

# Zimbabwe Digital Rights Landscape Report

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This report is part of 'Digital Rights in Closing Civic Space: Lessons from Ten African Countries'; the Introduction is also recommended reading.

# 1. Introduction

Over the past two decades there has been a rapid adoption of mobile and internet technologies in Zimbabwe. This has empowered citizens but also expanded the repressive capacity of the state. This double-edged impact of technology on civic space and digital rights can only be fully understood in the context of the country's protracted political crisis and authoritarian state.

We begin by discussing the political developments in the country since the late 1990s that have provided the backdrop for the adoption and use of digital technology in the country. This is followed in section 3 by a discussion of the alternating openings and closings of civic space that emerged out of political contests. Section 4 examines the ways that digital media has been employed by citizens and the state in the prosecution of different sociopolitical agendas. Section 5 assesses the digital landscape in the country and offers recommendations for ways that the digital rights regime can be strengthened. In section 6 we offer some reflections on the impact of the Covid-19 pandemic on digital rights. Finally, we end with some concluding observations.

## 2. Political landscape

Since the early 2000s, Zimbabwe's politics has been characterised by an unresolved contest. On one side is the Zimbabwe African National Union–Patriotic Front (ZANU–PF), a liberation party that has been in power since independence in 1980, but which has proven unable to reform itself or the country, and is willing to violate the spirit and the letter of the law to hold on to power. On the other is the Movement for Democratic Change (MDC). The opposition party has managed to attract significant popular support, but has failed to mobilise citizens beyond its urban strongholds; and is unable to maintain sufficient unity within its ranks and to consistently act strategically. In the face of this unresolved battle, the country has found itself unable to break out of a socioeconomic crisis in which it has been trapped for the better part of two decades.

Antonio Gramsci (1971)'s concept of the 'interregnum' is a useful prism through which to understand Zimbabwe's political circumstances. 'The crisis', Gramsci argues, 'consists precisely in the fact that the old is dying and the new cannot be born; in this interregnum a great variety of morbid symptoms appear' (*ibid.*: 276). However, it would be incorrect to suggest that the past 20 years have been marked by an inexorable descent into an ever-deepening crisis. Instead, there has been an alternation between periods of opening and closing of civic space. However, it is arguably true that there has been a progressive drift away from open, inclusive democratic practices.

Between 2000 and 2008, ZANU–PF passed a series of repressive laws, interfered with the workings of the judiciary, manipulated elections and used violence and intimidation against opposition supporters and officials (Karekwaivanane 2017). It also deployed a discourse of exclusion, which divided society into 'patriots' who supported it and 'sell-outs' who supported the MDC (Tendi 2020: 53, 57). The ever-broadening category of sell-outs came to include civil society, private media and other organisations that sought to hold the government to account. Crucially, by discursively constructing these groups and individuals as sell-outs or traitors ZANU–PF rendered them legitimate objects of violence.

The political deadlock led to a deepening social and economic crisis marked by record-breaking inflation and a massive exodus of Zimbabweans into the diaspora. The crisis ultimately led to mediation efforts by the Southern African Development Community (SADC). Matters came to a head in mid-2008 when President Robert Mugabe mounted a violent campaign in the lead-up to the June run-off election, compelling the MDC's Morgan Tsvangirai to pull out of

the election. Although Mugabe declared himself the winner, he was faced with an acute crisis of legitimacy at home and abroad. He was thus forced to agree to a Government of National Unity (GNU) with the opposition.

The five-year term of the GNU (2009–13) was a period of relative political opening, designed to allow for the implementation of reforms and drafting of a new constitution, as detailed in the Global Political Agreement (Raftopoulos 2013). However, few political reforms were fully implemented. The signature achievement of the GNU was the adoption of a new constitution in 2013. However, since 'winning' the 2013 presidential and parliamentary elections ZANU–PF has been reluctant to bring the repressive laws on the statute book into line with the new Constitution. The thinking that informed ZANU–PF inertia is summed up in the statement by the then cabinet minister Prof. Jonathan Moyo that 'Zanu PF will never reform itself out of power' (Tshili 2016).

When ZANU–PF returned to sole power following the 2013 election, there was a significant loss in investor confidence. Much of the social and economic progress made under the GNU was reversed and Mugabe was drawn into bitter infighting within his party. In November 2017, Mugabe was deposed in a military coup and died in hospital less than two years later. The protagonists of the coup were anxious to mark a break with the past and styled their government 'the new dispensation' or 'the second republic'. However, as we show in the next section the repressive political strategies of the administrations of Mugabe and his successor Emmerson Mnangagwa have been very similar.

