to own land. Our rights as war veterans should be protected by the Constitution. The Lancaster House Agreement secured the rights of the former soldiers, which we fought against but not ours.*

*Agrippa Gara, Director, Zimbabwean National Liberation War Veteran's Association*

<sup>28</sup> The Daily News, 25-29 September 2000; The Herald, 25-29 September 2000.

On 23 September 2000 war veteran Chigwamure Mawariro (known as Mabhunu Muchapera) was jailed for an effective 12 months for extorting money from the owner of the land which he and a number of fellow war veterans had occupied. He was also facing charges in another court of kidnapping 17 children on the farm and forcing them to dance the *toyi-toyi* through the night while singing Zanu-PF political and war songs. When found guilty and sentenced on the extortion charge, he could not believe what he had heard: “Saka matondiendesa kujeri? (So you have sent me to prison?)”, he asked incredulously. It appears that it was hard for him to believe that the courts could so blatantly disregard the assurances of government support and protection that had been made by his leaders.<sup>29</sup>

But in the long run the assurances made to people like Mawariro held true. On 10 October 2000 it was announced in the Government Gazette that President Robert Mugabe had pardoned criminals serving jail terms and suspects still to be arrested in pre-election political violence. “A free pardon is hereby granted to every person liable to criminal prosecution for any politically motivated crime committed during the period January 1, 2000 to July 31, 2000... A remission of the whole or the remainder of the period of imprisonment is hereby granted to every person convicted of any politically motivated crime committed during the period January 1, 2000 to July 31, 2000”.<sup>30</sup>

The Zimbabwean parliamentary elections of July 2000 were highly contested and violent.<sup>31</sup> The only credible challenger to Zanu-PF power was the Movement for Democratic Change (MDC). While the MDC concentrated on issues of economic reform and governance, the ruling Zanu-PF party mobilised support around the slogan “Land is the Economy, the Economy is Land”.

During the build-up to the elections, the ruling party skilfully manipulated the land issue for blatant political ends. Government support for the occupiers reaffirmed the party’s position as champion of the landless poor. Moreover, it gave the ruling party a visible profile in the farming areas and, with that, allegedly a base from which to intimidate voters who were under the control of the farm owners. Ultimately, the ruling party clawed their way back to a narrow election victory in July.

The land occupations produced victims on all sides. Occupiers were dislocated and misinformed on the legal status of their actions. Great energy was spent on relocating, with no real guarantee that this would be permanent. By late September 2000, some occupiers were starving, as the supplies they had received before the elections had dried up.<sup>32</sup> Numerous occupations were accompanied by violence, including rape, assault, and the killing of several people. Farm workers suffered along with the owners, some were even tortured for their allegiance to the “wrong side”. They face a most insecure future.<sup>33</sup> Property was destroyed and farming operations went bankrupt. Many tragic stories could be told, on both sides of the struggle.<sup>34</sup>

<sup>29</sup> Daily News 25.9.2000

<sup>30</sup> Government Gazette, 10 October 2000 as quoted in the Pretoria News, 11 October 2000. Also The Daily News, 11.10.2000. Note that certain crimes such as murder and rape are specifically excluded from the amnesty. Although the definitions may be arguable in the courts, it appears that crimes such as trespass, assault and even extortion or abduction would be included, provided they can be shown to fall into a definition of “politically motivated”.

<sup>31</sup> See, for example, Zimbabwe Human Rights NGO Forum, “Politically motivated violence in Zimbabwe 2000-2001: a report on the campaign of political repression conducted by the Zimbabwean Government under the guise of carrying out land reform”, Aug. 2001.

<sup>32</sup> The Daily News, 29 September 2000: “Farm invaders starve”.

<sup>33</sup> Pretoria News, 18 September 2000: “Farmers, labourers set to sue Mugabe”.

<sup>34</sup> For an account of the suffering endured by a land owner who finally had to leave her farm as a result of repeated occupations, see Catherine Buckle, “African Tears - The Zimbabwe Land Invasions” South Africa 2001.



### A White Farmer's View

*From 1990 up to date I have never been asked by anyone to sell or relinquish my property. On 28 February a bunch of people, about seven, arrived at the gate, and on the farm there were about 100 people shouting hondo!, or "war" in the local language. They stayed there for 10-15 minutes. I was alone and I was too scared. After the shouting, they moved to the road and broke into the farm, crossed the field and fixed little sticks into the ground, and after about one hour they left. They left a message with my shopkeeper that they would be back after 30 days when the Constitution has been amended. But they returned after one week, and set up a hut, seven moved into the hut. They stayed for three and a half months. Edward Musuiaka, a war veteran and son of the chief of our area, stopped us on the road while we were driving out and said, 'This is our farm and we just want to share it.' We asked whether he had been given a land or not and he said 'I had been given land in Beatrice, but that was too far.'*

*Cathy Buckle, owner of Stow Farm*

The defeat of the referendum fresh in their minds, and aware of the fact that they may soon not have the required majority to undertake major legal and constitutional changes, the ruling party rushed an amendment to the Constitution through Parliament. The aim of the amendment was to remove the obligation of the Zimbabwean government to pay compensation to owners of land acquired by the State for land reform purposes, shifting the onus to the "former colonial master" instead (see Annex 4 and Annex 5). This occurred just prior to the dissolution of Parliament in preparation for the elections. In May, after realising the need for enabling amendments to the Land Acquisition Act, the President used his powers pursuant to the Presidential Powers (Temporary Measures) Act, to effect the required changes.<sup>35</sup> A Land Acquisition Amendment Bill, 2000 was then drafted to give longer-term effect to the changes and to form the basis of the so-called "fast track" land acquisition and resettlement programme implemented in Zimbabwe since this time. These laws were later supplemented by the Rural Land Occupiers (Protection from Eviction) Act of 5 June 2001, with the purpose to restrict or suspend for a period any legal proceedings against occupiers on farms that have been listed for acquisition.

Critics of these steps saw them as an attempt by the ruling party to force through laws that would enable the government to infringe on the fundamental rights of landowners and prepared legal challenges to the changes.<sup>36</sup> Other commentators argued that, in the light of the history of obstruction of land reform by landowners, and the counterproductive interventions of donors, there was just no other way. Either way the question arises as to whether or not these attempts to put land reform back on some sort of legal footing, and to enable the implementation of the "fast

<sup>35</sup> Presidential Powers (Temporary Measures) (Land Acquisition) Regulations, 2000.

<sup>36</sup> One of the main points at issue was the time limit set by the Act on the State for processing land acquisitions. In the amendments the State attempted to make this indefinite, but this was successfully challenged in the Supreme Court in December 2000.



track” redistribution programme, came too late. By the end of the elections - which the ruling party won by a narrow margin - it was no longer clear whether it would ever be possible to regain the trust of the parties. The prospect of implementing a programme that could produce significant, meaningful land reform, and to realise the fundamental land, property and housing rights so richly deserved by all Zimbabweans, had all but faded from the horizon.

### **The Effect of the Land Reform Programme and Occupations on Women**

*As an organisation, the land reform system is supported but not in its present style of occupation because the women do not benefit in any way or form, but are rather subjected to a lot of violence. Originally people were supposed to be re-settled into already existing structures to be provided by the government, but now these have not been provided. There are no health facilities, no place for education. In fact people are just being allocated barren plots to move into. The whole idea of land reform was poverty alleviation and to solve the problem of overcrowding, but the current position is actually promoting poverty. It has had a very negative impact on the economy and women are suffering more. The Government pays lip service to gender issues. There are no gender sensitive policies in place today. The farm workers also need to be re-settled and nobody has thought about how they are to be dealt with and the issue of compensation for them is far fetched. There are no programmes for skills acquisition for the new settlers.*

*Abby Taka Mgugu, Director, Women and Land Lobby Group*



*Reserve Bank, Harare*

## **“Land is the Economy, the Economy is Land”**

Just how high are the stakes? What is the state of the Zimbabwean economy, and how exactly does this relate to the burning question of land reform? Over the past 18 months Zimbabwe has faced its worst economic crisis since independence. Various alarming indicators can be cited:<sup>37</sup>

- Zimbabwe’s Gross Domestic Product per person was progressively eroded from US\$1,000 per person in 1980 to less than half that by 1998. Over the same period, external debt rose from just below US\$1billion to around US\$5 billion.<sup>38</sup>
- Around 70 per cent of the country’s GDP is required to service its foreign debt and the government has defaulted on foreign debt repayments.
- A large percentage of Zimbabweans are poor and face severe food shortages.
- Investment is at a virtual standstill, with over 90 per cent of expenditure going to consumption. Many farmers are unable to secure any credit, forcing them to sell off stock and capital and to plant less (if anything) in the new season.
- Manufacturing levels are at their lowest since 1985.
- Unemployment is close to 60 per cent and rising. Recent job losses include an estimated 70,000 farm workers forced by land invaders to flee from commercial farms.<sup>39</sup>
- There has been an exodus of black middle class professionals.

<sup>37</sup> The indicators given are from various sources. During the COHRE visit the situation was also discussed with four local economists and a development planner: Prof. Rob Davies, 26.9.2000; Dr Clever Mumbengegwi, 26.9.2000; and Dr Innocent Matshe, 28.9.2000, all from the Department of Economics, University of Zimbabwe; Dr Kay Muir-Leresche, Department of Agricultural Economics, University of Zimbabwe; Rob Mellors, Development in Practice, Harare. Also see: Kay Muir-Leresche, 1998; and Zimbabwe Human Rights NGO Forum, August 2000, section 7.2. The latter source contains detailed substantiated economic figures.

<sup>38</sup> These figures can usefully be compared with the equivalent statistics for neighbouring Botswana, where Gross Domestic Product per person was about the same as in Zimbabwe in 1980, but rose by 1990 to US\$3,500. Over the same period external debt in Botswana was US\$100 million in 1980 and US\$500 million at present.

<sup>39</sup> Under the prevailing circumstances in Zimbabwe, the loss of jobs by such farmworkers is difficult to establish. Estimates vary from 40,000 to 130,000. The figure of 70,000 quoted here is the Commercial Farmers’ Union estimate as quoted in the Pretoria News on 1.9.2001.

- Mining output is in decline in spite of sizeable deposits of gold, coal and base metals. Anglo-American has recently announced that new investments are on hold, including a promising platinum project. In 1999 a major Australian-run platinum project failed, which meant the loss of a US\$585 million investment and 3,500 jobs.
- Tourism, a significant source of foreign capital, has come to a virtual standstill.
- Since 1998 the country was involved in a resource draining war in the Democratic Republic of the Congo, at a cost so far of an estimated US\$500 million.
- Inflation is estimated at between 60 and 70 per cent and is predicted to rise to close to 100 per cent by the end of 2001, causing simmering tension and the prospect of protracted food riots.
- There is a critical foreign currency shortage.
- Tax collections are at an all time low, particularly in rural areas affected by land invasions.
- A number of donor programmes have been frozen or terminated, including a 12-year urban upgrade programme funded by the World Bank.

Many of these declines have deep structural origins. Since independence, Zimbabwe has not made a decisive break from the legacy of economic dualism, centralised control and inward-looking policy-making that characterised the Smith regime. The economy is still divided between a small formal sector and a large, generally subsistence level informal sector. Well-documented evidence shows that economic control is still largely in the hands of a clique of a few powerful and rich individuals connected to the ruling party. Most significant economic reforms are still being externally imposed and tardily implemented - if implemented at all.

Within this context, land and agrarian issues impact heavily on the economic equation of Zimbabwe. Agriculture is the leading sector in the Zimbabwean economy, contributing 13-20 per cent of GDP, 40 per cent of export earnings and employing between 300,000 and 500,000 people (i.e., between 13 and 33 per cent of the estimated formally employed workforce of 1.5 million). To this must be added a considerable spin-off effect into other sectors. An estimated 60 per cent of Zimbabwean industry is agriculture-based, while the agricultural sector consumes about 20 per cent of the total output of industry. A 1994 commission had expectations of agriculture remaining the dominant sector in terms of export growth, employment generation and provision of rural household incomes in a context of constrained industrial growth, and the commission recommended an official policy that strongly supports agriculture.<sup>40</sup>

The link between Zimbabwean economic development and commercial agriculture is such that “when agriculture sneezes, the economy gets a cold”. The link was demonstrated in 1992, when the country experienced the worst drought of the century. The effect on the economy was traumatic, with per capita growth declining from 3.7 per cent in 1990 and 2.3 per cent in 1991, to -11.8 per cent in 1992 and -2.1 per cent in 1993, forcing the diversion of precious foreign currency reserves to food imports.

<sup>40</sup> Zimbabwe Government, “Report on the Commission of Inquiry into Appropriate Agricultural Land Tenure Systems: Volume 2: Technical Reports”, October 1994.

Recent developments concerning land are another big “sneeze” for Zimbabwean agriculture and will have a marked economic impact. The spate of illegal occupations of commercial farmland since February 2000, coupled with the refusal or inability of the State to protect the property rights of the landowners, in spite of court orders to that effect, has resulted in deep insecurity within the industry. The subsequent hasty launch of a “fast track” redistribution programme, and the deployment of new legal instruments designed to reduce or even eliminate the need for financial compensation, has exacerbated the situation. Some affected farmers have abandoned their properties. Others have stayed on, but in the absence of credit and a clear future they have drastically scaled down their operations to the bare minimum. To keep going financially, affected farmers have had to sell any items of value, including animals, tools and trees. Unprecedented selling of cattle for slaughter, including dairy cattle and breeding cows in calf, has caused an overflow of supply at the abattoirs, and the prospect of future meat shortages.<sup>41</sup>

<sup>41</sup> Standard Chartered Bank Zimbabwe, “Business Trends Report”, September 2000. Also see Zimbabwe Independent, 15 September 2000: “As commercial farmers de-stock ... Zimbabwe to run out of beef”.



*White farm under threat*

## The Economic Debate

Economists agree that the effect of these developments on the Zimbabwean economy will be profound. However, it appears from interviews conducted by COHRE in the country that there is great divergence on the nature of these impacts.

To some, the conclusion that must be drawn from the figures is that a catastrophe is in the making, and that long-term damage will be done if the present course is maintained. The invasions, occupations and accelerated land resettlement policy amount to a “fast track to calamity”.<sup>42</sup> An urgent rescue operation is needed to minimise the damage that has already been done. The government is urged by its citizens to “see reason”, “have a change of heart”, and return to a coherent, well-planned land acquisition and resettlement strategy.

According to Dr. Innocent Matshe, lecturer in Economics at the University of Zimbabwe, the ingredients for an intensive and successful land resettlement programme are already in place, rendering the land occupations and the fast track programme both unnecessary and counterproductive. All the work has been done, in his view, to set up a framework and to create the necessary legal instruments. In his view what government should do is:

- Convince the various parties to abandon their hard line positions and to work together.
- Use the agreements reached between parties in 1998 and 1999 on the next phase of land reform as a framework.
- Find outside funding to assist this crucially important process, as the Zimbabwean economy will not be able to afford it in the short or medium term. The only strings that should be attached to this funding should be transparency and accountability.
- Stop the fast track process immediately and take illegal occupiers off the land.

<sup>42</sup> So intense has been the reaction that it has reverberated beyond the borders of Zimbabwe, to the South African Stock Exchange and the value of the South African Rand. Events around land in Zimbabwe, together with Dollar strength and Euro weakness, were blamed for a 20 per cent loss in value of the Rand against the Dollar between January and October 2000. A year later the situation was ever worse. See “Zimbabwe has Manuel in despair: Finance Minister says the contagion effect of escalating crisis in SA’s neighbour state fuels rand woes”, Business Day 6.9.01.

- Identify farms to be used for land reform and identify sources of funding for acquisition and resettlement.
- Carry out a survey of the land for tax and titling purposes.
- Resettle, and offer support to the new occupants.
- Transfer the land into the names of the new occupants (individual or group title).

Dr. Matshe acknowledges that there will inevitably be a shock to commercial agriculture if the above measures are taken. This should be accepted by all, including commercial farmers themselves. Steps should be taken to minimise and deal with that shock. But he insists that successful land redistribution is possible without any illegal acts, violence or intimidation.

Dr. Kay Muir-Leresche, agricultural economist at the University of Zimbabwe, agrees that land redistribution can be achieved legally, and could in fact have been well on its way. She attributes the slowdown of delivery during the 1990s to a combination of vested interests and a lack of political will. The entrenched restrictions on land acquisition imposed by the Lancaster House Constitution fell away in 1990 (duly removed by the Constitution of Zimbabwe Amendment (No. 11) Act 30 of 1990) and in 1992 an enabling law, the Land Acquisition Act was put in place.

But the priorities of government lay elsewhere and funds were diverted away from land reform.<sup>43</sup> Some of the money budgeted was not used, partly as a result of the inability or unwillingness of the relevant departments to follow their own laws and procedures. Acquired land mainly went to middle class black Zimbabweans – “redistribution for productive purposes” – using highly controversial allocation procedures favouring well-off politicians, military personnel and officials in the ruling elite (see Annex 2). In this context, it was easy for opponents of redistribution to obstruct, circumvent and discredit the process, which many of the affected commercial farmers duly did. The end result was that very little effective land resettlement targeting the acquisition of land for the poor took place during the 1990s.

Dr. Muir-Leresche also points out that much more could easily have been done to achieve effective land reform and redistribution, even of prime agricultural land. The 1994 Rukuni Commission of Inquiry into Appropriate Agricultural Land Tenure Systems had proposed measures designed to free up land. In her view a combination of a land tax, revision of the laws and procedures governing subdivision of agricultural land, decentralisation of control from the centre, and the creation of incentives for the release of land for resettlement of the landless, would have been more than adequate to achieve the desired goal. But the proposals were not implemented, as it was not in the interests of the ruling elite to do so.

<sup>43</sup> The scale of the problem is reflected in the following figures: “Z\$40 million allocated to yet another State Guest house while resettlement is allocated Z\$10 million. Telephone expenses by the National Army amount to Z\$19 million .... The 1998 budget provides Z\$35 million to Defence for telephones ... Diplomatic mission staff were paid excessive salaries with the highest paid earning more than President Clinton. Rents from military expenditures; the sale of State assets; access to War Veterans injury compensation, housing schemes etc. all misappropriated for select individuals, and even after being publicised, remain unpunished. With the economy on the brink of collapse in late 1997 and early 1998, new top-of-the-range vehicles were imported for Ministers.” (Muir-Leresche, op.cit, footnotes on pp.15, 17)

According to Dr. Muir-Leresche, “the existing system restricts access to land and is a powerful tool for government control over the most fundamental resource in the country and the proposed solutions ensure a continued stranglehold over land. The current policies reduce both growth and equity, but enhance the longevity of the party in power”.<sup>44</sup>

In strong contrast to the views of Dr. Matshe and Dr. Muir-Leresche, Dr. Clever Mumbengegwi, also an economist, vigorously defends the stance taken by government. He argues there is little use in discussing “efficiencies” and “production levels” in commercial agriculture, if the very foundation of production is unequal. The same applies to the possible effects the process might have for the farm workers living on the commercial farms.<sup>45</sup> In his view the real issue is resettling the poor on good quality land in order to increase their productive capacity. He is of the view that radical redistribution of the land is long overdue, and that now is perhaps as good a time as any to do the job properly.

Dr. Mumbengegwi also feels that Zimbabwe has already paid the price of commencing the programme by being branded a “rogue state”; it may as well complete the job. The new target of government is to resettle 150 thousand families on 5 million hectares, with 20 per cent reserved for war veterans. No further time can be wasted before implementing it. There is no money inside Zimbabwe and it is clear that the United Kingdom will not foot the bill for land acquisition. It is also clear that large-scale commercial farmers will not make the required contribution without force. So there is no other option but to choose occupation and fast track resettlement. This is not the preferred option — it is, rather, a circumstantial, enforced option. But what good reason is there to wait any longer? He questions the motives of any person who wants to discuss economic statistics at this stage in Zimbabwe’s history. He asks how it can possibly be justified to use arguments about effects on production, while 12 million hectares of prime agricultural land is in the hands of less than 4,000 individuals. In his view the motive of those who focus on immediate economic impact is to subvert land distribution in Zimbabwe. According to Dr. Mumbengegwi, preoccupation with possible negative consequences will cause the government to lose its focus and resolve, with the result that the redistribution process does not take place at all. And that is what the opponents of land redistribution want.

<sup>44</sup> Muir-Leresche, *op.cit.*, p. 35

<sup>45</sup> *Op.cit.*, p. 35

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*Backyard shack in township outside Harare*

## Towards a Possible Breakthrough

The “negative consequences” referred to by Dr Mumbengegwi multiplied in the course of 2001. These included accelerating economic decline, unprecedented price increases, chronic fuel and food shortages, heightened political tension, ongoing harassment, intimidation and even murder of non-supporters of the ruling party and increased instability over the land issue.

By August a new crisis point was reached. In the previous month the government had published its intention to acquire a further 2,030 commercial farms for seizure under its accelerated land redistribution programme. This brought the total number of farms intended for reallocation to 5,200, out of a total of about 5,500. The Commercial Farmers Union, who was by that stage involved in ongoing negotiations with the government on land to be made available for land reform,<sup>46</sup> appeared puzzled at the reasons behind this new move: “About 95 per cent of the union’s membership is now listed. They must have been going through the Deeds Registry picking up every white rural property”.<sup>47</sup> On the ground tensions were running high. By this stage it was estimated that at least one in four commercial farmers were unable to continue with normal farming operations, and that 80-90 per cent of white commercial farms had been affected, whether in the form of direct invasion, enforced work stoppages, looting or intimidation.<sup>48</sup> In the second week of August things turned violent as white farmers clashed with groups of land invaders on farms in Chinhoyi. After the arrest of some of the farmers, the conflict briefly spilled over into the town. Widespread looting of farms was reported, in this and other areas.

<sup>46</sup> The fate of farm workers as a result of the occupations and fast track process is a concern often raised by the Commercial Farmers Union (CFU), the Farmworkers Community Trust (FCT) and the General, Agricultural and Plantation Workers Union of Zimbabwe (GAPWUZ).

<sup>47</sup> This is referred to as the Zimbabwe Joint Resettlement Initiative (ZJRI), discussed below.

<sup>48</sup> Sunday Times 1.7.01, Pretoria News 3.7.01.



Journalist Peta Thornycroft reported that this was “the worst case of farm violence over six consecutive days that Zimbabwe has seen since the land invasions began nearly 18 months ago. ...[This is] the richest farming area in Zimbabwe; it produces 50 per cent of all Zimbabwe’s exports from agriculture. And they have systematically ransacked 20 houses, at a count as of a few minutes ago, but in addition they have stolen millions and millions of [Zimbabwean] dollars’ worth - maybe hundreds of millions - of farm inputs for the upcoming planting season. ...This is the worst vandalism that the country has endured.”<sup>49</sup> A few days later editors and journalists from the independent Harare newspaper the Daily News were arrested for publishing a report that police vehicles had been used in the looting in Chinhoyi and Mhangura. They were to face charges of “publishing false news likely to cause public alarm and despondency.”<sup>50</sup>

Rumours began to circulate that a decision had been made to make life totally intolerable for white landowners, with the deliberate intention of driving them all out of Zimbabwe.<sup>51</sup> But the unfolding events in Zimbabwe had to do with much more than land. The landowners were not the sole or even the main target: “[T]he real targets of all of this are the opposition Movement for Democratic Change and their very poor and defenceless [followers] out there. Living in absolute terror, unable to freely associate, unable to have rallies, unable to tell their stories to anyone but the privately owned press who themselves are restricted in travelling because ... they’re seen as just as bad as the foreign press. So one needs to get a sense of balance in this. Yes, it’s a terrible situation for the farmers because it’s struck at their businesses, it’s struck at the businesses which keep this country going. But in terms of these terrible human rights abuses, that is still happening mostly to black people on the ground.”<sup>52</sup> In their response to the events of this period the opposition warned that the government was trying to provoke the citizens of the country to justify a state of emergency ahead of the presidential elections scheduled for April 2002.<sup>53</sup>

By midyear it was clear to all observers that an urgent, robust and comprehensive solution to the crisis was needed. Initiatives began to emerge, both outside and inside Zimbabwe. An example of an internal initiative is the work done by the Zimbabwe Joint Resettlement Initiative (ZJRI), through which commercial farmers have pledged to make one million hectares of uncontested land across all provinces and agro-ecological zones available to land reform. The ZJRI held its first formal meeting with government on 11 July 2001, and on 5 September 2001 a proposed 531 farms totalling 976,452 hectares were accepted in what was described as a “historic step” by the CFU. In the absence of President Robert Mugabe who was out of the country at the time, Acting President Joseph Msika described the ZJRI as “a home-grown solution, which amply shows that Zimbabweans are capable of solving their own problems.”<sup>54</sup>

49 CFU estimates, September 2001.

50 Extract from interview with journalist Peta Thornycroft on the SABC programme “The Editors”, as broadcast on 12.8.01.

51 Pretoria News 16.8.01.

52 Pretoria News 9.8.01. Note that Zimbabwe has a very small white population, estimated at between 40,000 and 50,000, which is less than in Zambia. Of these only about 8000 are economically active.

53 Extract from interview with journalist Peta Thornycroft on the SABC programme “The Editors”, as broadcast on 12.8.01. The point made by Thornycroft is starkly reflected in the casualty statistics. According to the Guardian Weekly newspaper, 11 people were killed, 61 disappeared and 288 were tortured in Zimbabwe in July 2001 alone, as part of Zanu-PF efforts to hold onto power, as compared to nine white farmers killed in the 16 months since April 2000.

54 Sunday Independent, 12.8.01. There were also reports around this time of a hit list of civic society people targeted for elimination (see Pretoria News 23.8.01).

But by this late stage other countries were fast losing hope that any “home-grown solution” would materialise. In neighbouring South Africa signs of the need for urgent intervention were becoming clear, as the comprehensive but painfully slow South African land reform programme was at risk of being overrun by organised land occupations by land hungry groups who were following the ‘Zimbabwe’ option. The most publicised and highly politicised example was the Bredell invasion of early July 2001, but there were many others.<sup>55</sup> At Bredell in Kempton Park near Johannesburg an estimated 2000 people took occupation of small plots of land on private and state property. The occupants indicated that they had paid R25 (US\$3) per plot to members of the Pan African Congress (PAC). The PAC initially denied their involvement, but then came out in strong support of the residents. The government denounced the invasion and ordered people to leave. After warnings of violent resistance by the residents followed by swift court action by the State, the occupants were ordered off the land and their shacks were demolished.

From the middle of the year a new resolve became evident in the public statements of different governments. The time for the ‘quiet diplomacy’ of the previous 18 months was over, to be replaced by two joint initiatives, the first by the Commonwealth and the second by the Southern African Development Community (SADC).<sup>56</sup> A conference of Commonwealth countries was held on 6 September 2001 in Abuja, Nigeria. According to reports hard words were spoken at this meeting, including threats of sanctions and expulsion from the Commonwealth.<sup>57</sup>

The outcome of the meeting was an agreement that acknowledged that the situation in Zimbabwe was extremely serious, posing “a threat to the socio-economic stability of the entire sub-region and the continent at large”. The parties agreed that “land is at the core of the crisis in Zimbabwe and cannot be separated from other issues of concern to the Commonwealth such as the rule of law, respect for human rights, democracy and the economy”. It was resolved that Zimbabwe would put an end to all illegal occupations of white-owned farmland and return the country to a rule of law. Countries such as Britain would provide financial assistance and a programme of land reform would be implemented “in a fair, just and sustainable manner, in the interest of all the people of the country, within the law and the constitution of Zimbabwe”. (For the full text of the agreement see Annex 6.) The agreement was hailed as a “total breakthrough”, but commentators warned against naïve optimism, pointing out that much depended on the will and the ability of the Zimbabwean government to implement the agreement.<sup>58</sup> President Mugabe was urged to do the necessary to make the agreement work.<sup>59</sup>

A few days later, at a meeting between the Zimbabwe government and an SADC task team comprising the leaders of South Africa, Namibia, Botswana, Tanzania, Mozambique and Malawi, the pressure on Mugabe to stick to the rule of law in Zimbabwe was even greater. At the opening of the

<sup>55</sup> For information see the CFU Website at [www.mweb.co.zw/cfu](http://www.mweb.co.zw/cfu)

<sup>56</sup> See list of examples of land invasions in South Africa in the year leading up to July 2001, given in Annex 7.

<sup>57</sup> It is also worth noting that the United States Senate had recently passed the Zimbabwe Democracy and Economic Recovery Act, which provides for sanctions against Zimbabwe unless attacks against the opposition cease and the media and judiciary are protected (Sunday Independent 12.8.01). The European Union has been considering similar action.

<sup>58</sup> Cf. “Nigeria attacks farm invasions”, Daily News, 7.9.01. South Africa, Nigeria, Zimbabwe, Canada, Australia, Jamaica, Kenya and the United Kingdom attended the meeting.

<sup>59</sup> Daily Telegraph 7.9.01. See also “UK to renew \$3bn offer for land reform”, Daily News 7.9.01.

meeting in Harare on 10 September 2001 the SADC chairperson, Malawian President Bakili Muluzi said that state sponsored land invasions and violence, rather than land reform itself, were responsible for the overall crisis in the country. Although there were reports of tensions at the meeting, particularly between Mugabe and South African President Thabo Mbeki, Muluzi assured reporters at the close that “things are going to change because the government of Zimbabwe is committed to the issues which we have discussed.” Rather ominously, however, the war veterans made a statement that they refused to leave occupied land if no other land was made available to them.<sup>60</sup>

The Abuja and Harare meetings demonstrated a new determination by concerned governments to confront the key issues facing Zimbabwe once and for all. However, as the 2002 presidential election draws nearer,<sup>61</sup> the general situation in Zimbabwe is in danger of deteriorating further, which will make implementation of the Abuja agreement very difficult indeed.

<sup>60</sup> See “Toe the line, Mbeki tells Mugabe”, *Saturday Star* 10.9.01.

<sup>61</sup> *Star*, 10.9.01 and *Mail and Guardian* 14-20 September 2001. See also “50,000 farm invaders face eviction”, *Daily News* 7.9.01.



11

*Makichi Plot No.1*

# Zimbabwe's Human Rights Obligations in Perspective

The 'accelerated' or 'fast track' land reform processes in Zimbabwe over the past eighteen months have been characterised by blatant disregard by land invaders for the laws of the country, coupled with an apparent inability or reluctance by the government to implement those same laws. This seems to suggest that the applicable laws of Zimbabwe are not capable of delivering a credible land reform programme to those in need of land, nor to provide protection and physical security for the legal owners of the land. This is by no means the case. Ample legal instruments do exist that could be used as a basis for an effective land reform programme, and for the protection of basic human rights. The problem has not been the absence of legal instruments, but rather the unwillingness or inability of the State to implement its own laws and international obligations, coupled with a government sponsored land acquisition process which favours an exclusive set of political interests.

In Zimbabwe, as in virtually all countries of the world, land is an invaluable natural resource. Throughout human history, control of land has been and remains an important source of some of the most brutal conflicts at community, national and even international levels. In many African societies, land has a much deeper meaning than merely its physical characteristics just the physical land. It represents something priceless in its embodiment of tradition, culture, religious or ancestral heritage. As a symbol of wealth and power, land can also be the subject of acrimonious disputation, intrigue and rivalry – a reality that has transcended the feudal, colonial and the present era of economic globalisation. In agrarian societies, the value attached to land is even greater and the competition for it more fierce and enduring. The right of ownership, possession or access to land is directly linked to access to other basic human rights to food, water, employment, education and health upon which survival ultimately depends.

The land tenure system in place in a given society is often an expression of the value attached to land. This may assume a variety of forms, depending on the particular society in question. At the same time, while considerable progress has been made on housing rights, the right to land or land

rights – though closely related to many elements of housing rights – remains one of the least developed aspects of international human rights law. This in itself is a reflection of the complexity of the land question in many domestic legal systems, which have made the task of articulating widely applicable standards an onerous one.

However, some general principles do exist. The right to property (encompassing the right to land) is found under international law as a basic human right.<sup>62</sup> The Universal Declaration of Human Rights, 1948 (Article 17) states that “everyone has the right to own property alone as well as in association with others”, and that “no one shall be arbitrarily deprived of his property.” Article 14 of the African Charter on Human and Peoples’ Rights provides that “the right to property shall be guaranteed. It may only be encroached upon in the interest of the public need or in the general interest of the community and in accordance with the provisions of appropriate laws.” The right to adequate housing guaranteed under Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR)<sup>63</sup> is deemed to contain implicit recognition of the right to property.

The constitutions of most countries of the world, including Zimbabwe, contain express or implied recognition of the right to property. The Constitution of Zimbabwe guarantees the right to property in section 16, however, recent amendments to the Constitution have significantly expanded the grounds on which property can be compulsorily acquired. Section 16A of the Constitution now provides that:

“16A Agricultural land acquired for resettlement

In regard to the compulsory acquisition of agricultural land for the resettlement of people in accordance with a programme of land reform, the following factors shall be regarded as of ultimate and overriding importance –

- a - under colonial domination the people of Zimbabwe were unjustifiably dispossessed of their land and other resources without compensation:
- b - the people consequently took up arms in order to regain their land and political sovereignty, and this ultimately resulted in the Independence of Zimbabwe in 1980;
- c- the people of Zimbabwe must be enabled to reassert their rights and regain ownership of their land;

and accordingly—

- i - the former colonial power has an obligation to pay compensation for agricultural land compulsorily acquired for resettlement, through an adequate fund established for the purpose; and
- ii - if the former colonial power fails to pay compensation through such a fund, the Government of Zimbabwe has no obligation to pay compensation for agricultural land compulsorily acquired for resettlement.

<sup>62</sup> According to commentators the chances of these elections being free and fair are not good. Recent diplomatic efforts in Nigeria and Harare include attempts to get the Zimbabwean government to fully commit to free and fair elections under independent international observation.

<sup>63</sup> Adopted by the United Nations General Assembly (UNGA) on December 10, 1948.

(2) In view of the overriding considerations set out in subsection (1), where agricultural land is acquired compulsorily for the resettlement of people in accordance with a programme of land reform, the following factors shall be taken into account in the assessment of any compensation that may be payable-

- a - the history of the ownership, use and occupation of the land;
- b - the price paid for the land when it was last acquired;
- c - the cost or value of improvements on the land;
- d - the current use to which the land and any improvements on it are being put;
- e - any investment which the State or the acquiring authority may have made which improved or enhanced the value of the land and any improvements on it;
- f - the resources available to the acquiring authority in implementing the programme of land reform;
- g - any financial constraints that necessitate the payment of compensation in instalments over a period of time; and
- h - any other relevant factor that may be specified in an Act of Parliament”.

Reasonable exceptions to the enjoyment of the right to property, like most other rights, is permissible, perhaps even necessary, for a declared public interest objective. The process, terms and conditions for such derogation must be clearly stipulated by law, which must also guarantee the right of affected citizens to challenge any imposed limitations before properly constituted courts or tribunals.

While the duty of the government to protect existing rights and interests in land is undeniable, the government also has a corresponding obligation to enhance access of the poor and other marginalized groups to land and land resources. This would be in keeping with the country’s constitutional and international human rights obligations to respect, protect, promote and secure the rights of everyone to internationally guaranteed human rights.<sup>64</sup> Despite the emotive nature of the land issue, there is still virtual consensus in Zimbabwe that land reform and redistribution are not only desirable, but also a vital necessity in order to redress the stark imbalances and inequities of the land holding system. Indeed, the need for land reform was a key feature of the Lancaster House Agreement itself. It has been central to government policy ever since independence, and the involvement of several multilateral donor agencies and governments in various aspects of the land question is also taken as recognition of the validity of land redistribution in Zimbabwe. In the present context, the opposition MDC and the Commercial Farmers Union often confirm their support for the principle of land reform, albeit of a different type to the current “fast track” process.

However, Zimbabwe’s current land crisis seems to have less to do with land reform or redistribution as a desired objective, and more with how the process has been managed or mismanaged by the government of Zimbabwe. At the heart of the conflict are the violent invasions of mostly white-owned commercial farms by war veterans and their supporters. These attacks, in which people

<sup>64</sup> Zimbabwe ratified the International Covenant on Economic, Social and Cultural Rights in 1991.

have been terrorised and some killed, valuable properties have been destroyed, and tens of thousands of black Zimbabweans have been put out for work, have been perpetrated with the support, direct or tacit, of the Robert Mugabe-led government.

At the very least, the government has condoned these farm invasions by its failure to protect and uphold the rights of the affected farmers, to end the violence and to bring the perpetrators to justice. In many cases, these invasions resulted in the forced eviction of farm owners and farm workers from their homes in violation of due process. These acts and omissions constitute flagrant violations of the Constitution of Zimbabwe and of internationally recognized human rights, including the rights to property, life, dignity, freedom of movement, adequate housing, education and freedom of association.