### 3. Civic space landscape

The political developments described in section 2 had important implications for the opening and closing of civic space in the country. It is arguably true that the more ZANU–PF has felt politically threatened, the more severe the attacks it has made on civic space. The period between 2000 and 2020 thus witnessed prolonged periods of rapidly shrinking civic space punctuated by windows of expanding civic space. Nevertheless, the predominant trend has been towards shrinking civic space.

Unsurprisingly, the key political indicators for the period show only very slight improvements between 2000 and 2019, if at all. For example, Zimbabwe’s 2019 freedom ranking of ‘partly free’ was a return to the 2000 level after a prolonged period in the ‘not free’ ranking (see Figure 3.1). Recent political developments indicate that these very modest gains are not guaranteed to be permanent and that the trend might be moving in the opposite direction.

**Figure 3.1 Freedom House ranking for ADRN countries, 2000–19<sup>1</sup>**

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	
<b>Zimbabwe</b>	Partially free	Partially free	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free	N/A	Not free	N/A	Not free	Not free	Not free	Partially free	Partially free	Partially free	Partially free	
<b>Zambia</b>	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	N/A	Partially free	N/A	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	
<b>Uganda</b>	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	N/A	Partially free	N/A	Partially free	Partially free	Not free	Not free	Not free	Not free	Partially free	Not free
<b>Sudan</b>	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free	N/A	Not free	N/A	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free
<b>South Africa</b>	Free	Free	Free	Free	Free	Free	Free	Free	Free	Free	N/A	Free	N/A	Free	Free	Free	Free	Free	Free	Free	Free
<b>Nigeria</b>	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	N/A	Partially free	N/A	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free
<b>Kenya</b>	Not free	Not free	Not free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	N/A	Partially free	N/A	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free
<b>Ethiopia</b>	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	Partially free	N/A	Not free	N/A	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free
<b>Egypt</b>	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free	N/A	Not free	N/A	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free
<b>Cameroon</b>	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free	N/A	Not free	N/A	Not free	Not free	Not free	Not free	Not free	Not free	Not free	Not free

■ Free   
 ■ Partially free   
 ■ Not free

Note: ADRN – African Digital Rights Network.

Source: Adapted from Freedom House (2019)

<sup>1</sup> Data not available for 2010 and 2012.

The 1987 Unity Accord in effect removed any political threat to ZANU–PF from rival political parties.<sup>2</sup> This absence of serious political threats partly explains why the ruling party allowed an expansion of civic space throughout the 1990s. This period witnessed the emergence or growth of several organisations that went on to play an important role in civil society. These included the Zimbabwe Human Rights Association, Zimbabwe Lawyers for Human Rights (ZLHR), the National Constitutional Assembly and the Zimbabwe Human Rights NGO Forum (Masunungure 2014: 10).

The period 2000–08 was marked by a drastic closing of civic space as ZANU–PF sought to fend off the political challenge posed by the MDC. The security agencies, war veterans, and youth militia were used to intimidate, assault and, in some instances, kill the ruling party's political opponents (Karekwaivanane 2017: 220). The law was also used to criminalise political dissent. A lot of the violence and intimidation centred on the elections that were held in 2000, 2002, 2005 and 2008.

Civil society organisations (CSOs) made significant efforts to challenge the government's repression. The earlier generation of CSOs were joined by a host of new ones such as Zimbabwe Peace Project, Zimbabwe Electoral Support Network, the Crisis in Zimbabwe Coalition and Women of Zimbabwe Arise (Masunungure 2014: 10). The excessive nature of the violence ultimately backfired as it undermined the legitimacy of Mugabe's government and forced SADC to intervene. It was this intervention that led to the establishment in 2008 of the power-sharing GNU.

Between 2008 and 2013 the power-sharing arrangement resulted in a significant expansion of civic space. The countrywide constitutional consultation process, flawed as it was, helped to create the space for wide-ranging grassroots-level political debate (Sachikonye 2013). The process resulted in a progressive constitution with a justiciable bill of rights, although few concrete steps were taken to implement transitional justice measures.

The GNU came to an abrupt end in 2013 when a hastily organised election returned ZANU–PF to power with a two-thirds majority in Parliament. With ZANU–PF in full control of the state, the years leading up to 2017 saw a progressive weakening in the capacity of civil society and opposition political organisations. The weakness in these institutions led to a proliferation of citizen-led protests. The Occupy Africa Unity Square campaign began in 2014 and the #ThisFlag, #Tajamuka, #BeatThePot and #ThisGown campaigns of 2016 followed in quick succession (Karekwaivanane and Mare 2019). What is significant about this period was the growing use of social

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2 The 1987 Unity Accord led to a merger between ZANU–PF and the main opposition party, Zimbabwe African People's Union (PF–ZAPU). The accord ended the government-directed violence against PF–ZAPU members and leaders.

media by citizens to mobilise and coordinate social and political action. However, these campaigns were frequently met with firm state repression that was reminiscent of the period between 2000 and 2008.

Ironically, the military coup of 2017 ushered in a short period of widening civic space between the November 2017 coup and the July 2018 elections. The new dispensation allowed a measure of freedom of association and expression in order to convince potential investors that they were reform minded. However, this superficial commitment to greater freedoms was already fraying in the weeks leading up to the July 2018 elections.

Amidst heightened anxiety and suspicion over vote counting and announcement of the election results, the government ordered the army on to the streets of the capital Harare to suppress growing protests. The crackdown left six civilians dead and dozens more seriously injured (Motlanthe Commission of Inquiry 2018). Fuel price protests in January 2019 were met with another military crackdown, during which more citizens were killed, and an internet shutdown was imposed (Amnesty International 2019). Abductions of prominent voices of dissent such as journalists, union leaders, comedians and opposition officials became more commonplace (OHCHR 2020). This trend of closing civic space continued in 2020.

### Table 3.1 Civic space timeline

Year	Shift	Implication
<b>1997–99</b>	Emergence of a civil society coalition under the National Constitutional Assembly.	Opening of civic space and formation of the Movement for Democratic Change (MDC).
<b>2000–08</b>	All-out effort by the Zimbabwe African National Union–Patriotic Front (ZANU–PF) to hold on to power.	Rapidly shrinking civic space and targeting of civil society and opposition activists.
<b>2008–13</b>	Government of National Unity.	Expansion of civic space and adoption of new Constitution.
<b>2013–late-2017</b>	ZANU–PF’s shock defeat of opposition MDC.	Renewed shrinking of civic space and repression of citizen-led protest campaigns.
<b>November 2017–July 2018</b>	Following a military coup, a new government led by Emmerson Mnangagwa takes office.	Broadening civic space and increased freedom of speech, assembly and association.
<b>August 2018–present</b>	Post-election killings usher in a return to overt repression.	Closing of civic space, and carrot-and-stick approach towards opposition politicians, civil society activists and unionists.

Source: Authors’ own.

## 4. Technology landscape

Over the past 20 years, there has been a significant expansion in the uptake of the internet and mobile phones in Zimbabwe. Between 2000 and 2019 the mobile penetration rate rose from 2.3 per cent to 90.6 per cent of the total population (POTRAZ 2019). From 2009 to 2019 the internet penetration level rose from 5.1 per cent to 60.6 per cent of the total population (*ibid.*). However, the high cost of data means that subscribers often cannot afford regular access to the internet. In addition, there remains a significant disparity in internet access among citizens. Increased internet and mobile penetration has been accompanied by a rise in the use of social media platforms such as WhatsApp, Facebook and Twitter. WhatsApp is the most widely used, followed by Facebook, which was estimated to have 994,000 subscribers in Zimbabwe at the end of 2019 (Internet World Stats 2020).

Due to its widespread availability, digital technology has played an important role in the opening and closing of civic space. On the one hand, citizens have used digital technologies in increasingly innovative ways to expand and take full advantage of civic space. On the other, the government has employed digital technologies to control and conduct surveillance on its citizens. In this section we highlight the main steps taken by the government and citizens, respectively.

The legal basis for repressing digital rights in Zimbabwe rests on laws such as the 2003 Access to Information and Protection of Privacy Act (AIPPA). AIPPA has been used by the government to inhibit media freedom (Article 19 and MISA-Zimbabwe 2004). The Interception of Communications Act (ICA) of 2007 was introduced at a time when Zimbabweans were increasingly using digital platforms to criticise the government. The legislation empowered the government to set up the Interception of Communications Monitoring Centre, which enabled it to place its critics under intrusive surveillance in the name of national security (The President and the Parliament of Zimbabwe 2007). Section 9 of the act requires telecommunications service providers to provide the state with 'real time and full time monitoring facilities for the interception of communications' and failure to comply is punishable by a fine or a jail term of up to three years (*ibid*: 7).

During the 2013 election campaign, the government banned the use of bulk SMS (text messaging) (Batambuze III 2013) on the grounds that it was trying to ensure that telecommunications operators respected 'the constitutional right of customers to personal privacy' and to protect customers from 'unsolicited Bulk SMS' (POTRAZ 2013). However, bulk SMS messages were a powerful means for activists and non-governmental organisations in Zimbabwe to reach wide audiences with civic education information. The



ban thus curtailed access to information, especially for those who could not afford smartphones and mobile data.