Rather than permit the full operation of the rule of law in the design and implementation of land reform, the government at various turns has continuously exploited the land issue for its own narrow political agenda. In the process, equity, fairness, reason and rationality have been sacrificed for political expediencies. State resources and instruments which ought to be vigorously utilised to give maximum protection to farmers vulnerable to or affected by farm invasions were rather mobilised to defeat the rule of law and guaranteed human rights by aiding and abetting perpetrators of the mayhem. Paradoxically, the outcome is also likely to prove counterproductive to the rights and interests of the ordinary Zimbabweans who were moved onto the violently acquired land. Given the levels of destruction of infrastructure, agricultural inputs and capacity to use the land productively, the chances of sustainable development or even mere survival on the land acquired are not high, at least not in the short and medium term.

Another crucial element of the land controversy is the failure of the government to ensure that adequate compensation is provided to farm owners whose lands have been occupied by the invaders or compulsorily acquired by the government. In its own defence, the Zimbabwean government has argued that the withdrawal of donor support has severely constrained its ability to guarantee compensation based upon prevailing market value of the farms. The “fast track” land redistribution programme represents its effort and determination to proceed with the land redistribution program at all costs. The attempt by the government in the new s16A of the Constitution to shift its own obligation to pay compensation to the “former colonial power” is debatable.<sup>65</sup> The Constitution of one country cannot place obligations on a second country, unless this is based on a binding mutual agreement between the two. In the light of the history of Zimbabwe, there may well be a moral obligation on the “former colonial power” to fund compensation for land acquired for redistribution purposes. However, no legal obligation to do so can be derived from the Zimbabwean Constitution. Much depends on agreements that may be struck between the two countries – and this has been the subject of much of the negotiations between Zimbabwe and the United Kingdom over the past years. The fact that agreement is necessary is of course of scant comfort to those Zimbabwean citizens being forced off their land without compensation, as the provisions of 16A of the amended Constitution appear to effectively deprive them of their right to receive compensation from their own government.

<sup>65</sup> See Article 2(1) of the ICESCR which mandates States Parties to *take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.*



The insertion of 16A into the Zimbabwean Constitution contradicts the duty of the State to provide effective remedies for human rights violations as entrenched under various instruments ratified by Zimbabwe. Article 2(3)(a) of the International Covenant on Civil and Political Rights<sup>66</sup> mandates State Parties “to ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective an effective remedy, notwithstanding the violation has been committed by persons acting in an official capacity.” According to Article 21(2) of the African Charter, “in case of spoliation, the dispossessed people shall have the right to the lawful recovery of its property as well as to an adequate compensation.” As the UN Committee on Economic, Social and Cultural Rights has explained, “... those living within the jurisdiction of a State Party have a legitimate expectation, based upon the principle of good faith, that all administrative authorities will take account of the requirements of the Covenant in their decision-making. Any such administrative remedies should be accessible, affordable, timely and effective.”<sup>67</sup>

The Government of Zimbabwe, therefore, appears to be in denial of its obligations to provide effective remedies to farm owners and other citizens who have been victimised by the continuing farm invasions by war veterans and other supporters of the government. Where efforts have been made to right the wrongs, steps taken have been neither timely nor effective. As a result, many have lost faith in the ability of the government and its institution to be fair and impartial in the resolution of important issues around the land crisis.

The government’s role and approach to the invasions of predominantly white owned farms and its indifference to their predicament has also given rise to concerns that the invasions are racially motivated; that this is an attempt to square up with the historical injustices committed by white colonialists when they were forcibly dispossessed the original African owners of their lands. Such a policy would be in breach of the cardinal human rights principles of equality and non-discrimination.<sup>68</sup> When Zimbabwe ratified the ICESCR, it undertook to “guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.”<sup>69</sup>

66 In addition to the points made here, 16A of the Constitution also needs to be considered against the existing provisions of the Land Acquisition Act which oblige the “acquiring authority” to pay “fair compensation” after following certain steps to determine the amount (cf. Land Acquisition Act Chapter 20:10, s16 onwards).

67 The UN Committee on Economic, Social and Cultural Rights has legal authority to issue pronouncements on how the Covenant is or is not implemented.

68 General Comment on the Domestic Application of the International Covenant on Economic, Social and Cultural Rights, No. 9 (1998), paragraph 9.

69 See section 23 of the Constitution of Zimbabwe which states:

(1) Subject to the provisions of this section-

(a) no law shall make any provision that is discriminatory either of itself or in its effect; and

(b) no person shall be treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of the functions of any public office or any public authority.

(2) For the purposes of subsection (1), a law shall be regarded as making a provision that is discriminatory and a person shall be regarded as having been treated in a discriminatory manner if, as a result of that law or treatment, persons of a particular description by race, tribe, place of origin, political opinions, colour or creed are prejudiced—

(a) by being subjected to a condition, restriction or disability to which other persons of another such description are not made subject; or

(b) by the according to persons of another such description of a privilege or advantage which is not accorded to persons of the first-mentioned description;

and the imposition of that condition, restriction or disability or the according of that privilege or advantage is wholly or mainly attributable to the description by race, tribe, place of origin, political opinions, colour or creed of the persons concerned.



## 12 Conclusions

The land invasions in Zimbabwe are being fuelled by the unprecedented rise of poverty, unemployment and income disparities that exist in the face of ineffectual usage of Zimbabwe's immense natural and human resources. The problems are further compounded by a genuine hunger for land by the aggrieved members of the society who are of the opinion that the Government has not lived up to their expectations since the war of independence. Over six million people live in Zimbabwe's marginal rural lands without fertile soils or reliable rainfall, lacking control of water rights and restricted from access to the bulk of the nation's natural resources. Inequitable access to these resources means that a few thousand mainly white, large-scale farmers have dominated the country's substantial agrarian economy. Together with transnational capital, white agrarian interests have controlled key sectors of the economy including tourism, forestry, commodity exports and the narrow agro-industrial complex underlying its urban political economy. These imbalances have dramatically skewed the country's income and wealth distribution structure, reflecting an largely unchanged legacy of colonial rule. Thus, in spite of the war of independence, a narrow racial and class monopoly over key resources such as land has been consolidated through extra market and repressive governance processes for decades.<sup>70</sup>

A fundamental problem facing Zimbabwe's land reform policy is essentially how to balance the control and access to land by redistributing land from large-scale landholders to new small-scale and perhaps medium-scale users. The challenge here is how to peacefully transfer land to new users, and how to assist them to achieve the required production levels to support the ailing economy. It should be noted, however, that while the present policy has broad-based support, there are still segments of the society who feel that they are not adequately involved in and informed of the land policy formulation and implementation process. Land reform has consequently tended to be marred by a combination of parochial political pressures and a crisis of legitimacy for the ruling Zanu-PF party. Steam-rolling and non-transparent policy formulation procedures have subordinated the genuine land redistribution demands of the majority and distracted from the objective grounds that justify land reform, particularly the need for local and international resources to be mobilised towards this cause.<sup>71</sup>

Furthermore the land reform programme, whether in the original format or under the more recent "fast track" approach, has affected women adversely. Although women constitute 52 per cent of the entire population, they tend to enjoy a significantly less than an average share of the economic benefits of Zimbabwe. Women's opportunities for social and economic development are limited by discriminatory customary laws and practices, which govern social relationships, marital status and inheritance, among other things. In effect, a majority of women still have no direct access to and control of land. This situation is not acceptable as 86 per cent of women live in rural areas and are dependent on land for their survival. As a result of the prevalence of "African traditional prac-

<sup>70</sup> Article 2(2) of the ICESCR. See also Article 2 of the African Charter, and Article 2(1) of the International Covenant on Civil and Political Rights.

<sup>71</sup> Moyo, *The Land Acquisition Process in Zimbabwe* (1997/8), UNDP, 1998.

tices”, women often neither own cattle nor sophisticated implements essential for large-scale agricultural production, which limits their economic independence. In effect, a majority of the population is being deprived of the means of contributing to the country’s development.

The present situation is one of complete breakdown of the rule of law in the country, resulting in the erosion of the recognition of basic human rights and the non-adherence of the government to its own policies. Civil society is also concerned that the current approach to land reform would threaten food security at household and national levels as well as the country’s international obligations which will have an adverse effect on the country’s gross domestic product (GDP), including the inflow of much needed foreign capital. The present “fast track” approach as it is now being implemented, largely falls outside formal government structures and the rule of law. It fails dismally to address the developmental aspects that were meant to alleviate poverty, improve the socio-economic well being of the ordinary Zimbabwean and improve the management of natural resources.

The land invasions of the past 18 months have raised serious concerns among various groups and communities inside and outside the country. At first the invasions were peaceful and people regarded them as a campaign strategy by the ruling party for the hitherto forthcoming elections. Initially, the Minister of Home Affairs declared the invasions illegal and said that the war veterans should leave the occupied farms. This position was contradictory to the stance taken by the President who said that the ex-combatants could remain on the invaded properties. The situation was worsened by the fact that the police had expressed unwillingness to intervene in the issue, on the grounds that the invasions were a political matter.

From the war veterans’ point of view, the occupations are demonstrations against the continued undermining by landowners and their supporters of government efforts to realise a speedy land distribution in the country. To be more specific, the war veterans are disgruntled by the alleged facts that:

- The British government has refused to acknowledge its “colonial responsibility” of supporting a land distribution programme in the country by providing resources to compensate the present landowners.
- Commercial farmers have resisted comprehensive land reform through a multitude of court actions instituted against compulsory acquisition.
- Commercial farmers played an active role in mobilising a “no” vote against the draft constitution, which would have given the government broader powers to acquire land.

The above articulates reasons for the war veterans’ frustration as well as their belief that they have been cheated out of a deal that should have been realised immediately after independence. Indeed, there is a sense of betrayal of the people who staked their lives for the country’s independence since land was one of the motivating factors for fighting the war in the first place. However, although a majority of the population shares concerns over the slow pace of the land resettlement programme, there is an emerging consensus that the war veterans and the government have taken entirely the wrong approach towards resolving the problems and are steering the country towards political and economic disaster.

The September 2001 Abuja Agreement provides a valuable initial framework for dealing more constructively with the land debate in Zimbabwe. It is hoped that the Government and the international donor community will comply fully with the Agreement and begin to treat the land issue as a matter of human rights, and not political expediency. Consistent with its voluntarily assumed human rights obligations, the Mugabe administration should take immediate steps to abate the continuing violations of the human rights of its citizens by establishing an ordered and coherent land redistribution policy and programme. The government cannot abdicate its responsibilities by enacting policies or legislation that negate its international legal obligations. It must take the initiative to restore respect for the rule of law and democratic principles of fairness, equity and due process. It must engage all stakeholders in the land controversy, including the war veterans, commercial farmers, party supporters, donor governments and agencies in an effort to institute fresh discussions towards a peaceful resolution of outstanding issues.

The government's continuing intransigence will only deepen its isolation from the global community at great political, social and economic costs, and further constrain its capacity to fulfil its obligations to its citizens.

# 13

## Recommendations

Zimbabwe is faced by critical choices as to how to deal with the increasingly divisive land issue. It can choose to ignore its human rights obligations and ride roughshod over the Constitution and international human rights treaties in interests of land distribution as a tool of political interest. Or it can take the steps necessary, with the assistance of SADC countries, the Commonwealth and the international donor community, to ensure greater access to land, housing and property by the rural poor of the country while respecting the rights of landowners and farm workers who work on the land.

COHRE offers the following recommendations to the Government of Zimbabwe, donor nations and the international community with a view to ensuring that the housing, land and property rights of all Zimbabweans are fully respected and protected:

### **The Government of Zimbabwe should:**

1. Ensure that all land laws, policies and procedures are applied without racial, political, ethnic, gender or other form of discrimination.
2. Put in place the necessary administrative systems to ensure the effective implementation of land laws, policies and procedures.
3. Restore the rule of law in rural areas and prevent any further unlawful and arbitrary occupations of farms and lands.
4. Assist all farmers to get their crops in the ground to prevent looming starvation.
5. Protect the economic, social, cultural, civil and political rights of all farm owners and farm workers who have been displaced through land occupations.
6. Ensure the provision of fair and equitable compensation for all landowners whose farms and/or lands have been subject to occupation or acquisition.
7. Find adequate land and housing solutions for those currently arbitrarily occupying farms and lands, and relocate these persons within the shortest possible time frame.
8. Involve civil society in the design and implementation of a concerted, intensive land reform programme, including representatives of the farm worker community, farmers unions, relevant human rights organisations, the international donor community and NGOs. This may require the formulation of new policy and law to remove obstacles to land reform. Such new law should be based on maximum consensus amongst role players and stakeholders.

9. Ensure that the issue of gender equity is fully reflected within the land reform process and the resettlement programme.
10. Ensure that the rights of people residing on communal and State land are fully respected and protected. This should include maximum tenure security for the occupants, under land tenure and ownership arrangements acceptable to the occupants.
11. Take urgent steps to eradicate corruption, nepotism and patronage in land allocations and administration.
12. Ensure that land redistribution has the effect of meeting the basic social and welfare needs of the rural population (such as household food security), but simultaneously supports the broader economic development needs of the country as a whole.
13. Fully comply with both the letter and the spirit of the recent Abuja Agreement between it and the Commonwealth, as well as subsequent agreements struck with SADC leaders. Where necessary, obtain the assistance of the signatories in implementing the agreements.
14. Fully respect and promote the independence of the judiciary and the media, both in general and in their dealings with land issues.
15. Consider drafting and presenting to Parliament a national law to consolidate all relevant housing, land and property rights into a single law, which would be in full accordance and consistency with all national and international legal obligations held by the Government.

**The International Community and Donor Nations should:**

1. Consistently promote and monitor full compliance by all signatories of the Abuja Agreement, as well as subsequent agreements within the SADC.
2. Offer the government of Zimbabwe all possible assistance with the implementation of the above agreements.
3. Ensure that the land reform process in Zimbabwe is supported in the short, medium and long term through the provision of adequate financial, technical and other expert assistance. These aid programmes should be aligned and co-ordinated to ensure maximum effectiveness and development impact.
4. Actively ensure compliance by the Government of Zimbabwe with all relevant international human rights standards relating to housing, land and property rights.

# 14 Source List

## Publications

Martin Adams et al, “ODA Report of the ODA Land Appraisal Mission to Zimbabwe”, ODA 1997.

Martin Adams, “Breaking Ground: Development Assistance for Land Reform (October 2000).

Catherine Buckle, “African Tears - The Zimbabwe Land Invasions”, Covos Day Books 2001.

J Cusworth and J Walker, “Land Resettlement in Zimbabwe: A Preliminary Evaluation”, Evaluation Report EV 434, Evaluation Department, ODA 1988.

B H Kinsey, “Land Reform, Growth and Equity: Emerging Evidence from Zimbabwe’s Resettlement Programme”, Journal of Southern African Studies, 24, 2, pp. 173-196, 1999.

Mike Mispelaar, “Ending the Impasse and Moving Forward with Land Reform in Zimbabwe”, draft discussion paper, May 2000.

Joseph ZZ Matowanyika and Nelson Marongwe, Land and Sustainable Development in Southern Africa: An Exploration of Some Emerging Issues, ZERO 1998.

Sam Moyo, The Land Question in Zimbabwe, Harare 1995.

Sam Moyo, The Land Acquisition Process in Zimbabwe (1977/8), UNDP 1998.

Thoko Ruzvidzo and Joseph Matonwanyika, Setting the Basis for Dialogue on Land in Zimbabwe, Zero 1998.

Camilla Toulmin and Julian Quan (eds.), Evolving land rights, policy and tenure in Africa, DFID 2000.

United Nations Development Programme, Human Development Report, UNDP 1998.

Community-Based Resettlement Approaches and Technologies Project (Create) Newsletters.

Samuel Agere (ed.), Zimbabwe Post Independence Public Administration: Management Policy Issues and Constraints Codesria 1998 Oxford.

Catholic Commission for Justice and Peace in Zimbabwe and the Legal Resources Foundation, Breaking the Silence, Building True Peace: A Report on the Disturbances in Matabeleland and the Midlands, 1980-1988, Summary Report, Harare 1999.

Standard Chartered Bank Zimbabwe, Business Trends Report, September 2000.

Legal Resources Foundation, “Index to the Legislation in force in Zimbabwe 2000”, Harare 2000.

World Bank, “Zimbabwe: Land Reform and Resettlement Programme – Phase II: Summary of World Bank Comments on the Government’s Proposal”, Harare 15 July 1998.

## **Unpublished Papers and Documents**

Commercial Farmers’ Union, “Facts on Land and the Present Situation”, April 2000.

Commercial Farmers’ Union, “Land Reform Programme”, December 1997

Commercial Farmers’ Union, “Proposals for Land Reform for Zimbabwe, 1991”.

Ben Cousins, “The Zimbabwe Crisis: Lessons for the Region – Could Land Invasions Happen Here Too?”, Programme for Land and Agrarian Studies, Seminar Paper 5 May 2000.

Margaret Dongo, “Message from Margaret Dongo, President of the Zimbabwe Union of Democrats, and a founder member of the War Veterans Association, to the landless masses of Zimbabwe”, message with database of farms attached [n.d., but should be late 1999 or early 2000].

Farm Workers Community Trust, “Farm worker communities in the Fast Track Resettlement and Land Reform Programme, 1980-2000”, unpublished paper, n.d.

Sam Moyo, “The Interaction of Market and Compulsory Land Acquisition Processes with Social Action in Zimbabwe’s Land Reform”, Paper presented at the Annual colloquium on Regional Integration: Past, Present and Future, held in Harare on 24-27 September 2000.

Kay Muir-Leresche, “Agriculture and Macro-Economic Reforms in Zimbabwe: a Political Economy Perspective”, IFPRI MERRISA Project Discussion Paper, January 1998.

Movement for Democratic Change, “Agriculture, Land and Water Policy Statement”, June 2000.

Innocent Matshe, SAPES / SARIPS, “Subdivision of Large Scale Commercial Farms into Economically Viable Intensive Production Units for Settlement of New Farmers within the Framework of Land Reform in Zimbabwe, A Project Concept”, n.d.

Robin Palmer, “Robert Mugabe And The Rules Of The Game”, Oxfam July 2000.

Zimbabwe Human Rights NGO Forum, “Politically motivated violence in Zimbabwe 2000-2001: a report on the campaign of political repression conducted by the Zimbabwean Government under the guise of carrying out land reform”, August 2001 (available on [www.hrforumzim.com](http://www.hrforumzim.com)).

“Communiqué issued after the 1998 Donors’ Conference on Land Reform and Resettlement in Zimbabwe, 9-11 September 1998, Harare, Zimbabwe”.