In 2013, the government claimed that the introduction of mandatory SIM card registration was in line with the global trend and was intended to 'safeguard national security' and control crime (POTRAZ 2013). However, it effectively expanded state surveillance capabilities while reducing citizens' privacy and freedoms.

This capability has on occasion been used to instil fear in citizens. For example, on the day of the July 2016 stay-away co-ordinated by the #ThisFlag campaign,<sup>3</sup> the government, through the Post and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ), issued a veiled threat through a public notice in the press (Gambanga 2016). The notice stipulated that people who were sharing 'abusive and subversive materials' would be 'disconnected... arrested and dealt with accordingly in the national interest'. The public notice further warned that: 'All SIM cards in Zimbabwe are registered in the name of the user. Perpetrators can easily be identified' (*ibid.*).

The government has also used pricing of data to close down online opposition. On 4 August 2016, during a period of sustained online campaigning and a nationwide stay-away campaign, the government increased the cost of mobile data by 500 per cent (Htxt 2016; Muzulu 2017). This timing stoked speculation that the price hikes were a deliberate move by the government to quash social activism and online organising. Public uproar at the price rises led to a policy reversal five days later, but the tactic was deployed again in 2017; this time prices were hiked by 2,500 per cent in January (Muzulu 2017). Many Zimbabweans were temporarily forced to go offline and forfeit their freedom of expression, demonstrating the increasing centrality of mobile data access to digital rights.

Price hikes were not the only tactic in President Mugabe's arsenal for closing civic space. In 2015, he received a 'gift' of monitoring and surveillance technology from Iran including international mobile subscriber identity (IMSI) catchers that make it possible to intercept mobile phone traffic, as well as track the location data of mobile phone users (Bulawayo24 2015). This gave the government new capabilities to target government critics or perceived enemies of the state. A study by cybersecurity researchers used an IMSI catcher sniffer app to detect IMSI catchers 'on the cell phone towers of the government-owned cell phone provider NetOne' (Gwagwa and Hove n.d.). According to media reports about the alleged bugging of the mobile phones of opposition officials, the government is using such technology to conduct surveillance on Zimbabwean citizens (Ndlela 2020).

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3 A stay-away is a form of protest in which citizens stay away from their places of work for a set period of time. The goal is to bring the economy to a standstill while avoiding violent confrontations with the authorities.

In addition to installing IMSI catchers, the government has also extended its surveillance capabilities through the installation of a large-scale facial recognition programme, as part of a 2018 'strategic' public-private partnership backed by the Chinese Belt and Road Initiative (Quartz Africa 2018). This partnership is an example of the way that the Chinese information control model is being diffused via the digital silk road (Weber 2019). For its part, the government intends to use the facial recognition system for law enforcement purposes. Cloudwalk Technology, the Chinese company providing the facial recognition equipment, will receive a stock of photographs that will be used to 'train the racial bias out of its facial recognition systems' (Quartz Africa 2018).

In addition, data collected by researchers at the Carnegie Endowment for International Peace show that artificial intelligence surveillance technology from two other Chinese firms, Huawei and Hikvision, is currently being used in Zimbabwe (Feldstein 2019). This has stoked fears that the adoption of this technology signals a broader adoption of China's information control model, and that the facial recognition programme may represent a step towards the pervasive and panoptic surveillance measures used in Chinese cities (Weber 2019).

This progressive increase in state surveillance capabilities may be linked to a rise in arrests of individuals for their online activities. Since July 2014, ZLHR has assisted at least 200 people who have been arrested for posts that they have made on social media sites (CIPESA 2020). These include former editor of the state-owned *Sunday Mail* newspaper Edmund Kudzayi (Laiton 2014) and prominent journalist Hopewell Chin'ono, who was arrested in a round-up of government critics ahead of the anti-corruption protests planned for 31 July 2020 (New Zimbabwe 2020). These arrests have had a chilling effect on citizens, causing government critics to use pseudonyms to engage in online discussions of politics, or self-censor to avoid arrest (Mokwetsi 2014).

Social media has become an important space partly due to aggressive policing of street protests. The opening of online civic space is a response to the repressive closing of physical civic space – the two are intimately connected. The opening of online civic space has produced a number of influential hashtag campaigns in Zimbabwe that have produced street demonstrations. The #ThisFlag campaign of 2016 was triggered by a social media video in which Pastor Evan Mawarire bemoaned the protracted socioeconomic and political crises confronting the country (Karekwaivanane and Mare 2019). Unemployed university graduates took advantage of the momentum by initiating the #ThisGown campaign. #ShutDownZimbabwe also started through online cyber-activism, but culminated in nationwide street protests in January 2019, which turned violent and led to the destruction of property and loss of lives.