## **Media**

BBC News (via web site transcripts)  
Business Day (South Africa)  
Daily News (Zimbabwe)  
Daily Telegraph (UK)  
The Economist (UK)  
Guardian Weekly (U K)  
Herald (Zimbabwe)  
Mail and Guardian (South Africa)  
Pretoria News (South Africa)  
Reuters  
Star (South Africa)  
Sunday Times (South Africa)  
Time Magazine (USA)  
Zimbabwe Independent (Zimbabwe)

## **Government (chronological)**

The Constitution of Zimbabwe, published as a Schedule to the Zimbabwe Constitution Order 1979 (S.I. 1979/1600 of the United Kingdom), as amended in 1981 (twice), 1983, 1984, 1985, 1987 (twice), 1989 (twice), 1990 (twice), 1993 (twice), [plus two more before 2000], and 2000.

“Report of the Commission of Inquiry Into Appropriate Agricultural Land Tenure Systems: Volume One: Main Report / Volume Two: Technical Reports / Volume Three: Methods, Procedures, Itinerary, and Appendices” (Chairperson Prof. Mandivamba Rukuni, Presidential Commission, Zimbabwe), October 1994.

Land Acquisition Act (Chapter 20:10), Revised Edition 1996.

Housing and Building Act (Chapter 22:07), Revised Edition 1996.

Inter-Ministerial Committee on Treaties List, “Zimbabwe Treaties List”, 10 June 1996.

“Report of the Commission of Inquiry into the Administration of the War Victims Compensation Act [Chapter 11:16]” (Chairperson Mr Justice Godfrey Guwa Chidyausiku, Judge President), May 1998.

“Land Acquisition and Resettlement Programme: a Policy Framework”, 26 May 1998.



“The Millenium Budget: Budget Estimates for the year ending December, 2000”, 1999.

“Inception Phase Framework Plan 1999 – 2000: An Implementation Plan of the Land Reform and Resettlement Programme (Phase 2)”, prepared by the Technical Committee of the Inter-Ministerial Committee on Resettlement and Rural Development and National Economic Consultative Forum Land Reform Task Force”, n.d.

Agricultural Land Tax Bill, 1999.

Constitutional Commission: “Draft new Constitution”, as published in the Herald, 1.12.2000. Does not include the changes made by the President prior to the Referendum of February 2000.

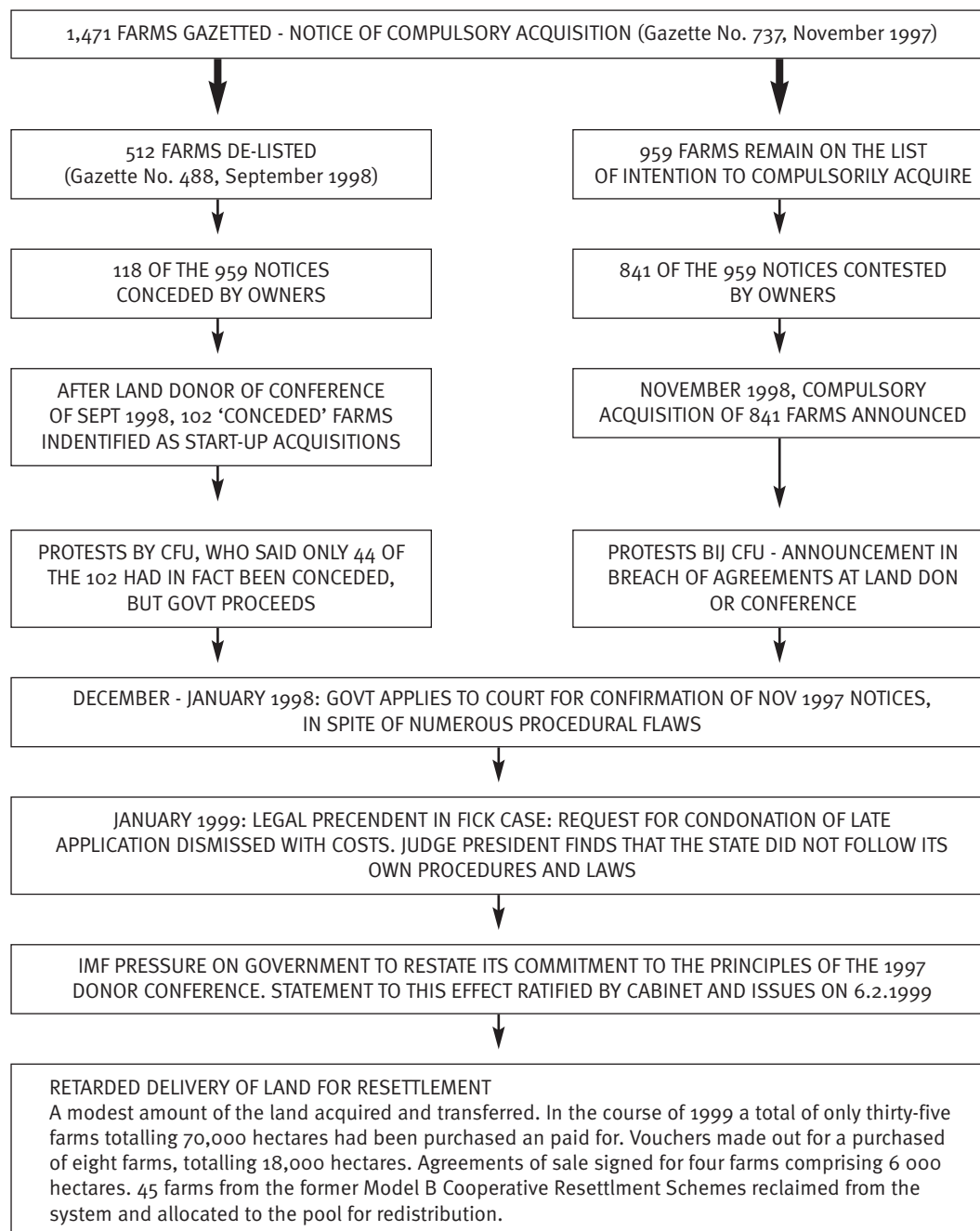
Presidential Powers (Temporary Measures) (Land Acquisition) Regulations, 2000, promulgated in terms of section 2 of the Presidential Powers (Temporary Measures) (Land Acquisition) Act [Chapter 10:20], May 2000.

Land Acquisition Amendment Bill, 2000 (first reading October 2000), on way via legal committee. The intention of the bill is to give longer term effect to the temporary amendments put in place via the Presidential Powers (Temporary Measures) (Land Acquisition) Regulations, 2000.

# 15 Annexes

## Annex 1

### Case Study of Delivery in the 1990s: Zimbabwean Land Reform and Resettlement Programme 1997 - 1999



## Annex 2

### MESSAGE FROM MARGARET DONGO AND LIST OF COMMERCIAL FARM ALLOCATIONS IN ZIMBABWE

Message from Margaret Dongo, President of the Zimbabwe Union of Democrats, and a founder member of the War Veterans Association, to the landless masses of Zimbabwe.

Not every person is born to be a farmer. The reason people want land now is because there are very few jobs and people are suffering. The reason there are very few jobs is because our economy is dying. The reason the economy is dying is because of the corruption and mismanagement by ZANU PF. The economy needs to be turned around and jobs will be created by a free market and a healthy economy. We need to attract investors into the country, and they will only come to invest if they see that their investments are safe. If they see property owners being threatened with eviction, they will not come because they will fear that their money and their businesses can also be taken away from them. This is the official list of farm land which was bought to resettle the landless . Look at it and see what has happened to the land. I appeal to my fellow war veterans not to let your suffering be used by selfish and greedy politicians who caused your suffering. This will not benefit you at the end of the day. It is the responsibility of the government to ensure that you have land or jobs, not to use you to create a commotion. The government have used you to fight for independence and they are using you again to hold on to power after 20 years of empty promises. If they get power again they will abuse it to their own benefit again and you will have nothing again. Comrades, you should stand up and be a watchdog of the government. If you do not do this you will have fought for nothing.

Margaret Dongo  
[nd]

**List of Commercial Farm Allocations in Zimbabwe up to 1999:**

**Attached to Margaret Dongo's "Message to the Landless Masses of Zimbabwe"<sup>72</sup>**

1st List - Commercial Farm Settlement

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Battlefields 01	Kadoma	1620.7	Mutandi R&E	99/10/01	Sept 30, 2097	To be assessed	Price Waterhouse	Agric Consultant
Battlefields 02	Kadoma	1571.6	Charamba Mr G			To be assessed	President's Office	Spokesperson
Battlefields 03	Kadoma	2035.6	Ncube D M			To be assessed	Ncube-Burrow P/L	Civil & Agric Engineer
Battlefields 04	Kadoma	924.0	Mufandaedza C			To be assessed	Self	Businessman
Battlefields 05	Kadoma	1878.3	Kahwa S	99/10/01	Sept. 30, 2097	To be assessed	Dept of Agritex	Extension Officer
Battlefields 06	Kadoma	1165.8	Msindo S G	99/10/01	Sept. 30, 2097	To be assessed		Partner
Battlefields 07	Kadoma	1409.6	Runyowa P & J L	99/10/01	Sept. 30, 2097	To be assessed	Self	Med. Practitioner
Battlefields 08	Kadoma	1300.1	Sithole L & N	99/10/01	Sept. 30, 2097	To be assessed	Agric Finance Cor	Dep General Manager
Battlefields 09	Kadoma	1151.3	Mupangu E G	99/10/01	Sept. 30, 2097	To be assessed	Enterprise Works	Agruculturalist
Battlefields 10	Kadoma	1486.1	Kanengoni E C			To be assessed	Self	Legal Practitioner
Battlefields 11	Kadoma	1293.7	Shereni W & S			To be assessed	Tsetse Control	Chief Tsetse Officer
Battlefields 12	Kadoma	1267.7	Mundangep- fupfu E T	99/10/01	Sept. 30, 2097	To be assessed	Self	Consultant
Battlefields 13	Kadoma	1528.0	Mawere J R			To be assessed	City of Kwekwe	Executive Mayor
Battlefields 14	Kadoma	1192.1	Chimbwanda W T	99/10/01	Sept. 30, 2097	To be assessed	Agric Finance Cor	Ass. Gen. Manager
Battlefields 15	Kadoma	1576.6	Rugube Lovemore M			To be assessed	University of Zimbabwe	Lecturer
Battlefields 16	Kadoma	2101.0	Kundhlande G & F			To be assessed	Safire	Deputy Director
Battlefields 17	Kadoma	1830.7	Sunguro S			To be assessed	Dept of Water	Water Engineer
Battlefields 18	Kadoma	1761.4	Zhou E & A			To be assessed	Zimbabwe Farmers Union	Op. Director
Battlefields 19	Kadoma	1902.8	Mbanje D	99/10/01	Sept. 30, 2097	To be assessed	ARDA	Planning co-ordinator
Battlefields 20	Kadoma	2149.7	Mugwagwa N O	99/10/01	Sept. 30, 2097	To be assessed	World Bank	Population Specialist
Battlefields 21	Kadoma	1696.4	Madzingo J T			To be assessed	City of Harare	Valuer & Estates Manager
Battlefields 22	Kadoma	1120.7	Gopo J M			To be assessed	SIRDC	Director
Battlefields 23	Kadoma	1219.6	Murau C H			To be assessed	Fidelity Printers	Chief Security Officer
Battlefields 24	Kadoma	1427.5	Tarugarira N S			To be assessed	Honda Group	General Manager
Battlefields 25	Kadoma	1482.9	Ushewokunze -Obatolo H U	99/10/01	Sept. 30, 2097	To be assessed	Dept of Vet Services	Veterinarian
Battlefields 26	Kadoma	1625.5	Manika F & R	99/10/01	Sept. 30, 2097	To be assessed		
Battlefields 27	Kadoma	1703.	o Maposa J P	99/10/01	Sept. 30, 2097	To be assessed	Anglo American	Human Resources Manager

<sup>72</sup> All rental figures in Zimbabwe dollars

SUMMARY BATTLEFIELDS ESTATE - KADOMA

Occupied by farmer	0
Absentee farmer with some agric experience	3
Absentee lessor, no apparent farming experience	24
Vacant	0
Deceased	0
Total	27

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Chisimbi 01	Lomagundi	901.7	Chinembiri Mr F	99/10/01	30/09/2097	To be assessed	Dept of Agritex	Animal Specialist
Chisimbi 02	Lomagundi	946.1	Mpeperekwi Mr S			To be assessed	Universiy of Zimbabwe	Lecturer
Chisimbi 03	Lomagundi	1122.0	Seremani Mr A			To be assessed	ZSR	Commercial Manager
Chisimbi 04	Lomagundi	1122.3	Mudimu Mrs R			To be assessed	Self	Radiographer

SUMMARY CHISIMBIESTATE -LOMAGUNDI

Occupied by farmer	0
Absentee farmer with some agric experience	1
Absentee lessor, no apparent farming experience	3
Vacant	0
Deceased	0
Total	4

Farm name	District	Extent ha	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Coburn 1	Chegutu	636.0	Chadenga V	98/01/01	31/12/2096	\$147,000.00	Min Agric - Tsetse control	
Coburn 2	Chegutu	927.0	Marimira G	98/01/01	31/12/2096	\$123,000.00	Min Agric - Vets	Health inspector
Coburn 3	Chegutu	951.0	Chiganzé T	98/01/01	31/12/2096	\$74,000.00	TA Holdings	Chief Executive
Coburn 4	Chegutu	890.0	Jonga JK	98/01/01	31/12/2096	\$221,000.00	DDF	Director General
Coburn 5	Chegutu	712.0	Gororo HM	98/01/01	31/12/2096	\$195,000.00	self	Farmer
Coburn 6	Chegutu	535.0	Munonyara D	98/01/01	31/12/2096	\$95,000.00	Population Services	Accountant
Coburn 7	Chegutu	183.0	Vacant			\$246,000.00		
Coburn 8	Chegutu	559.6	Munemo MD	98/01/01	31/12/2096	\$75,000.00	Min Env & Tourism	Director General
Coburn 9	Chegutu	412.4	Dzingwa LK	98/01/01	31/12/2096	\$75,000.00	self	Dairy farmer
Coburn 10	Chegutu	110.0	Muza H&L	98/01/01	31/12/2096	\$27,000.00	Min Agric	Agronomist
Coburn 11	Chegutu	110.0	Magumise CE	98/01/01	31/12/2096	\$25,000.00	Hubert Davis	Director General
Coburn 12	Chegutu	102.0	Mugabe G	98/01/01	31/12/2096	\$65,000.00	Min Agric	Extension officer
Coburn 13	Chegutu	102.0	Madzongwe E	98/01/01	31/12/2096	\$116,000.00	Parliament of Zimbabwe	Deputy Speaker
Coburn 14	Chegutu	82.0	Charamba I	98/01/01	31/12/2096	\$12,000.00	self	Farmer
Coburn 15	Chegutu	82.0	Mushamba CR	98/01/01	31/12/2096	\$18,000.00	self	Businesswoman
Coburn 16	Chegutu	87.0	Chizengeni T g	8/01/01	31/12/2096	\$34,000.00	Bells Engineering	Managing Director
Coburn 17	Chegutu	87.0	Chiminya N	98/01/01	31/12/2096	\$72,000.00	Hubert Davis	Agric engineer

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Coburn 18	Chegutu	60.0	Muza A	98/01/01	31/12/2096	\$75,000.00	Self	Farmer
Coburn 19	Chegutu	60.0	Karima A	98/01/01	31/12/2096	\$26,000.00	UZ	Lecturer
Coburn 20	Chegutu	60.0	Dube W	98/01/01	31/12/2096	\$26,000.00	Min Home Affairs	Police officer
Coburn 21	Chegutu	60.0	Karase C	98/01/01	31/12/2096	\$25,000.00		Company Director
Coburn 22	Chegutu	94.0	Chabikwa W	98/01/01	31/12/2096	\$62,000.00	Self	Farmer
Coburn 23	Chegutu	94.0	Zimbwa G	98/01/01	31/12/2096	\$203,000.00	self	Farmer
Coburn 24	Chegutu	245.0	Vacant			\$74,000.00		
Coburn 25	Chegutu	389.9	Moyo C	98/01/01	31/12/2096	\$65,000.00	self	Farmer
Coburn 26	Chegutu	128.0	Vacant			\$38,000.00		
Coburn 27	Chegutu	129.0	Vacant			\$38,000.00		
Coburn 28	Chegutu	92.0	Mujaho Z	98/01/01	31/12/2096	\$114,000.00	self	Farmer
Coburn 29	Chegutu	92.0	Matekaire K	98/01/01	31/12/2096	\$53,000.00	ZFU	Director General
Coburn 30	Chegutu	91.0	Gombo ST	98/01/01	31/12/2096	\$42,000.00	ARDA	
Coburn 31	Chegutu	91.0	Sibanda LM	98/01/01	31/12/2096	\$62,000.00	Linds Agric Svcs	Agric consultant
Coburn 32	Chegutu	354.9	Sibanda M	98/01/01	31/12/2096	\$144,000.00	President's Office	Permanent Secretary
Coburn 33	Chegutu	234.3	Mutemeri L	98/01/01	31/12/2096	\$38,000.00	Agric Research Trust	
Coburn 34	Chegutu	252.8	Jandles V	98/01/01	31/12/2096	\$32,000.00	self	Farmer
Coburn 35	Chegutu	211.2	Vacant			\$36,000.00		
Coburn 36	Chegutu	201.8	Mlambo SS	98/01/01	31/12/2096	\$38,000.00	Dept Research	Deputy Director & Spec Svc
Coburn 37	Chegutu	256.6	Vacant			\$30,000.00		
Coburn 38	Chegutu	252.1	Mubaya GB	98/01/01	31/12/2096	\$25,000.00	Safire	Resource Officer
Coburn 39	Chegutu	419.1	Chiripamberi B	98/01/01	31/12/2096	\$21,000.00	ARDA	Estate Manager
Coburn 40	Chegutu	297.0	Zinoywera DA	98/01/01	31/12/2096	\$22,000.00	Zim Teacher's As.	Executive officer
Coburn 41	Chegutu	297.8	Nhari S	98/01/01	31/12/2096	\$22,000.00	ARDA	Auditor
Coburn 42	Chegutu	487.6	Matindike A	98/01/01	31/12/2096	\$24,000.00	self	Farmer
Coburn 43	Chegutu	201.1	Mukwena C	98/01/01	31/12/2096	\$28,000.00	deceased	
Coburn 44	Chegutu	278.7	Muzenda C	98/01/01	31/12/2096	\$41,000.00	self	Farmer
Coburn 45	Chegutu	166.3	Nyika J	98/01/01	31/12/2096	\$13,000.00	Dept Vet Svcs	Prov vet Officer
Coburn 46	Chegutu	201.1	Gaka R	98/01/01	31/12/2096	\$13,000.00	Min Home Affairs	Police officer
Coburn 47	Chegutu	143.8	Chinengun	98/01/01	31/12/2096 du MR	\$20,000.00	City of Harare	Chief Security Officer
Coburn 48	Chegutu	115.7	Zvinavashe P	98/01/01	31/12/2096	\$29,000.00	Zimbabwe Defence Forces	Director General
Coburn 49	Chegutu	115.7	Vacant			\$19,000.00		
Coburn 50	Chegutu	80.9	Vacant			\$18,000.00		
SUMMARY COBURN ESTATE -CHEGUTU								
Occupied by farmer				9				
Absentee farmer with some agric experience				10				
Absentee lessor, no apparent farming experience				22				
Vacant				8				
Deceased				1				
Total				50				

COMMERCIAL FARM SETTLEMENT

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Endeavour 1	Lomagundi	191.4	Mwamuka N			To be assessed	ICRISAT	Farm Manager
Endeavour 2	Lomagundi	154.2	Mashiringwani N	98/01/01	Dec. 31, 2096	To be assessed	Min Agric	
Endeavour 3	Lomagundi	171.7	Mazambani E	98/01/01	Dec. 31, 2096	To be assessed	Forestry Commission	Farm Manager
Endeavour 4	Lomagundi	149.4	Chitehwe DM			To be assessed	Min Agric	Health Inspector
Endeavour 5	Lomagundi	123.8	Mangombe F	98/01/01	Dec. 31, 2096	To be assessed	Self	Farmer
Endeavour 6	Lomagundi	157.0	Tigere J	98/01/01	Dec. 31, 2096	To be assessed	Plastique Industries	Shipping Manager
Endeavour 7	Lomagundi	128.5	Mautsa	98/01/01	Dec. 31, 2096	To be assessed	UZ	Programme Coordinator
Endeavour 8	Lomagundi	117.7	Nyahondo CB			To be assessed	Dozmery Training Centre	Lecturer
Endeavour 9	Lomagundi	135.6	Vacant			To be assessed		
Endeavour 10	Lomagundi	109.1	Mukwende B	98/01/01	Dec. 31, 2096	To be assessed	ZFU	Field & Project Officer

COMMERCIAL FARM SETTLEMENT

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Marula 1	BulalimaMangwe	76.6	Bango Dr GL			To be assessed	Min Health	Medical practitioner
Marula 2	BulalimaMangwe	90.7	Nyashanu H			To be assessed	Self	Businessman
Marula 3	BulalimaMangwe	1496.4	Ncube N Mrs			To be assessed	Zim Investment	Centre Director
Marula 4	BulalimaMangwe	1665.8	Nsimbi Z			To be assessed	Min Transport	Dep Minister
Marula 5	BulalimaMangwe	1719.2	Nkala H			To be assessed	Rainbow Tourism Group	Chief Executive
Marula 6	BulalimaMangwe	1589.3	Mjimba R			To be assessed	Min Agric	Rural state land officer
Marula 7	BulalimaMangwe	1613.7	Nkomani K	99/01/01	30/09/2097	To be assessed	Min foreign Affairs	Ambassador
Marula 8	BulalimaMangwe	1271.1	Vuma D	97/10/01	30/09/2097	To be assessed	UZ	Lecturer
Marula 9	BulalimaMangwe	1642.5	Mabena A			To be assessed	National Railways	Chief Executive
Marula 10	BulalimaMangwe	1422.5	Nyathi Dr & Mrs KH			To be assessed	Min Agric	Researcher - livestock
Marula 11	BulalimaMangwe	2031.0	Ndlovu Prof L			To be assessed	UZ	Professor
Marula 12	BulalimaMangwe	953.1	Sibanda A & Mrs Z			To be assessed	Dept Water	Civil Engineer
Marula 13	BulalimaMangwe	1521.3	Nyathi M & Mrs J			To be assessed	Agritex	Extension Officer
Marula 14	BulalimaMangwe	1474.6	Sibanda O			To be assessed	Self	Businessman
Marula 15	BulalimaMangwe	1251.9	Ndhlovu IPZ			To be assessed	IPZ consult	Financial consultant
Marula 16	BulalimaMangwe	2718.8	Chivere T			To be assessed	Cottco	Agronomist
Marula 17	BulalimaMangwe	2610.7	Maphenduka J	99/10/01	30/09/2097	To be assessed	Self	Farmer
Marula 18	BulalimaMangwe	2507.4	Mthupha GM	99/10/01	30/09/2097	To be assessed	Self	Architect

Farm name	District	Extent ha	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Marula 19	BulalimaMangwe	2081.1	Tebele Ntando Dr			To be assessed	Min Agric	Researcher - livestock
Marula 20	BulalimaMangwe	2051.3	Mlilo P & Mrs N	99/10/01	30/09/2097	To be assessed	NUST	Lecturer
Marula 21	BulalimaMangwe	1631.6	Malaba Dr E			To be assessed	Self	Medical practitioner
Marula 22	BulalimaMangwe	1526.7	Nyoni G			To be assessed	Self	Legal practitioner
Marula 23	BulalimaMangwe	1940.4	Noko B			To be assessed	ARDA	Estate manager
Marula 24	BulalimaMangwe	1784.7	Sitshoni T			To be assessed	Self	Businessman
Marula 25	BulalimaMangwe	2585.3	Malinga LT			To be assessed	Self	farmer
Marula 26	BulalimaMangwe	1789.6	Nleya GG			To be assessed	Merex Property Sales	Real estate agent
Marula 27	BulalimaMangwe	1771.8	Sibanda Mrs E			To be assessed	Dondolo/ Mudonzvo C Scheme	Development worker
Marula 28	BulalimaMangwe	2923.1	Jamela KS			To be assessed	Hillside Teachers college	Lecturer
Marula 29	BulalimaMangwe	2840.6	Ndhlovu Dr CD	99/10/01	30/09/2097	To be assessed	ZIPAM	Director General
Marula 30	BulalimaMangwe	2033.6	Sibanda P & Mrs A	99/10/01	30/09/2097	To be assessed	Zagrinda (Pvt) Ltd	Managing Director
Marula 31	BulalimaMangwe	1140.1	Sibanda Dr Z			To be assessed	Tobacco Research Board	Nematologist
Marula 32	BulalimaMangwe	2280.0	Dube FJ			To be assessed	Min Education	Education Officer
Marula 33	BulalimaMangwe	2592.4	Ncube G & Mrs N			To be assessed	Agritex	Extension Officer
Marula 34	BulalimaMangwe	2235.2	Ndhlovu DS			To be assessed	Self	School Teacher Retired
Marula 35	BulalimaMangwe	1866.0	Malaba Justice L			To be assessed	Min Justice	High Court Judge
Marula 36	BulalimaMangwe	2132.0	Mpabanga E			To be assessed	Agric Finance Corp	Branch Manager
Marula 37	BulalimaMangwe	2034.8	Moyo Hon SK			To be assessed	Min Mines	Minister
Marula 38	BulalimaMangwe	2039.5	Cheda Justice MA			To be assessed	Min Justice	High Court Judge
Marula 39	BulalimaMangwe	1886.1	Nkala D			To be assessed	UNDP	Programme coordinator
Marula 40	BulalimaMangwe	154.4	Nyathi VRM			To be assessed	President's Office	Director
Marula 41	BulalimaMangwe	85.2	Malusalila P			To be assessed	Seed Co Ltd	Business Devpt Manager
Marula 42	BulalimaMangwe	108.0	Moyo S			To be assessed	ARDA	Estate manager
Marula 43	BulalimaMangwe	123.1	Madlela AH			To be assessed	Zimrail consultancy	Consultant
Marula 44	BulalimaMangwe	141.4	Tlou R			To be assessed	ZFU Agric	Extension officer
Marula 45	BulalimaMangwe	117.9	Dungeni B			To be assessed		
Marula 46	BulalimaMangwe	137.6	Ndhlovu G			To be assessed		
Marula 47	BulalimaMangwe	139.2	Jamela Z			To be assessed		



Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Kezi 1	BulalimaMangwe	2569.2				To be assessed	UNDP	Ecologist
SUMMARY MARULA ESTATE & KEZI ESTATE –BULALIMAMANGWE								
Occupied by farmer				1				
Absentee farmer with some agric experience				12				
Absentee lessor, no apparent farming experience				35				
Vacant				0				
Deceased				0				
Total				48				

#### COMMERCIAL FARM SETTLEMENT

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Nyamazura 1	Mutare	259.6	ChinamasaP&M	66/10/01	30/09/2097	To be assessed	Govt Zimbabwe	Attorney General
Nyamazura 2	Mutare	221.3	Mushowe C	66/10/01	30/09/2097	To be assessed	President's Office	Principal Director
Nyamazura 3	Mutare	200.4	Farmers Dev Trust			To be assessed		
Nyamazura 4	Mutare	199.6	Pswarayi PM			To be assessed	Self	Farmer
Nyamazura 5	Mutare	184.0	Muradzikwa HH			To be assessed	ZIANA	Editor in Chief
Nyamazura 6	Mutare	166.1	Dengu E&R	66/10/01	30/09/2097	To be assessed	Interim Technology	Director
Nyamazura 7	Mutare	174.8	Madondo SB	66/10/01	30/09/2097	To be assessed	Agritex	Extension Officer
Nyamazura 8	Mutare	216.2	Nyanbuya M	66/10/01	30/09/2097	To be assessed	Zim National Army	General
SUMMARY NYAMAZURA ESTATE - MUTARE								
Occupied by farmer								
Absentee farmer with some agric experience								
Absentee lessor, no apparent farming experience								
Vacant								
Deceased								

#### COMMERCIAL FARM SETTLEMENT

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Sessombi 1	Kwe Kwe	1284.8	Chiponzana V			To be assessed	Min Education	Teacher
Sessombi 2	Kwe Kwe	1284.8	Vacant			To be assessed		
Sessombi 3	Kwe Kwe	1292.8	Sibanda MI			To be assessed	Government of Zimbabwe	Director
Sessombi 4	Kwe Kwe	1276.8	Vacant			To be assessed		
Sessombi 5	Kwe Kwe	1290.8	Vudzijena V			To be assessed	Self	Businessman
Sessombi 6	Kwe Kwe	1278.8	Ncube S	98/01/01	31/12/2096	To be assessed	Agritex	Research Technician
Sessombi 7	Kwe Kwe	1284.8	Runesu TN			To be assessed	Agritex	Extension Officer
Sessombi 8	Kwe Kwe	1284.8	Vacant			To be assessed		
Sessombi 9	Kwe Kwe	723.2	Mhondiwa AO			To be assessed	Triangle Ltd	Farmer
Sessombi 10	Kwe Kwe	723.2	Chivurungwe RO			To be assessed	Chivurugwi Timbers	Businessman
Sessombi 11	Kwe Kwe	1123.3	Njovana CA			To be assessed	Self	Businessman

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Sessombi 12	Kwe Kwe	793.0	Vacant			To be assessed		
Sessombi 13	Kwe Kwe	786.5	Nyoni M			To be assessed	Min Defence	Farm Manager
Sessombi 14	Kwe Kwe	1178.5	Kwela P	98/01/01	31/12/2096	To be assessed	UZ	Lecturer
Sessombi 15	Kwe Kwe	1234.0	Mukurumbira L			To be assessed	Min Agric	Agronomist
Sessombi 16	Kwe Kwe	1333.8	Malumani JM	98/01/01	31/12/2096	To be assessed	UZ	Physics technician
Sessombi 17	Kwe Kwe	1133.1	Vacant			To be assessed		
Sessombi 18	Kwe Kwe	1222.8	Makova WC	98/01/01	31/12/2096	To be assessed	Clama Interlinks	Manager
Sessombi 19	Kwe Kwe	1294.6	Mabika H	98/01/01	31/12/2096	To be assessed	Agritex	Farmer
Sessombi 20	Kwe Kwe	1294.6	Mandebvu FG			To be assessed	Found Mutual Soc	Director General
Sessombi 21	Kwe Kwe	1299.9	Vacant			To be assessed		
Sessombi 22	Kwe Kwe	1296.1	Zimuto RC	98/01/01	31/12/2096	To be assessed	Heifer Project Ins	Project coordinator
Sessombi 23	Kwe Kwe	1259.8	Hikwa D & D			To be assessed	Self	Medical practitioner
Sessombi 24	Kwe Kwe	1271.8	Vacant			To be assessed		
Sessombi 25	Kwe Kwe	1284.8	Vacant			To be assessed		
Sessombi 26	Kwe Kwe	1309.9	Vacant			To be assessed		
Sessombi 27	Kwe Kwe	1356.3	Hove D & B	98/01/01	31/12/2096	To be assessed	ARDA	Section manager
Sessombi 28	Kwe Kwe	1355.3	Dube	98/01/01	31/12/2096	To be assessed	Cold Storage Company	
Sessombi 29	Kwe Kwe	1269.1	Mungani S	98/01/01	31/12/2096	To be assessed	Self	
Sessombi 30	Kwe Kwe	1308.5	Mudzingadzi C	98/01/01	31/12/2096	To be assessed	Agricura Sales Rep	
Sessombi 31	Kwe Kwe	1313.6	Vacant			To be assessed		
Sessombi 32	Kwe Kwe	1252.4	Vacant			To be assessed		
Sessombi 33	Kwe Kwe	1233.6	Vacant			To be assessed		
Sessombi 34	Kwe Kwe	1299.9						
Sessombi 35	Kwe Kwe	1432.4	Vacant			To be assessed		
Sessombi 36	Kwe Kwe	1363.6	Mhlanga AT			To be assessed	Min Agric	Principal Research Officer
Sessombi 37	Kwe Kwe	1413.8	Moyo P	98/01/01	31/12/2096	To be assessed	Min Agric	Veterinary surgeon
Sessombi 38	Kwe Kwe	1410.0	Vacant			To be assessed		
Sessombi 39	Kwe Kwe	1451.4	Nhunhama G	98/01/01	31/12/2096	To be assessed	Min Local Govt	Hydrogeologist
Sessombi 40	Kwe Kwe	1456.4	Maravanyika E	98/01/01	31/12/2096	To be assessed		
SUMMARY SESSOMBI ESTATE - KWE KWE								
Occupied by farmer								
Absentee farmer with some agric experience								
Absentee lessor, no apparent farming experience								
Vacant								
Deceased								

COMMERCIAL FARM SETTLEMENT

Farm name	District	Extent ha	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Sikato 1	Masvingo	44.8	Makuwe C	01/01/99	Sept. 30, 2097	To be assessed	CM Sheetmetal Works	Businessman
Sikato 2	Masvingo	28.6	Mbanje RE	01/01/99	Sept. 30, 2097	To be assessed		
Sikato 3	Masvingo	39.9	Hungwe S			To be assessed	ZFU	President
Sikato 4	Masvingo	44.0	Machida C	01/01/99	Sept. 30, 2097	To be assessed	Agric Finance Corp	Asst Manager
Sikato 5	Masvingo	38.9	Dube D&C			To be assessed	ARDA	Agricultural consultant
Sikato 6	Masvingo	36.4	Chigudu TE			To be assessed	Ministry Home Affairs	Permanent Secretary
Sikato 7	Masvingo	34.0	Mandengu C&M			To be assessed	Capacity Building Foundation	Accountant
Sikato 8	Masvingo	20.4	Teveraishe C			To be assessed	NSSA Asst	Gen Manager
Sikato 9	Masvingo	21.0	Mbetu KC	01/01/99	Sept. 30, 2097	To be assessed	Min Higher Education	Lecturer
Sikato 10	Masvingo	40.9	Charumbira Chief Z			To be assessed		Chief
Sikato 11	Masvingo	23.6	Mazvidza J			To be assessed	Bondolfi Teachers College	Lecturer
Sikato 12	Masvingo	15.2	Maposa B			To be assessed	Agritex	Extension Officer
Sikato 13	Masvingo	19.0	Changamire M	01/01/99	Sept. 30, 2097	To be assessed	Contact Human Resources	Businessman
Sikato 14	Masvingo	19.1	Chuma C			To be assessed	Christian Care	Projects Officer
Sikato 15	Masvingo	18.7	Danda ET			To be assessed	Agritex	Deputy Director
Sikato 16	Masvingo	18.3	Chisenga G&T			To be assessed	Geopta	Engineer/ Businesswoman
Sikato 17	Masvingo	19.2	Chamboko T	01/01/99	Sept. 30, 2097	To be assessed	Min Agric	Economist
Sikato 18	Masvingo	17.6	Hakutangwe M & Mrs			To be assessed	Agritex	Chief Training officer
Sikato 19	Masvingo	15.9	Nyembwa W			To be assessed	Min Industry & Commerce	Under Secretary
Sikato 20	Masvingo	38.8	Maswerakuenda E			To be assessed	Ceres Farms	Farm manager
Sikato 21	Masvingo	15.1	Maunganidze B			To be assessed	President's Office	Not stated
Sikato 22	Masvingo	27.2	Munonyara AM			To be assessed	Unifreight Ltd	Company secretary
Sikato 23	Masvingo	62.2	Chipatiso DP			To be assessed	Agritex	Extension Officer
Sikato 24	Masvingo	50.6	Munezvenyu P			To be assessed	SIRDC	Deputy Director
Sikato 25	Masvingo	42.5	Chivonivoni CM	01/01/99	Sept. 30, 2097	To be assessed	National Railways	Civil engineer
Sikato 26	Masvingo	144.9	Muti T			To be assessed	Triangle Limited Agri	economist
Sikato 27	Masvingo	355.9	Makore FB			To be assessed	Min Education	Executive Officer
Sikato 28	Masvingo	253.6	Chifamba IK			To be assessed	Min Agric DRSS	Branch Head
Sikato 29	Masvingo	254.9	Muliwanyuka P	01/01/99	Sept. 30, 2097	To be assessed	COMESA Secretariat	Programme analyst