Ahead of elections in July 2018, the president issued a 'call to arms'<sup>4</sup> to his supporters to '*rakasha*' (trash) his opponents online. This led to an upsurge in new social media accounts amplifying ruling party propaganda and derailing critical political conversations. This has been described locally as the '*Varakashi*' phenomenon,<sup>5</sup> which has played out as online mobs of individual trolls and 'sock puppet' accounts who actively close online civic space by harassing opposition voices and coordinating disinformation campaigns.

The *Varakashi* illustrate the regime's shift to appropriating the same technology tools and platforms used by its opponents. Our research has shown that during the 2018 election season, pro-government trolls succeeded in intimidating opposition voices and shutting down civic space. Activists became aware that everything political that they posted was being closely monitored, sometimes culminating in threats of violence in their offline lives. *Varakashi* continued to play a role in Zimbabwe's politically polarised landscape in 2020, aggressively targeting opposition party members and activists who try to speak out about ongoing human rights violations.

At the time of writing, the most recent influential hashtag campaign has been #ZimbabweanLivesMatter, which rose to prominence in August 2020. The campaign has kept open civic space and hopes of democratic reform, as other forms of civic protest are being suppressed through harassment, intimidation and arrests of citizens (Karombo and Brown 2020). Our research has found that the level of global attention to the #ZimbabweanLivesMatter campaign has clearly unsettled the government, as there has been a spike in the number of individuals arrested for their online activities.

Overall, there is a discernible pattern of hashtags emerging in times of significant sociopolitical turmoil. The hashtags open civic space online and tend to draw large followings. They have woken up a lot of Zimbabwe to the concept of cyber-activism and campaigning as an alternative form of protest. Concerns about surveillance have also led to greater awareness about the need for security, resulting in the adoption of messaging apps that are deemed to be more secure, such as Telegram and Signal.

The first countrywide internet shutdown happened in January 2019, following massive protests against a 150 per cent fuel price hike and the struggle for economic justice. The shutdown was in effect for six days, during which time the armed forces unleashed a wave of terror, killing over a dozen people (Ndlovu 2019). Through his Twitter and Facebook accounts,<sup>6</sup> President Mnangagwa justified the shutdown, saying that 'social networks [were] being

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4 **Alex T Magaisa tweet, 13 April 2018.**

5 '*Varakashi*' refers to the group of pro-government voices on Twitter who actively defend the government and troll its opponents.

6 **President Mnangagwa Facebook post, January 2019.**

used to plan and incite disorder and to spread misinformation leading to violence' (Chaparadza 2019).

In response, many Zimbabweans began downloading virtual private network software in order to circumvent the shutdown. The Zimbabwe chapter of the Media Institute of Southern Africa (MISA) successfully challenged the shutdown in the High Court on a legal technicality (Dzirutwe 2019). However, given that the constitutionality of the shutdown was not decided on, the government can implement a shutdown again so long as it uses the right procedure to do so.

### Table 4.1 Technology timeline

Year	Shift	Implication
2001–02	Legislation to restrict digital rights.	Freedom of expression reduced by Broadcasting Services Act (2001) and Access to Information and Protection of Privacy Act (AIPPA) (2002).
2013	Bulk SMS ban.	Closed means for civic information, especially voter education.
2014	Mandatory SIM card registration.	Reduced right to privacy and increased state capacity for digital surveillance.
2015	State surveillance tools procured.	International mobile subscriber identity catchers, GPS trackers, vehicle trackers and mobile phone bugging of opposition politicians and civic activists for their online activities.
2016	Emergence of hashtag campaigns.	Opening of new online civic space.
	500% price increase for mobile data.	Introduction of strategy to limit access and stifle freedom of expression.
2017	Cybersecurity and Data Protection Bill.	Multiple problematic provisions that can be used to shrink freedom of expression.
2018	Facial recognition technology.	Zimbabwe–China relationship over problematic Cloudwalk Technology (in terms of privacy rights).
	<i>Varakashi</i> – pro-government trolls.	Coordinated misinformation used to close civic space online.
2019	Internet shutdown for six days in January.	Zimbabwe's first total internet shutdown closes off online civic space and entirely removes digital rights.
2020	Hashtag protests.	#ZimbabweanLivesMatter, #ZanuPFMustGo.

Source: Authors' own.