# SUMMARY SIKATO ESTATE - MASVINGO

Occupied by farmer

Absentee farmer with some agric experience

Absentee lessor, no apparent farming experience

Vacant

Deceased

## COMMERCIAL FARM SETTLEMENT

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer	Occupation
Vungu 1	Gweru	1777.9	Reserved			To be assessed		
Vungu 2	Gweru	1787.6	Reserved			To be assessed		
Vungu 3	Gweru	1785.7	Reserved			To be assessed		
Vungu 4	Gweru	1540.6	Reserved			To be assessed		
Vungu 5	Gweru	1199.4	Reserved			To be assessed		
Vungu 6	Gweru	1436.5	Reserved			To be assessed		
Vungu 7	Gweru	1634.3	Reserved			To be assessed		
Vungu 8	Gweru	1802.8	Ndebele Hon C			To be assessed	Parliament of Zimbabwe	Speaker
Vungu 9	Gweru	1522.2	Manyuchi Dr EP			To be assessed	Self	Consultant
Vungu 10	Gweru	1298.1	Vengai BM			To be assessed	Mbudaya Enterprises	Managing Director
Vungu 11	Gweru	1271.7	Shoniwa S			To be assessed	Dept Water	Water engineer
Vungu 12	Gweru	1375.6	Makadho Dr J			To be assessed	Agritex	Director
Vungu 13	Gweru	1256.6	Gatora Eng P			To be assessed		Engineer
Vungu 14	Gweru	1229.4	Madziyire Dr M	99/10/01	30/09/2097	To be assessed	Min Agric	Veterinarian
Vungu 15	Gweru	1272.5	Gova E & Mrs			To be assessed	Agritex	Agronomist
Vungu 16	Gweru	1300.2	Simango FB			To be assessed	Self	Businessman
Vungu 17	Gweru	1405.6	Marongwe D	99/10/01	30/09/2097	To be assessed	Min Mines	Assistant Secretary
Vungu 18	Gweru	1333.1	Mushoriwa ET			To be assessed	Self	Businessman
Vungu 19	Gweru	1394.3	Makoni IJ			To be assessed	Self	Miller
Vungu 20	Gweru	1350.3	Mwamuka Dr J			To be assessed	Min Agric	Veterinarian
Vungu 21	Gweru	1173.7	Nyamambi BD			To be assessed	ARDA	Estate Manager
Vungu 22	Gweru	1621.1	Magoche Dr EB			To be assessed	Self	Medical practitioner
Vungu 23	Gweru	1099.8	Ncube Prof W			To be assessed	UZ	Professor of Law
Vungu 24	Gweru	2126.2	Mtindi JT			To be assessed	Self	Businessman
Vungu 25	Gweru	2154.4	Muwandi DT	99/10/01	30/09/2097	To be assessed	Self	Farmer
Vungu 26	Gweru	1071.9	Moyo D			To be assessed	Min Education	Educationist
Vungu 27	Gweru	1424.2	Vunge M	99/10/01	30/09/2097	To be assessed	Dairy Devpt Programme	Extension Officer
Vungu 28	Gweru	1672.4	Mguni Dr J	99/10/01	30/09/2097	To be assessed	Min Agric	Research officer

## 2ND LIST - ORDINARY TENNANT FARMER SCHEME (BY DISTRICT)

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer
Umkondo Mining Reserve	Bikita	6625.0	Pabst Holdings P/L	95/07/01	June 30, 2015	To be assessed	Company
Kerry of Butliegh	Bindura	730.0	Danda Artwell	93/11/01	Oct. 31, 1998	\$36,360.00	Farmer
Lot A of R/E Shashe Estate	Bindura	1200.0 G	ezi Border	98/05/01	June 30, 2097	\$58,564.00	Provincial Governor
Melfort Extension	Bindura	107.0	Matanga G T	93/10/01	Sept. 30, 1998	\$1,585.00	Civil Servant
R/E of Audrey Farm	Bindura	2836.0	Shiri Perence	95/10/01	Sept. 30, 2000	\$50,600.00	Civil Servant
Stella Outspan	Bindura	28.0	Chivizhe Raymond	97/01/01	Dec. 31, 2096	To be assessed	
Three Streams Extension	B'lima						
	Mangwe	350.0	Rosenfels Sigmund J	72/10/01	Sept. 30, 1992	\$150.00	Farmer
Ingwezi Outsapn	B'lima						
	Mangwe	199.0	Mangena Enock G	95/10/01	Sept. 30, 2000	To be assessed	Farmer
Luchabi Outsapn	B'lima						Member of
	Mangwe	1829.0	Ndlovu Richard M	95/10/01	Sept. 30, 2000	To be assessed	Parliament
Mtunduluka Township	B'lima						
	Mangwe	169.0	Nondo Pius Jack	94/06/01	Dec.r 31, 2000	\$1,200.00	Civil Servant
Ballonack/Sargents Farm	B'Lima-						
	Mangwe	80.0	Ngwazane Ignatious	94/10/01	Sept. 30, 1999	\$27.00	Civil Servant
Killegar	Bubi	1088.0	Mabhena Welshman	95/10/01	Sept.30, 2000	To be assessed	Govern Mat North
Stand D Lonely Mines S/L	Bubi	4.0	Abrahamson Mrs L	74/10/01	Dec. 31, 1994	\$48.00	Self employed
Great Dyke R/E	Centenary	14171.0	Centenary road council	93/10/01	Sept. 30, 1998	To be assessed	Local Authority
R/E of Mooldart	Charter	676.0	Munyai Waston	95/10/01	Sept. 30, 2000	To be assessed	Civil Servant
Delcia A Mining Reserve	Chegutu	471.0	Nyamutambo Vashiko	91/10/01	Dec.31, 1996	\$540.00	Farmer
Delcia B Mining Reserve	Chegutu	463.0	Mundingi Misheck	95/10/01	Sept. 30, 2000	\$7,000.00	Farmer
Delcia C Mining Reserve	Chegutu	576.0	Mundiya NT	95/10/01	Dec. 31, 2000	To be assessed	Farmer
Evanston/Kintra Unit 1	Chegutu	658.0	Chitava Patricia W	95/10/01	Sept.30, 2000	\$18,000.00	Civil Servant
Evanston/Kintra Unit 2	Chegutu	520.0	Chikuni Farayi	95/09/01	August 31, 2000	\$12,000.00	Farmer
Evanston/Kintra Unit 3	Chegutu	643.0	Tembo Solomon	96/10/01	Sept. 30, 2001	\$8,200.00	ZIMRE
Evanston/Kintra Unit 4	Chegutu	863.0	Mhaka Isaac	96/07/01	June 30, 2001	\$9,200.00	Civil Servant
R/E of Bougainvillea	Chegutu	650.0	Mandizvidza Ent P/L	95/07/01	June 30, 2000	\$21,000.00	Cabinet Minister
R/E of Marlow	Chegutu	512.0	Hativagone Audrey	95/10/01	Sept.30, 2000	\$220,000.00	Self employed
S/D A of Lot 1 of Mopani	Chegutu	136.0	Ndanga Oswald T	95/11/01	Dec. 31, 2000	To be assessed	Consultant
S/D B of Lot 1 of Mopani	Chegutu	187.0	Chirenje William M	95/10/01	Sept. 30, 2000	To be assessed	Self employed
S/D C of Lot 1 of Mopani	Chegutu	175.0	Vhurumuku Douglas	95/10/01	Sept. 30, 2000	\$7,700.00	Farmer
S/D D of Lot 1 of Mopani	Chegutu	245.0	Gahamadze Devoy	96/11/01	Dec.r 31, 2000	\$6,500.00	Businessman
Sable & R/E Bushy Park	Chegutu	1542.0	Gwasira Shepherd	93/10/01	Sept. 30, 1998	\$3,000.00	Civil Servant
Shepherd Reef S/L	Chegutu	665.0	Moyo Esau	95/10/01	Sept. 30, 2000	\$31,600.00	Civil Servant
Suri Suri Dam Site 10	Chegutu	7.0	Lions of Umfuli	72/01/01	Dec.r 31, 1992	\$72.00	Club
Turkoise State Land	Chegutu	1974.0	Nhari N	89/10/01	Dec.31, 1999	\$800.00	Farmer
Springbok and Wilderness	Chilimanzi	180.0	Muzvidzwa Davet	93/10/01	Sept.30, 1998	\$64.00	Farmer
Outward Bound Mountain School	Chimanimani	40.0	O B A Zimbabwe	95/01/01	Dec.31, 2005	\$100.00	Association

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer
Rupisi Hot Springs/Lot 4&5	Chipinge	353.0	Gata Sydney Z	95/08/01	July 31, 2000	To be assessed	Consultant
Faversham Annexe	Chiredzi	1352.0	Maluleke Titus	93/10/01	Sept. 30, 2003	\$400.00	Businessman
Magudu Ranch	Chiredzi	10701.0	Cold Storage Comm	62/01/01	Dec.31, 1996	\$9,200.00	Parastatal
S/D 01 of Lot 6 Essanby	Chiredzi	67.0	T akavarasha Gillmore	97/06/01	May 31, 2096	To be assessed	Farmer
S/D 02 of Lot 6 Essanby	Chiredzi	48.0	Makuni Linda	97/06/01	Sept. 30, 2001	To be assessed	Civil Servant
S/D 03 of Lot 6 Essanby	Chiredzi	47.0	Chitambo Bekkie L	97/06/01	Sept. 30, 2001	To be assessed	Farmer
S/D 04 of Lot 6 Essanby	Chiredzi	61.0	Tamirepi Elisha	97/10/01	Sept. 30, 2002	To be assessed	Cargil Zimbabwe
S/D 05 of Lot 6 Essanby	Chiredzi	66.0	Gwenzi Moses	97/06/01	Sept. 30, 2001	To be assessed	Farmer
S/D 06 of Lot 6 Essanby	Chiredzi	76.0	Chipanga TS	97/06/01	Sept.30, 2001	To be assessed	Civil Servant
S/D 07 of Lot 6 Essanby	Chiredzi	81.0	Chauke Eliot M	97/01/01	Dec. 31, 2001	To be assessed	Member of Parliament
S/D 08 of Lot 6 Essanby	Chiredzi	66.0	Matuke Lovemore	97/06/01	Sept.30, 2001	To be assessed	Sando suppliers
S/D 09 of Lot 6 Essanby	Chiredzi	56.0	Chivizhe Josph	97/06/01	Sept. 30, 2001	To be assessed	Civil Servant
S/D 10 of Lot 6 Essanby	Chiredzi	101.0	Gava David	97/06/01	Sept. 30, 2001	To be assessed	Farmer
S/D 11 of Lot 6 Essanby	Chiredzi	66.0	Chigumira Ancikaria	97/10/01	Sept. 30, 2002	To be assessed	Dietician/ Nutritionist
S/D 12 of Lot 6 Essanby Estates	Chiredzi	83.0	Koti Alexio	97/06/01	Sept. 30, 2001	To be assessed	Mukwasine
S/D 13 of Lot 6 Essanby	Chiredzi	113.0	Jarimani Mike	97/06/01	Sept.30, 2001	To be assessed	Farmer
S/D 14 of Lot 6 Essanby Estates	Chiredzi	114.0	Mhungu Richard B	97/06/01	May 31, 1996	To be assessed	Mukwasine
S/D 15 of Lot 6 Essanby	Chiredzi	91.0	Musanhu Aube	97/06/01	May 31, 2002	To be assessed	Civil Servant
S/D 16 of Lot 6 Essanby	Chiredzi	67.0	Hlambela Azekiel	97/10/01	Sept. 30, 2096	To be assessed	Self employed
S/D 17 of Lot 6 Essanby	Chiredzi	214.0	Mhlanga Liberty	97/01/01	Dec. 30, 2001	To be assessed	Parastatal
Msitwe Outspan .	Goromonzi	154.0	Madzima Welbourne N	94/04/01	March 31, 1999	\$2,420.00	Civil Servant
Umtshabezi Outspan	Gwanda	152.0	Dr. JJ Gugar	90/06/01	Dec.31, 1994	\$1,800.00	Medical Doctor
Plot 11 Gweru West Block	Gweru	12.0	Maturure Cain L	95/01/01	Dec. 31, 1995	\$490.00	Civil Servant
Plot 15 Gweru West Block	Gweru	17.0	Dube Mberengwa	91/01/01	Dec. 31, 1995	\$480.00	Farmer
Plot 16 Gweru West Block	Gweru	17.0	Waldman Alexander	95/01/01	Dec. 31, 1999	\$4,800.00	Farmer
Plot 21 Gweru West Block	Gweru	26.0	Chimwaza George	94/09/01	August 31, 1999	\$880.00	Parastatal
Plot 22 Gweru West Block	Gweru	20.0	Morgan Maria L	96/01/01	Dec. 31, 2000	\$3,150.00	Self employed
Plot 23 Gweru West Block	Gweru	20.0	Moyo Abraham T	98/01/01	Sept. 30, 2096	\$1,500.00	Philips electrical
West Gweru Block 4	Gweru	200.0	Vacant				
Imbwa	Harare	1444.0	Machipisa Philemon	98/10/01	Sept. 30, 2097	\$46,770.00	Farmer
R/E of Sikumi	Hwange	2908.0	Hotel Properties	84/01/01	Dec. 31, 1993	\$30,000.00	Company
Railway Farm 52 Extension	Hwange	2214.0	Pride of Zim Safaris	96/08/01	July 31, 2006	To be assessed	Company
State Land V	Hwange	15066.0	Hwange Rural Council	94/01/01	Dec. 31, 2004	\$20,700.00	Local Authority
State Land F Hwange	Hwange	3400.0	Mhlanga Geoffrey S	93/11/01	Oct. 31, 2003	To be assessed	Consultant
State Land C	Hwange	10500.0	Musariri Tobius	93/10/01	Sept. 30, 1998	To be assessed	Businessman
Ptn Westondale S/L	Insiza	95.0	Siyabonga Orphanage	94/01/01	Dec. 31, 1998	\$250.00	Welfare organisation
Bannerlands Extension	Kadoma	560.0	Kujinga Kumbirayi	93/10/01	Sept.30, 1998	\$201.00	Farmer
Belfast Estate Lot 1	Kadoma	638.0	Chimanikire Titus	96/10/01	Sept. 30, 2001	\$15,600.00	Farmer
Belfast Estate Lot 2	Kadoma	614.0	Majongwe Peter	95/10/01	Sept. 30, 2001	\$8,600.00	Consultant

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer
Belfast Estate Lot 3	Kadoma	611.0	Chiuswa Damiano	97/10/01	Sept.30, 2096	\$9,200.00	University of Zimbabwe
Belfast Estate Lot 4	Kadoma	617.0	Mupupuni Tennyson	95/10/10	Sept.30, 2000	\$9,300.00	Farmer
Belfast Estate Lot A	Kadoma	1607.0	Vambe Crispen	95/10/01	Sept.30, 2000	\$17,800.00	Farm manager
Belfast Estate Lot B	Kadoma	1593.0	Nemaunga Matyekupinda	95/10/10	Sept.30, 2000	\$17,700.00	Self employed
Farm 1 of Dunroming Estate	Kadoma	617.0	Bhami Timothy	96/10/01	Sept.30, 2001	\$13,200.00	Farmer
Farm 2 of Dunroming Estate	Kadoma	625.0	Mutsambiwa Sydney	95/10/01	Sept. 30, 2000	\$8,300.00	Anglo American
Farm 3 of Dunroming Estate	Kadoma	666.0	Badze Tautaira	95/10/01	Sept.30, 2000	\$9,700.00	City of Harare
Farm 4 of Dunroming Estate	Kadoma	873.0	Marovatsanga Kidwell	95/10/01	Sept. 30, 2000	\$12,300.00	Self employed
Farm 5 of Dunroming Estate	Kadoma	794.0	Moyo John	95/10/01	Sept.30, 2000	\$7,700.00	Farmer
Farm 6 of Dunroming Estate	Kadoma	853.0	Ngoshi Ingnatious	96/10/01	Sept. 30, 2000	\$7,600.00	Businessman
Farm 1 of Dunsinaan Ranch	Kadoma	1714.0	Mugwambi Peter	95/10/01	Sept.30, 2000	\$33,000.00	Businessman
Farm 2 of Dunsinaan Ranch	Kadoma	1700.0	Ngwenya Enock	95/10/01	Sept.30, 2000	\$31,000.00	Farmer
Farm 3 of Dunsinaan Ranch	Kadoma	1770.0	Mlilo George	95/10/01	Sept. 30, 2095	\$25,000.00	City of Bulawayo
Farm 4 of Dunsinaan Ranch	Kadoma	1770.0	Chinoda Collins	95/10/01	Sept.30, 2000	\$27,000.00	Farmer
Glenorchy Mining Reserve	Kadoma	256.0	Jachara M	92/11/01	Oct. 31, 1997	\$4,500.00	Farmer
Ordoff Extension	Kadoma	38.0	Chihuri Maxwell	93/01/01	Dec. r 31, 1997	\$160.00	Civil Servant
Ordoff Extension	Kadoma	264.0	Kujinga Kumbirai	97/10/01	Dec. 31, 2001	To be assessed	Farmer
Pnt of Golden Valley	Kadoma	20.0	Kadoma Rural council	85/01/01	Dec. 31, 1989	\$12.00	Local Authority
Suri Suri Dam Site 10	Kadoma	7.0	Rotary Club	87/01/01	Dec.31, 1991	\$85.00	Club
Trafalgar	Kadoma	171.0	Monica Fraser	76/10/01	Sept.30, 1996	\$306.90	Farmer
Collynie Extension	Kwe Kwe	325.0	Whabira Job	93/10/01	Sept. 30, 1998	\$75.00	Civil Servant
Pnt of Cactuspoort Dam S/L	Kwe Kwe	9.0	Lions Club Redcliff	93/01/01	Dec. 31, 1997	\$100.00	Club
Wareberry Outspan	Lalapanzi	31.0	Midzi Robert	91/11/01	Dec.31, 1995	\$144.00	Farmer
Angwa South Unit 1	Lomagundi	6370.0	Chimusimbe Pension	93/10/01	January 1, 2093	To be assessed	Safari Operators
Angwa South Unit 2	Lomagundi	4767.0	Gurumani Herekiya D	95/10/01	Sept.30, 2000	To be assessed	ZFC
Angwa South Unit 3	Lomagundi	8625.0	Makwanya Henry	95/07/01	June 30, 2000	To be assessed	Farmer
Angwa South Unit 6	Lomagundi	7420.0	Mombeshora A	93/11/01	Oct. 30, 1998	\$1,700.00	Russ Broom safari
Chinhoyi Aerodome S/L	Lomagundi	1259.0	Makore AT	92/06/01	Dec.31, 1996	\$7,260.00	Self employed
Conway/Conway Extension	Lomagundi	1717.0	Nyamubaya Freedom	96/10/01	Dec. 31, 2011	\$4,410.00	NGO
Crescent Park Extension	Lomagundi	781.0	Chivende Mudhomeni	93/10/01	Sept., 1998	To be assessed	Farmer
Foret Extension	Lomagundi	949.0	Gasela Renson M	93/10/01	Sept. 30, 1998	To be assessed	Self employed
Foret Extension 2	Lomagundi	1397.0	Mutongwizo Swinfen	93/11/01	Oct. 30, 1998	\$170.00	City of Harare
Gravelotte Extension	Lomagundi	4610.0	Maroveke Norman	96/10/01	Sept. 30, 2006	\$4,450.00	Farmer
Innesfree Extension 2	Lomagundi	4967.0	Mutasa R N	93/10/01	Sept. 30, 2003	To be assessed	Civil Servant
Innesfree Extension 3	Lomagundi	3157.0	Taiga Alois	95/10/01	Sept.30, 2005	To be assessed	Civil Servant
Innesfree Farm	Lomagundi	1738.0	Jangano Frankheart	93/10/01	Sept. 30, 1998	\$2,500.00	University of Zimbabwe
Kanenje	Lomagundi	4595.0	Chimanga FT	92/10/01	Sept. 30, 1995	\$860.00	Self employed
Kanyanga Extension 1	Lomagundi	4620.0	Vacant				
Kanyanga Extension 2	Lomagundi	94.0	Bibi Tadios	97/06/01	May 31, 2097	To be assessed	
Nthabeni Farm	Lomagundi	2023.0	Gombe P	93/10/01	Sept. 30, 1998	\$150.00	UDC

Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer
Pnt Chinhoyi Caves S/L	Lomagundi	150.0	Alaska Dolomite (Pvt)	95/01/01	Dec. 31, 1999	\$9,185.00	Company
Ridziwi	Lomagundi	3350.0	Utete Charlse	91/10/01	Sept.30, 2000	\$60,000.00	Civil Servant
Sadoma Extension	Lomagundi	2741.0	Maguvaza Clemence	93/10/01	Sept.30, 1998	\$960.00	Farmer
Shambi Ranch Extension	Lomagundi	2896.0	Muzofa James	93/11/01	Oct.30, 1998	\$1,350.00	Municipality of Chinhoyi
Wilderness	Lomagundi	2895.0	Fairford Transport P/L	94/07/01	June 30, 1999	\$10,044.00	Company
Volunteer 47	Lupane	851.0	Moyo B D	93/08/01	July 31, 2003	To be assessed	Businessman
Conway Extension 2	Makonde	1365.0	Charasika Misheck M	93/10/01	Sept.30, 2003	To be assessed	Self employed
Lazy River State Land	Makonde	261.0	CREDO	93/01/01	Dec. 31, 1998	\$250.00	Welfare organisation
Inyati Outspan	Marondera	89.0	Inyati Agro Dev co	94/10/01	Sept. 30, 1999	\$420.00	Company
Lot 2 of Parongwe O/Pan	Marondera	115.0	Mudziva Jokonia	92/11/04	Dec. 31, 1996	\$1,700.00	Farmer
Wenimbe Outspan	Marondera	8.0	Marondera Road Council	92/10/01	Sept.30, 1997	To be assessed	Local Authority
Glendow Farm	Masvingo	1537.0	Cold Storage Comm	87/01/01	Dec.31, 1996	\$2,800.00	Parastatal
Robin Hood and Revuli Farms	Masvingo	1094.0	Magwisi Saunders	91/10/01	Dec. 31, 1995	\$3,700.00	Farmer
Thankerton Quarantine	Masvingo	1285.0	Khan NA	92/10/01	Dec. 31, 1995	\$4,500.00	Farmer
Khami & Mabogutwane O/P	Matobo	561.0	Ndimande Bonface N	96/03/01	Febr. 28, 2011	\$8,415.00	Farmer
Medows Estate	Mazowe	1142.0	Gwata Tizirai	93/11/01	Oct. 31, 1998	\$116,835.00	Medical Doctor
Martin Forest Area	Melsetter	40.0	Outward Bound Ass	73/10/01	Dec.31, 2004	\$100.00	Association
Mzuri Mutare 205.0	Mahachi		Charles	93/04/01	March 31, 1998	\$9,000.00	Farmer
Plot 01 Block A Rathmines	Mutoko	12.0	Muzunze Xavier	95/08/01	July 31, 2000	\$1,725.00	Farmer
Plot 02 Block A Rathmines	Mutoko	15.0	Mangwende Alois T	95/08/01	July 31, 2000	\$2,280.00	Deputy Minister
Plot 03 Block A Rathmines	Mutoko	11.0	Kanomanyanga A T	95/08/01	July 31, 2000	\$1,600.00	Farmer
Plot 04 Block A Rathmines	Mutoko	8.0	Katsunde Richard	95/08/01	July 31, 2000	\$1,260.00	Businessman
Plot 05 Block A Rathmines	Mutoko	11.0	Murwisi John Chitsa	95/08/01	July 31, 2000	\$1,680.00	Farmer
Plot 06 Block A Rathmines	Mutoko	16.0	Mvundura Washington	95/08/01	July 31, 2000	\$1,725.00	Farmer
Plot 07 Block A Rathmines	Mutoko	14.0	Baureni Annah	95/08/01	July 31, 2000	\$1,520.00	Self employed
Plot 08 Block A Rathmines	Mutoko	14.0	Mwenye Albert	95/08/01	July 31, 2000	\$1,510.00	Self employed
Plot 09 Block A Rathmines	Mutoko	11.0	Chikowe Jonah	95/08/01	July 31, 2000	\$1,360.00	Farmer
Plot 10 Block A Rathmines	Mutoko	10.0	Katsande Peter	95/08/01	July 31, 2000	\$1,090.00	Businessman
Plot 11 Block A Rathmines	Mutoko	10.0	Chibanda Chipameso	95/08/01	July 31, 2000	\$1,040.00	Farmer
Plot 12 Block A Rathmines	Mutoko	11.0	Muchemwa Dzingai	95/08/01	July 31, 2000	\$1,245.00	Farmer
Plot 13 Block A Rathmines	Mutoko	43.0	Chibanda Benjamin	95/08/01	July 31, 2000	To be assessed	Self employed
Plot 14 Block A Rathmines	Mutoko	14.0	Chinomona Mabel M	95/08/01	July 31, 2000	To be assessed	Deputy Minister
Rathmines Farm (portion)	Mutoko	164.0	Mutoko Horticulture Ass	92/10/01	June 30, 1993	\$1,000.00	Association
Nuanetsi S/LD	Mwenezi	180.0	Charumbira Farai M	95/10/01	Sept.30, 2000	To be assessed	Civil Servant
Auchenbery of Rochester	Nya-mandlovu	1026.0	Mpofu Obert	94/09/01	Aug.t 31, 1999	\$15,600.00	Deputy Minister
Bongolo & Caithness	Nya-mandlovu	1755.0	ZIMFEP	91/10/01	Dec. 31, 2005	\$30.00	Welfare organisation
Mzohluzo	Nya-mandlovu	1031.0	Mphoko P	98/10/01	Sept. 30, 1998	\$1,800.00	Civil Servant
R/E of Ibana	Nya-mandlovu	449.0	Sibanda Charity	95/10/01	Dec. 31, 2094	\$13,200.00	



Farm name	District	Extent <sup>ha</sup>	Lessee	Com Date	Exp Date	Rental p/a	Employer
Dillon	Shamva	1625.0	Mavindidze Sylvester	95/10/01	Sept.30, 2000	\$7,700.00	Farmer
Lot 1 of Chipoli	Shamva	714.0	Chiwewe Willard A 9	3/10/01	Sept.30, 1998	\$37,400.00	Civil Servant
S/D 1 of Caledon	Shamva	132.0	Kwainona Martin	97/06/01	Dec. 31, 2002	To be assessed	Police Officer
S/D 2 of Caledon	Shamva	175.0	Mavhudzi Cuthbert	98/12/01	Nov.30, 2097	To be assessed	Farmer
S/D 3 of Caledon	Shamva	302.0	Manyika Elliot T	97/06/01	May 31, 2002	To be assessed	Ambassador
Inkari of Bakwekop	Sipolilo	695.0	Machirori Ngoni M	90/10/01	Sept.30, 1996	\$200.00	Farmer
Mapetu Extension 2&3	Sipolilo	248.0	Chokwenda C M	90/09/01	August 31, 1995	\$624.00	Farmer
Garowa Extension	Urungwe	943.0	Nenguke Edmond	95/10/01	Sept.30, 2000	To be assessed	Self employed
Kure Kure Ext	Urungwe	929.0	Saungweme Nancy	97/10/01	Dec.31, 2002	To be assessed	Businesswoman
Meidon Extension 2	Urungwe	925.0	Mapupu Stephen V 9	3/11/01	Oct.30, 1998	\$450.00	Retrofit
Tengwe 107 Extension	Urungwe	106.0	Takura Wilson	93/10/01	Sept. 30, 1998	\$111.00	Farmer
Tengwe 37 Extension	Urungwe	1246.0	Sungwi Safaris	74/10/01	Sept. 30, 1994	\$795.00	Company
Tengwe 52 Extension of 129	Urungwe	368.0	Ngweni E	93/10/01	Sept. 30, 1998	\$347.96	Farmer
Tengwe 68 Extension	Urungwe	2186.0	Moyo Collin	93/11/01	Oct. 31, 2013	\$960.00	Civil Servant
Tengwe 69 Extension	Urungwe	2133.0	Chakabva X	93/10/01	Oct.31, 1998	\$945.00	Civil Servant
Tengwe 76 Extension	Urungwe	2156.0	Sungwi Safaris	74/10/01	Sept. 30, 1994	\$684.00	Company
Tengwe 89 Extension	Urungwe	2178.0	Matangi T	93/11/01	Oct.30, 1998	\$792.00	Civil Servant
Tengwe 91 Extension	Urungwe	2236.0	Beremauro Stuart V	95/10/01	Sept. 30, 2000	\$828.00	City of Harare
Tengwe 92 Extension	Urungwe	2052.0	Zhanje ASC	93/11/01	Oct. 31, 1998	\$945.00	Civil Servant
Tengwe 93 Extension	Urungwe	928.0	Chikwenhere I	93/11/01	Oct.31, 1998	\$450.00	Civil Servant
Utopia Farm	Urungwe	773.0	Magadzire P/L	83/01/01	Dec. 31, 1987	\$200.00	Now Late
Zinyewe Extension 1	Urungwe	593.0	Risinamhodzi Hosea	93/10/01	Sept. 30, 1998	\$65.83	Farmer
\Zinyewe Extension 2	Urungwe	914.0	Rusere Boswell	93/10/01	Sept. 30, 1998	\$420.00	Journalist
Pnt S/L D Doma	Vacant	9595.0	Vacant			\$1,500.00	
Deka State Land	Wankie	7349.0	Mvundura John C	93/10/01	Sept. 30, 1998	To be assessed	Businessman
Oliphant Ranch Outspan	Wankie	220.0	Sibanda C	95/10/01	Sept.30, 2000	To be assessed	Member of Parliament
Option Area	Wankie	4300.0	Mayihlome	93/10/01	Sept.30, 1998	To be assessed	Civil Servant
Ptn Kamativi S/L	Wankie	1918.0	Mat Dev Foundation	94/07/01	June 30, 2015	\$1,500.00	Welfare organisation
Makadho Outspan		272.0	Ncube Aaron Maboyi	97/06/01	May 31, 2002	To be assessed	

## ANNEX 3

ZIMBABWE FARM INVASIONS BY MAY 2000 (Source: CFU)<sup>73</sup>

Farmers Association	No. of Invasions	% Farms Invaded	Invasion Costs \$	No. of Violent Hostile Invasions	% Violent Hostile to Total Invasions	No. of Invasions Reported to Police	No. of Poor or Nil Response from Police	% Poor/Nil Police Response to Total Reports
<b>Mashonaland East</b>								
Beatrice	50	41%	1,807,182	6	12%	32	18	56%
Bromley	37	20%	439,800	6	16%	26	20	77%
Enterprise	56	36%	29,530,274	21	38%	28	25	89%
Featherstone	15	25%	1,202,977	1	7%	7	7	100%
Harare South	31	29%	2,227,439	3	10%	17	6	35%
Macheke	70	65%	5,479,016	11	16%	38	30	79%
Marondera	109	49%	10,431,612	32	29%	41	32	78%
Wedza	47	46%	12,577,347	14	30%	22	17	77%
SUB-TOTALS	415	39%	63,695,647	94	23%	211	155	73%
<b>Central Mashonaland</b>								
Bindura	20	20%	3,073,788	14	70%	13	8	62%
Centenary	69	67%	29,078,325	31	45%	44	35	80%
Glendale	28	34%	4,288,417	11	39%	15	11	73%
Harare West	36	20%	986,126	17	47%	25	10	40%
Horseshoe	23	55%	2,216,143	6	26%	20	1	5%
Mazowe/Concession	20	27%	5,170,194	12	60%	14	5	36%
Mvurwi	74	83%	6,504,129	33	45%	42	28	67%
Nyabira	27	36%	722,574	1	4%	8	3	38%
Poorte Valley	0	0%	0	0	0	0	0	0
Shamva	11	15%	415,835	2	18%	9	5	56%
Tsatsi	23	40%	3,231,452	7	30%	4	0	0%
SUB-TOTALS	331	38%	55,686,983	134	40%	194	106	55%
<b>Mashonaland West (South)</b>								
Battlefields	7	41%	4,459,740	0	0%	7	1	14%
Chakari	17	55%	265,044	3	18%	16	15	94%
Chegutu	13	15%	509,647	0	0%	10	4	40%
Kadoma	23	32%	8,128,060	1	4%	12	3	25%
Norton	46	46%	13,865,364	21	46%	24	17	71%
Selous	22	26%	1,406,643	2	9%	14	3	21%
Suri Suri	9	24%	241,336	3	33%	6	2	33%
SUB-TOTALS	137	32%	28,875,834	30	22%	89	45	51%

73 Invasion costs in Zimbabwe dollars

Farmers Association	No. of Invasions	% Farms Invaded	Invasion Costs \$	No. of Violent \Hostile Invasions	% Violent \Hostile to Total Invasions	No. of Invasions Reported to Police	No. of Poor or Nil Response from Police	% Poor/Nil Police Response to Total Reports
<b>Mashonaland West (North)</b>								
Ayreshire	18	14%	2,972,014	14	78%	16	3	19%
Banket	17	18%	31,634	6	35%	12	6	50%
Chinhoyi	61	42%	26,758,117	14	23%	27	15	56%
Doma	19	20%	17,995,687	5	26%	11	7	64%
Karoi	53	24%	4,238,516	24	45%	32	30	94%
Tengwe	22	26%	2,912,094	4	18%	18	5	28%
Trelawney/Darwendale	25	14%	1,791,930	4	16%	20	10	50%
Umboe	19	37%	4,065,310	5	26%	10	5	50%
SUB-TOTALS	234	24%	60,765,302	76	32%	146	81	55%
<b>Masvingo</b>								
Chatsworth/Gutu	12	18%	96,600	0	0%	9	4	44%
Chiredzi	20	17%	63,967,343	7	35%	17	11	65%
Mwenezi	28	38%	14,364,007	3	11%	17	11	65%
Masvingo	24	29%	3,683,613	8	33%	16	10	63%
SUB-TOTALS	84	24%	82,111,563	18	21%	59	36	61%
<b>Midlands</b>								
Chivu	26	52%	3,423,503	2	8%	8	6	75%
Gweru	6	11%	588,478	1	17%	4	2	50%
Gweru East	14	19%	1,462,109	6	43%	8	3	38%
Hunters Road	9	39%	44,234	0	0%	5	4	80%
Kwekwe	32	34%	32,537,122	5	16%	14	10	71%
Shurugwe	8	24%	520,911	0	0%	3	2	67%
Somabhula	3	3%	755,707	0	0%	1	1	100%
SUB-TOTALS	98	23%	39,332,064	14	14%	43	28	65%
<b>Manicaland</b>								
Burma Valley	7	13%	571,580	1	14%	6	2	33%
Chimanimani	1	7%	14,000	0	0%	1	0	0%
Chipinge	16	13%	2,232,175	5	31%	12	8	67%
Headlands	13	29%	84,863	2	15%	10	5	50%
Middle Save	2	11%	0	1	50%	1	1	100%
Mutare District	16	19%	258,543	6	38%	14	5	36%
Nyanga	10	14%	15,000	0	0%	10	2	20%
Nyazura	15	31%	530,300	2	13%	14	2	14%
Odzi	8	17%	603,783	1	13%	7	1	14%
Rusape/Makoni	23	34%	812,821	4	17%	16	2	13%
SUB-TOTALS	111	20%	5,123,065	22	20%	91	28	31%

Farmers Association	No. of Invasions	% Farms Invaded	Invasion Costs \$	No. of Violent \\Hostile Invasions	% Violent \\Hostile to Total Invasions	No. of Invasions Reported to Police	No. of Poor or Nil Response from Police	% Poor/Nil Police Response to Total Reports
<b>Matabeleland</b>								
Beit Bridge	1	5%	3,100,000	0	0%	0	0	0%
Bulawayo	6	6%	15,859,200	1	17%	5	3	60%
Figtrees	6	17%	500,000	0	0%	6	4	67%
Gwaai Valley	5	24%	7,032,518	2	40%	4	2	50%
Gwanda	10	37%	496,707	0	0%	6	3	50%
Insiza/Shangani	4	4%	366,707	0	0%	1	1	100%
Inyati	21	21%	5,079,153	7	33%	15	7	47%
Marula	15	25%	24,388,003	3	20%	11	6	55%
Matetsi	0	0%	0	0	0%	0	0	0%
Matopos South	4	11%	924,040	0	0%	3	2	67%
Mberengwa	3	16%	381,000	1	33%	2	1	50%
Mzingwani	9	14%	1,972,729	1	11%	8	4	50%
Nyamandhlovu	19	24%	24,065,965	7	37%	9	9	100%
West Nicholson	12	35%	9,825,290	1	8%	10	8	80%
SUB-TOTALS	115	16%	93,991,312	23	20%	80	50	63%
TOTALS	1525	28%	429,581,770	411	27%	913	529	58%

## **Annex 4**

### **Zimbabwe Constitution**

#### **Section 16**

##### **Prior to the 2000 Amendments**

#### **16. Protection from deprivation of property**

(1) No property of any description or interest or right therein shall be compulsorily acquired except under the authority of a law that—

(a) requires—

(i) in the case of land or any interest or right therein, that the acquisition is reasonably necessary for the utilization of that or any other land—

A. for settlement for agricultural or other purposes; or

B. for purposes of land reorganization, forestry, environmental conservation or the utilization of wild life or other natural resources; or

C. for the relocation of persons dispossessed in consequence of the utilization of land for a purpose referred to in subparagraph A or B;

or

(ii) in the case of any property, including land, or any interest or right therein, that the acquisition is reasonably necessary in the interests of defence, public safety, public order, public morality, public health, town and country planning or the utilization of that or any other property for a purpose beneficial to the public generally or to any section of the public;

and

(b) requires the acquiring authority to give reasonable notice of the intention to acquire the property, interest or right to any person owning the property or having any other interest or right therein that would be affected by such acquisition; and

(c) subject to the provisions of subsection (2), requires the acquiring authority to pay fair compensation for the acquisition before or within a reasonable time after acquiring the property, interest or right; and

(d) requires the acquiring authority, if the acquisition is contested, to apply to the High Court or some other court for the prompt return of the property if the court does not confirm the acquisition, and to appeal to the Supreme Court; and

(f) except where the property concerned is land or any interest or right therein, enables any claimant for compensation to apply to the High Court or some other court for the determination of any question, relating to compensation and to appeal to the Supreme Court.