## 5. Digital rights landscape

What is clear from the previous section is that although Zimbabwean citizens have been making use of digital technologies to open civic space and express their digital rights, significant challenges persist. The laws and policies implemented by the state – such as the provisions that allow for the interception of communications or the collection of user data – and bans on specific technologies all stand in the way of achieving internet freedom and the full enjoyment of digital rights.

Although smartphones have provided citizens with many powerful tools to voice their concerns, the government's growing arsenal is quite substantial. The asymmetry is very apparent and building the capacity of civil society is urgent if the government is to be held accountable and citizens are to be able to express and defend their digital rights. Efforts have to be targeted at two connected levels: (a) building up technical capacities; and (b) building up awareness.

Due to the political struggles of the past two decades, the language of rights has become very common in the Zimbabwean public sphere. However, debates have rarely extended to issues of digital rights. This is despite the fact that as digital technologies become embedded in people's lives 'offline' and 'online' rights are becoming increasingly interdependent. Valuable documents that set out important principles for digital rights such as the African Declaration on Internet Rights and Freedoms, which was produced by a transnational coalition of CSOs (including MISA-Zimbabwe) are rarely, if ever, invoked (African Declaration on Internet Rights and Freedoms 2020).

The strong legal capacity in Zimbabwean civil society provides a foundation to build on in defending digital rights, but much more needs to be done to build the capacity of lawyers to engage with issues such as privacy and personal data protection. There is also an urgent need to push for greater checks and balances, as well as transparency in the way that laws relating to the interception of communications are implemented.

Aside from the legal capacity there is need for greater information and communications technology (ICT) capacity in order for CSOs to be able to monitor and detect issues such as the use of intrusive surveillance technologies and bring these to the attention of legal experts and advocacy groups. This should also extend to raising the capacity of civic organisations to protect their data and communications in the face of an authoritarian state that is intensifying surveillance. The combined efforts of ICT experts and legal experts can produce strong grounds for legal challenges to the constitutionality of repressive legislation.

Given the prevailing socioeconomic hardships, many Zimbabweans are focused on meeting their basic needs rather than digital rights. Issues such as SIM card registration, facial recognition and online disinformation are not given the attention they deserve. At the same time, there is limited realisation that the continued suppression of civic space and curtailment of digital rights leaves Zimbabweans limited in their ability to contest political corruption, fuel and food prices, or abuse of civil liberties and political freedom.

Organisations such as the Digital Society of Africa (DSA) have in some instances tracked activity around bandwidth throttling and network interference when they have occurred in Zimbabwe. However, this is not the primary work of the organisation and such activities are intermittent. Although these efforts have unearthed revealing behaviours, patterns and trends, they have been discontinued on grounds of lack of capacity. Ultimately, there is a need to develop public awareness, civic capacity and technical abilities to undertake systematic monitoring, tracking, analysis and public education on digital rights developments. Such local capacity needs to be complemented with transnational partnerships.

Much more needs to be done to increase public awareness of the actions of the state, corporate organisations and, indeed, other citizens that affect people's digital rights. To a degree, many of the legal and technological strategies employed by the government to suppress digital rights are neither widely publicised nor understood. It is also not uncommon for draconian legislation to be passed without meaningful public consultation. Much more needs to be done to promote public awareness of the key principles of internet freedom and digital rights. The study of efforts to promote human rights across the continent has shown that the most sustainable and successful efforts have to be centred on and driven by citizens (Englund 2005; Neocosmos 2006).

## 6. Digital rights in times of Covid-19

The coronavirus (Covid-19) pandemic has tended to accentuate existing social and political dynamics in Zimbabwe. In keeping with the aphorism 'never let a good crisis go to waste', the government has tried to use the pandemic in multiple ways to aid its own agenda. It has expanded the powers of the police and passed regulations that enable them to arrest individuals who are found to be acting in ways that are deemed to promote the spread of the virus.

These laws have been used to suppress civic expressions of dissent. There has also been a proliferation of conspiracy theories around Covid-19 on social media and, in some instances, these have been disseminated to serve political purposes. For example, Deputy Minister of Defence Victor Matemadanda sought to discourage citizens from participating in anticorruption protests planned for 31 July 2020 by arguing that foreign agents were planning on infecting the participants with coronavirus.<sup>7</sup> It is difficult to determine what impact such Covid-19 disinformation has had. However, what it does indicate is an effort to weaponise Covid-19-related disinformation.