(2) A law referred to subsection (1) which provides for the compulsory acquisition of land or any interest or right therein may—

(a) specify the principles on which, and the manner in which, compensation for the acquisition of the land or interest or right therein is to be determined and paid;

(b) fix, in accordance with principles referred to in paragraph (a), the amount of compensation payable for the acquisition of the land or interest or right therein;

(c) fix the period within which compensation shall be paid for the acquisition of the land or interest or right therein;

and no such law shall be called into question by any court on the ground that the compensation provided by that law is not fair.

(3) Where any person, by virtue of a law, contract or scheme relating to the payment of pensions benefits, has a right, whether vested or contingent, to the payment of pensions benefits or any commutation thereof or a refund of contributions, with or without interest, payable in terms of such law, contract or scheme, any law which thereafter provides for the extinction of or a diminution in such a right shall be regarded for the purposes of subsection (1) as a law providing for the acquisition of a right in property.

(4) Nothing contained in or done under the authority of any law shall be held to be in contravention of subsection (1) to the extent that the law in question authorizes the taking of possession of property compulsorily during a period of public emergency or in the event of any other emergency or disaster that threatens the life or well-being of the community or where there is a situation that may lead to such emergency or disaster and makes provision that—

(a) requires the acquiring authority promptly to give reasonable notice of the taking of possession to any person owning or possessing the property;

(b) enables any such person to notify the acquiring authority in writing that he objects to the taking of possession;

(c) requires the acquiring authority to apply within thirty days of such notification to the High Court or some other court for a determination of its entitlement to take possession;

(d) requires the High Court or other court to order the acquiring authority to return the property unless it is satisfied that the taking of possession is reasonably justifiable, in the circumstances of any situation arising or existing during that period or as a result of that other emergency or disaster or that may lead to such emergency or disaster, for the purpose of dealing with that situation;

(e) requires—

(i) when possession is no longer reasonably justifiable as referred to in paragraph (d), wherever possible, the prompt return of the property in the condition in which it was at the time of the taking of possession; and

(ii) the payment within a reasonable time of fair compensation for the taking of possession and, where appropriate, for the failure to return the property in accordance with subparagraph (i) or for any damage to the property;

and

(f) enables any claimant for compensation to apply to the High Court or some other court for the prompt return of the property and for the determination of any question relating to compensation, and to appeal to the Supreme Court.

(5) Nothing contained in or done under the authority of any law shall be held to be in contravention of subsection (1) to the extent that the law in question imposes or authorizes the imposition of restrictions or limitations, to the extent permitted by paragraph 2 of Schedule 6, on the remittability of any commutation of a pension.

(6) [Subsection repealed by section 6 of Act 30 of 1990]

(7) Nothing contained in or done under the authority of any law shall be held to be in contravention of subsection (1) to the extent that the law in question makes provision for the acquisition of any property or any interest or right therein in any of the following cases—

(a) in satisfaction of any tax or rate;

(b) by way of penalty for breach of any law, including any law of a foreign country which, by or in terms of an Act of Parliament, is recognised or applied for any purpose in Zimbabwe, whether under civil process or after conviction of an offence, or forfeiture in consequence of a breach of the law or in pursuance of any order referred to in section 13 (2) (b);

(c) upon the removal or attempted removal of the property in question out of or into Zimbabwe in contravention of any law;

(d) as an incident of a contract, including a lease or mortgage, which has been agreed between the parties to the contract, or of a title deed to land fixed at the time of the grant or transfer thereof or at any other time with the consent of the owner of the land;

(e) in execution of the judgment or order of a court in proceedings for the determination of civil rights or obligations;

(f) by reason of the property in question being in a dangerous state or prejudicial to the health or safety of human, animal or vegetable life or having been constructed or grown on any land in contravention of any law relating to the occupation or use of that land;

(g) in consequence of any law with respect to the limitation of actions, acquisitive prescription or derelict land;

(h) as a condition in connection with the granting of permission for the utilization of that or other property in any particular manner;

(i) by way of the taking of a sample for the purposes of a law;

(j) where the property consists of an animal, upon its being found trespassing or straying;

(k) for so long only as may be necessary for the purpose of any examination, investigation, trial or inquiry;

(l) in the case of land, for so long only as may be necessary for the purpose of the carrying out thereon of—

(i) work for the purpose of the conservation of natural resources of any description; or

(ii) agricultural development or improvement which the owner or occupier of the land has been required, and has without reasonable or lawful excuse refused or failed, to carry out;

(m) in consequence of any law requiring copies of any book or other publication published in Zimbabwe to be lodged with the National Archives or a public library;

(n) for the purposes of, or in connection with, the prospecting for or exploitation of minerals, mineral oils, natural gases, precious metals or precious stones which are vested in the President on terms which provide for the respective interests of the persons affected;

(o) for the purposes of, or in connection with, the exploitation of underground water or public water which is vested in the President on terms which provide for the respective interests of the persons affected;

except so far as that provision or, as the case may be, the thing done under the authority thereof is shown not to be reasonably justifiable in a democratic society.

(8) Nothing contained in or done under the authority of any law shall be held to be in contravention of subsection (1) to the extent that the law in question makes provision for the acquisition of any property or any interest or right therein in any of the following cases—



(a) for the purpose of the administration, care of custody of any property of a deceased person or a person who is unable, by reason of any incapacity, to administer it himself, on behalf and for the benefit of the person entitled to the beneficial interest therein;

(b) by way of the vesting or administration of any property belonging to or used by or on behalf of an enemy or any organization which is, in the interests of defence, public safety or public order, proscribed or declared by a written law to be an unlawful organisation;

(c) by way of the administration of moneys payable or owing to a person outside Zimbabwe or to the government of some other country where restrictions have been placed by law on the transfer of such moneys outside Zimbabwe;

(d) as an incident of—

(i) a composition in insolvency accepted or agreed to by a majority in number of creditors who have proved claims and by a number of creditors whose proved claims represent in value more than fifty per centum of the total value of proved claims; or

(ii) a deed of assignments entered into by a debtor with his creditors;

(e) by way of the acquisition of the shares, or a class of shares, in a body corporate on terms agreed to by the holders of not less than nine-tenths in value of those shares of that class thereof.

(g) Nothing in this section shall affect the making or operation of any law in so far as it provides for—

(a) the orderly marketing of any agricultural produce or mineral or any article or thing prepared for market or manufactured therefor in the common interests of the various persons otherwise entitled to dispose of that property or for the reasonable restriction of the use of any property in the interests of safeguarding the interests of others or the protection of lessees or other persons having rights in or over such property; or

(b) the taking of possession or acquisition in the public interest of any property or any interest or right therein where that property, interest or right is held by a body corporate established directly by law for a public purpose in which no moneys have been invested other than moneys provided from public funds.

(ga) Nothing in this section shall affect the making or operation of any Act of Parliament in so far as it provides for the extinction of any debt or other obligation gratuitously assumed by the State or any other person.

[Subsection as inserted by section 6 of Act 30 of 1990]

(10) In this section—

*“acquiring authority”* means the person or authority compulsorily taking possession of or acquiring the property or the interest of right therein;

*“agricultural purpose”* includes forestry, fruit-growing and animal husbandry, including the keeping of poultry, bees or fish;

*“land”* includes anything permanently attached to or growing on land;

*“pensions benefits”* means any pension, annuity, gratuity or other like allowance-

(a) which is payable from the Consolidated Revenue Fund to any person;

(b) for any person in respect of his service with an employer or for any spouse, child or dependent of such person in respect of such service;

(c) for any person in respect of his ill-health or injury arising out of and in the course of his employment or for any spouse, child or dependant of such person upon the death of such person from such ill-health or injury;

(d) for any person upon his retirement on account of age or ill-health or other termination of service;

*“piece of land”* means a piece of land registered as a separate entity in the Deeds Registry.

## **Annex 5**

### **Zimbabwe Constitution**

#### **Section 16**

#### **Clauses inserted in April 2000**

In April 2000 the Zimbabwe Parliament voted to amend the Constitution by inserting the following language into Section 16:

The Constitution is amended by the insertion after section 16 of the following section –

“16A Agricultural land acquired for resettlement

(1) In regard to the compulsory acquisition of agricultural land for the resettlement of people in accordance with a programme of land reform, the following factors shall be regarded as of ultimate and overriding importance –

- (a) under colonial domination the people of Zimbabwe were unjustifiably dispossessed of their land and other resources without compensation;
- (b) the people consequently took up arms in order to regain their land and political sovereignty, and this ultimately resulted in the Independence of Zimbabwe in 1980;
- (c) the people of Zimbabwe must be enabled to reassert their rights and regain ownership of their land;

and accordingly—

- (i) the former colonial power has an obligation to pay compensation for agricultural land compulsorily acquired for resettlement, through an adequate fund established for the purpose; and
- (ii) if former colonial power fails to pay compensation through such a fund, the Government of Zimbabwe has no obligation to pay compensation for agricultural land compulsorily acquired for resettlement.

(2) In view of the overriding considerations set out in subsection (1), where agricultural land is acquired compulsorily for the resettlement of people in accordance with a programme of land reform, the following factors shall be taken into account in the assessment of any compensation that may be payable—

- (a) the history of the ownership, use and occupation of the land
- (b) the price paid for the land when it was last acquired;
- (c) the cost or value of improvements on the land;
- (d) the current use to which the land and any improvements on it are being put;

- (e) any investment which the State or the acquiring authority may have made which improved or enhanced the value of the land and any improvements on it;
- (f) the resources available to the acquiring authority in implementing the programme of land reform;
- (g) any financial constraints that necessitate the payment of compensation in instalments over a period of time; and
- (h) any other relevant factor that may be specified in an Act of Parliament”.

## Annex 6

### FULL TEXT OF THE ABUJA AGREEMENT ON ZIMBABWE LAND REFORM, 6 SEPTEMBER 2001 (Source: BBC / Africaonline.com, 7.9.01)

The meeting recognised that as a result of historical injustices, the current land ownership and distribution needed to be rectified in a transparent and equitable manner.

It also agreed on the following:

Land is at the core of the crisis in Zimbabwe and cannot be separated from other issues of concern to the Commonwealth such as the rule of law, respect for human rights, democracy and the economy. A programme of land reform is, therefore, crucial to the resolution of the problem.

Such a programme of land reform must be implemented in a fair, just and sustainable manner, in the interest of all the people of Zimbabwe, within the law and constitution of Zimbabwe.

The crisis in Zimbabwe also has political and rule of law implications which must be addressed holistically and concurrently. The situation in Zimbabwe poses a threat to the socio-economic stability of the entire sub-region and the continent at large

The need to avoid a division within the Commonwealth, especially at the forthcoming CHOGM [Commonwealth Heads of Government Meeting] in Brisbane, Australia, over the situation in Zimbabwe

The orderly implementation of the land reform can only be meaningful and sustainable if carried out with due regard to human rights, rule of law, transparency and democratic principles. The commitment of the government of Zimbabwe is therefore crucial to this process.

The committee recognises the need for the adoption of confidence-building measures to ensure the implementation of the conclusions of the meeting. In this regard, the meeting welcomed assurances given by the Zimbabwe delegation as follows:

Commitment to the Harare Commonwealth Declaration and the Millbrook Commonwealth Action Programme on the Harare Declaration

There will be no further occupation of farm lands

To speed up the process by which farms that do not meet set criteria are de-listed

For farms that are not designated, occupiers would be moved to legally acquired lands

Acceleration of discussions with the UNDP [United Nations Development Programme] with a view to reaching agreement as quickly as possible

Commitment to restore the rule of law to the process of land reform programme

Invitation by the foreign minister to the committee to visit Zimbabwe.

The meeting agreed, in the overall context of the statement, that the way forward is for Zimbabwe's international partners

to engage constructively with the UNDP and the government of Zimbabwe in pursuing an effective and sustainable land reform programme on the basis of the UNDP proposals of December 2000

to respond positively to any request from the government of Zimbabwe in support of the electoral process

to continue to contribute to poverty reduction programmes for the benefit of the people of Zimbabwe

and that those partners present (Australia, Canada and United Kingdom) would actively pursue these objectives.

The meeting also welcomed the re-affirmation of the United Kingdom's commitment to a significant financial contribution to such a land reform programme and its undertaking to encourage other international donors to do the same.

## **Annex 7**

### **Examples of Land Invasions in South Africa**

#### **June 2000 to July 2001**

*June 2000:* about 1000 people invaded government built houses in Stellenbosch, Western Cape.

*July 2000:* more than 5000 people illegally occupied farmland in KwaDukaza, northern KwaZulu-Natal. In the same month, over 200 people took occupation of vacant land in Diepsloot, Soweto.

*October 2000:* clashes occurred when security guards tried to stop occupiers from erecting shacks near Atteridgeville, outside Pretoria.

*November 2000:* hundreds of people invaded and occupied low-cost houses in Alexandra, Johannesburg.

*June 2001:* about 2000 people defied a court order and occupied vacant land in Kloof, west of Durban.

*July 2000:* more than 5000 people illegally occupied farmland in KwaDukaza, northern KwaZulu-Natal. In the same month, over 200 people took occupation of vacant land in Diepsloot, Soweto.

*July 2000:* estimated 2000 people occupied small plots of land at Bredell, Kempton Park. After a stand-off with the government and court action, they were forced to leave.

*10 June 2001:* a land occupation by about 150 people at Rietvlei near Pretoria was prevented by police and security guards who stopped the people from erecting shacks and convinced them to leave.

*June 23 2001:* 19 people were arrested after invading land in the Northern Cape.

*14 July 2001:* about 1000 residents of Khayelitsha, Western Cape, occupied a 400 ha piece of land but were persuaded by the African National Congress (ANC) and local police to leave peacefully.

*25 July 2001:* A stretch of land near Khayelitsha Site C in Cape Town was invaded by about 1000 residents from Ikwezi Park informal settlement. They were persuaded to leave but vowed to return if their living conditions were not improved.

*Also in July 2001:* hundreds of people occupied land on the East Rand, after their attempt to purchase it from a private owner went wrong.

# 16 COHRE Publications

## Sources Series

COHRE, **Sources No. 7: Housing and Property Restitution for Refugees and IDPs: Basic Standards**, (May 2001), US\$ 15.00

COHRE, **Sources No. 6: International Events and Forced Evictions**, (December 2001), US\$ 15.00

COHRE, **Sources No. 5: Women and Housing Rights**, (May 2000), US\$ 15.00

COHRE, **Sources No. 4: Legal Provisions on Housing Rights: International and National Approaches**, (2nd ed., April 2000), US\$ 15.00

COHRE, **Sources No. 3: Forced Evictions and Human Rights: A Manual for Action**, (2nd ed., October 1998), US\$ 15.00

COHRE, **Sources No. 2: Selected Bibliography on Housing Rights and Evictions** (2nd ed., April 2001), US\$ 15.00

COHRE, **Sources No. 1: Legal Sources of the Right to Housing in International Human Rights Law** (February 1992)(out of print)

## Global Surveys on Forced Evictions

COHRE, **Forced Evictions: Violations of Human Rights No. 8** (November 2001), US\$ 10.00

COHRE, **Forced Evictions: Violations of Human Rights No. 7** (July 1998), US\$ 10.00

COHRE, **Forced Evictions: Violations of Human Rights No. 6** (August 1994), US\$ 10.00

COHRE, **Forced Evictions: Violations of Human Rights No. 5** (June 1993)

COHRE, **Forced Evictions: Violations of Human Rights No. 4** (August 1992)

COHRE, **Forced Evictions: Violations of Human Rights No. 3** (February 1992)

COHRE, **Forced Evictions: Violations of Human Rights No. 2** (August 1991)

COHRE, **Forced Evictions: Violations of Human Rights No. 1** (August 1990)



## **Books and Other Reports**

Ken Fernandes (ed.) **We Shall Not Be Moved: Popular Resistance to Forced Evictions** (2001), COHRE, 200p, US\$ 20.00

COHRE (and the Canadian Human Rights Foundation), **Housing Rights: A Training Programme**, (2001), US\$ 20.00

COHRE, **The Human Right to Adequate Housing: A Chronology of United Nations Activity 1945-1999**, (May 2000), US\$ 15.00

Scott Leckie, **When Push Comes to Shove: Forced Evictions and Human Rights** (1995) Habitat International Coalition, 139p, US\$ 15.00

Scott Leckie, **Destruction by Design: Housing Rights Violations in Tibet** (1994) COHRE, 199p, US\$ 20.00

## **Country Reports**

COHRE, **Land, Housing and Property Rights in Zimbabwe** (September 2001), US\$ 10.00

COHRE and ACHR, **Housing Rights Violations in Bangladesh** (March 2001), US\$ 10.00

COHRE, **Better Late Than Never: Housing Rights in East Timor** (October 2000), US\$ 10.00

COHRE, **Housing Rights in Latvia** (January 2000), US\$ 10.00

COHRE, **The Status of Economic, Social and Cultural Rights in the Solomon Islands: Moving Forward and Maintaining the Past** (May 1999), US\$ 10.00

COHRE, **St. Vincent and the Grenadines and the Covenant on Economic, Social and Cultural Rights** (November 1997), US\$ 10.00

COHRE, **Still Waiting: Housing Rights Violations in a Land of Plenty, The Kobe Earthquake and Beyond** (February 1996), US\$ 10.00

COHRE, **Planned Dispossession: Palestinians, East Jerusalem and the Right to a Place to Live** (September 1995), US\$ 10.00

COHRE, **Prima Facie Violations of Article 11(1) of the Covenant on Economic, Social and Cultural Rights by the Government of the Philippines** (November 1993), US\$ 10.00

This publication presents the findings and conclusions of a COHRE fact-finding mission to Zimbabwe to investigate the current land crisis. The report examines Zimbabwe's land reform and resettlement policies since independence and the initial successes of these policies. Recent government failure, however, to further implement equitable land distribution has resulted in illegal land invasions of white and black owned farms. This has impacted on all sections of Zimbabwean society both politically and economically, and the conflict threatens to spill over to surrounding countries. The report contains a number of essential recommendations to the government and the international community to ensure that the housing, land and property rights of all Zimbabweans are fully respected and protected.

#### Centre on Housing Rights and Evictions (COHRE)

COHRE is an international human rights non-governmental organisation (NGO) with its International Secretariat based in Geneva, Switzerland. The COHRE Africa Programme is based in Lagos, Nigeria. COHRE undertakes a wide variety of activities supporting the full realisation of housing rights for everyone, everywhere. COHRE actively campaigns against and opposes forced evictions wherever they occur or are planned, and views forced evictions - as does the United Nations- as a gross violation of human rights, in particular the right to adequate housing.



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