In 2020, the economic situation worsened under lockdown conditions and this has intensified the focus on corrupt activities of the political elite. The restrictions on movement have forced protest activities to move online. For example, citizen activists started a protest online using two campaigns. One aimed to have massive numbers of people unfollow the president on Twitter, on the basis that: 'Dictatorships thrive on public validation. Unfollowing is a great form of resistance against his corrupt rule... it is public rejection which he can't rig!' (Mashinga 2020). Another hashtag campaign during lockdown was #July31st, used concurrently with #ZanuPFMustGo, challenging Zimbabweans to go out on to the streets in protest against government ineptitude. Ruling party supporters attempted to hijack #ZanuPFMustGo by creating the counter-hashtag: #ZanuPFMustGoOn. Because Twitter sometimes auto-completes popular hashtags, some less observant Twitter users accidentally ended up tacking on the wrong hashtag.

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<sup>7</sup> **Dewa Mavhinga tweet, 1 August 2020.**

## 7. Conclusion

The preceding sections have illustrated that over the past two decades digital technology has been increasingly enlisted in the struggles that are animating Zimbabwean politics. In all of this it has functioned as a double-edged sword, empowering citizens on the one hand and reinforcing state power on the other. We have also underscored the asymmetric nature of these struggles due to the vast resources the state has at its disposal to counter any empowering aspects of digital technologies.

If digital media are to play a greater role in expanding civic space and ending the interregnum that Zimbabwe finds itself trapped in, two steps need to be taken.

First, there is a critical need for civil society's capacity to be strengthened in order to deal with three important areas: (a) monitoring, (b) lobbying policymakers and (c) building public awareness. Zimbabwean civil society is very weak in the area of digital rights and there is an urgent need to build up technical abilities to monitor developments in the digital sphere, from the adoption of cutting-edge surveillance technology to the implementation of different forms of computational propaganda. This ICT capacity has to be coupled with the legal capacity to evaluate legislation and formulate policy alternatives. Building public awareness is a crucial part of any digital rights strategy.

Second, local and transnational partnerships have to be central to any strategy to build a stronger digital rights regime in Zimbabwe. There is ample scope for building synergistic partnerships between organisations that have decades of experience on human rights work, such as ZLHR, and those working in the area of digital security, such as the DSA. Partnerships between organisations across the continent can foster important opportunities for knowledge exchange.



## References

- African Declaration on Internet Rights and Freedoms (2020) **African Declaration on Internet Rights and Freedoms** (accessed 1 September 2020)
- Amnesty International (2019) **'Open for Business Closed for Dissent': Crackdown in Zimbabwe During the National Stay-away 14–16 January 2019**, 8 February (accessed 20 October 2020)
- Article 19 and MISA-Zimbabwe (2004) **Access to Information and Protection of Privacy Act: Two Years On** (accessed 20 October 2020)
- Batambuze III, E. (2013) **'Bulk Text Messaging Service Banned in Zimbabwe'**, *PC Tech Magazine*, 29 July (accessed 1 September 2020)
- Bulawayo24 (2015) **'Iran Gives Mugabe Spy Technology'**, 26 January (accessed 1 September 2020)
- Chaparadza, A. (2019) **'President Mnangagwa Justifies Internet Shut Down, Although "He Deeply Believes In Freedom Of Speech And Expression"'**, *TechZim*, 26 January (accessed 20 October 2020)
- CIPESA (2020) **State of Internet Freedom in Zimbabwe 2019: Mapping Trends in Government Internet Controls, 1999–2019**, Kampala: Collaboration on International ICT Policy for East and Southern Africa (accessed 1 September 2020)
- Dzirutwe, M. (2019) **'Zimbabwe Court says Internet Shutdown Illegal as More Civilians Detained'**, *Reuters*, 21 January (accessed 20 October 2020)
- Englund, H. (2005) *Prisoners of Freedom: Human Rights and the African Poor*, Berkley CA: University of California Press
- Feldstein, S. (2019) **The Global Expansion of AI Surveillance**, Working Paper, Washington DC: Carnegie Endowment for International Peace (accessed 20 October 2020)
- Freedom House (2020) **Country and Territory Ratings and Statuses 1973–2020** (accessed 1 September 2020)
- Freedom House (2019) **Freedom in the World** (accessed 4 December 2020)
- Gambanga, N. (2016) **'Here's the Zimbabwean Government's Warning Against Social Media Abuse'**, *TechZim*, 6 July (accessed 1 September 2020)
- Gramsci, A. (1971) *Selections from the Prison Notebooks*, ed. and trans. by Quintin Hoare and Geoffrey Nowell-Smith (1992), London: Lawrence & Wishart
- Gwagwa, A. and Hove, K. (n.d.) **Use of IMSI Catchers in Zimbabwe's Domestic Law Enforcement** (accessed 1 September 2020)
- Htxt, L.S. (2016) **'Zimbabwe Data Prices Hiked up by up to 500% to Curb Social Media Activism and Dissent'**, *Mail & Guardian*, 5 August (accessed 1 September 2020)
- Internet World Stats (2020) **Internet User Statistics for Africa** (accessed 1 September 2020)
- Karekwaivanane, G. (2017) *The Struggle over State Power in Zimbabwe: Law and Politics since 1950*, Cambridge: Cambridge University Press
- Karekwaivanane, G. and Mare, A. (2019) ' "We Are Not Just Voters, We Are Citizens", Social Media, the #ThisFlag Campaign and Insurgent Citizenship in Zimbabwe', in T. Molony and M. Dwyer (eds), *Social Media and Politics in Africa: Democracy, Security and Surveillance*, London: Zed Books
- Karombo, T. and Brown, R.L. (2020) **'When a Crackdown Prevented Protests a Hashtag Gave Them a Voice'**, *The Christian Science Monitor*, 17 August (accessed 7 September 2020)
- Laiton, C. (2014) **'Sunday Mail Editor "is Baba Jukwa"'**, *The Standard*, 22 June (accessed 20 October 2020)
- Mashinga, K. (2020) **'Unfollow the Leader: The Twitter Campaign Against Zimbabwe's President'**, *Mail & Guardian*, 8 July (accessed 20 October 2020)
- Masunungure, E.V. (2014) *The Changing Role of Civil Society in Zimbabwe's Democratic Processes: 2014 and Beyond*, Working Paper, Bonn and Berlin: Friedrich Ebert Stiftung

- Mokwetsi, J. (2014) **'Zimbabwe: Cyber Freedom – Have we Started to Censor Ourselves?'**, *The Standard*, 13 July (accessed 20 October 2020)
- Motlanthe Commission of Inquiry (2018) **Report of the Commission of Enquiry into the 1 August 2018 Post-Election Violence**, Harare: Commission of Enquiry into the 1 August 2018 Post-Election Violence (accessed 20 October 2020)
- Muzulu, P. (2017) **'Uproar over Data Tariff Rise'**, *Newsday*, 12 January (accessed 20 October 2020)
- Ndlela, D. (2020) **'Shutting Down the Citizens: Forget Your Privacy You are Under Surveillance'**, *The Standard*, 26 January (accessed 1 September 2020)
- Ndlovu, M. (2019) **'First Total Internet Shutdown in Zimbabwe'**, *Bulawayo24*, 15 January (accessed 1 September 2020)
- Neocosmos, M. (2006) **'Can a Human Rights Culture Enable Emancipation? Clearing some Theoretical Ground for the Renewal of a Critical Sociology'**, *South African Review of Sociology* 37.2: 356–79, DOI: 10.1080/21528586.2006.10419163 (accessed 20 October 2020)
- New Zimbabwe (2020) **'Journalist Hopewell Chin'ono home raided by cops, Ngarivhume arrested'** (accessed 1 September 2020)
- OHCHR (2020) **Zimbabwe: UN Experts Demand an Immediate End to Abductions and Torture**, Geneva: United Nations Office of the High Commissioner for Human Rights (accessed 1 September 2020)
- POTRAZ (2019) *Annual Postal and Telecommunications Sector Performance Report 2019*, Harare: Post and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ)
- POTRAZ (2013) **Circular on Bulk SMS**, Harare: POTRAZ (accessed 1 September 2020)
- Quartz Africa (2018) **'China is Exporting Facial Recognition Software to Africa, Expanding its Vast Database'**, 25 May (accessed 1 September 2020)
- Raftopoulos, B. (ed.) (2013) *The Hard Road to Reform: The Politics of Zimbabwe's Global Political Agreement*, Harare: Weaver Press
- Sachikonye, L.M. (2013) 'Continuity or Reform in Zimbabwean Politics? An Overview of the 2013 Referendum', *Journal of African Elections* 12.1: 178–85
- Tendi, B.-M. (2020) **'The Motivations and Dynamics of Zimbabwe's 2017 Military Coup'**, *African Affairs* 119.474: 39–67, DOI: 10.1093/afraf/adz024 (accessed 20 October 2020)
- The President and the Parliament of Zimbabwe (2007) **Interception of Communications Act [Chapter 11:20] Act 6/2007**, Harare: The Parliament of Zimbabwe (accessed 20 October 2020)
- Tshili, N. (2016) **'Zanu-PF will never Reform itself out of Power, Prof Moyo Declares'**, *The Chronicle*, 6 September (accessed 20 October 2020)
- Weber, V. (2019) *The Worldwide Web of Chinese and Russian Information Controls*, Working Paper Series 11, Oxford: Oxford Centre for Technology of Global Affairs, University of Oxford