



**Zimbabwe yakafanilo misa vuniwa kwemamo ebatoli bendebo ite kuti milayo yayo indilane neyedzimwe hango dzose yemamo ebanhu.**

Nlayo nkulu weZimbabwe wegole la 2013 unopa mamo edzibililika kwehalulo dzenhu, esununguka leba kumunkumbulo kose nesununguka kwebatoli bendebo, wangwa kwendebo ne amwe mamo kose ne amwe mamo. Nlayo iwoyu unohinga kakale mudzibiligwa kwemamo ihawa pa inthanethi. Zimbabwe inanlandu kakale wedzibilila mamo ihawa pasi kwezwibvumilano zwehangon dzakasiyana zwinonga *International Covenant on Civil and Political Rights* (ICCPR) ne *African Charter on Human and Peoples' Rights*.

Nekene kuna zwibvumilano zwakajali zwedzibilila mamo ebanhu muhango nepa-inthanethi, vuniwa kwemamo ihawa kondila mbeli kupamhidzilika. Woku kohanganyisila hlasegwa kwebatoli bendebo, haligwa kwe-inthanethi, hohela kuti banhu banotani, kose nemari dzehingisa inthanethi dzipehugwi kunjisa, dzinohalilila bamwe pahhe.

Nayikoko, tokoka hango dzose kuti dzilebe kwakafanilo tiwa izo kudzibiligwe mamo ebanhu pa-inthanethi muZimbabwe nelubaka kutiwa nhangano webutatu we UPR.

## KWAKAFANILO TIWA

- Ma hlasela batoli bendebo nebanomililila mamo abo nebona kuti milayo yemamo esununguka leba kumunkumbulo inondilana neyedzimwe hango dzose.
- Misa haligwa kwe-inthanethi kose nekumwe kunota kuti banhu basikhone nda pa-inthanethi.
- Jitisa mitengo yewana inthanethi nebona kuti banhu basingawane inthanethi kwelelulelu banonga banhu betjikadzi nebana bekwele banoyiwana
- Milidzila pehugwi mamo edzibililika nesumbikika kwendebo dzenhu kose nehingisa nlayo utjambosiwa we *data protection law*.

### MIHANGANO YATINOHINGA NAYO<sup>1</sup>



- Ma hlasela batoli bendebo nebanomililila mamo abo nebona kuti milayo yemamo esununguka leba kumunkumbulo inondilana neyedzimwe hango dzose.

— Handula Sections 31 ne 33 dze nlayo we *Criminal Law Code*, 2007; Section 14 ye *Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) Order*, 2020; Section 13 ne 14 ye *Censorship and Entertainment Controls Act*, 1967.

Luzibo gwakawangwa mondebo ye *State of Media Report in Zimbabwe 2020*, kuna milandu ilimakumi mahanu nemabili yedziyidziwa, lobgwa, nesungiwa kwebatoli bendebo yakandisiwa kumaphorisa - yatanha ibva pamakumi mabili nealikunovuna nyalambili emuna 2019.<sup>1</sup>

Muna Hotje wegole la 2020, ntoli wendebo unohinga alimile ega Godfrey Mtima wakasungiwa akalingisana nenlandu welingila pasi simba lentungamili wehango kuhingisiwa nlayo we Section 33 we *Criminal Law Code*.<sup>2</sup>

Pakati kwegole la 2020 nela 2021, ntoli wendebo, Hopewell Chin'ono wakasungiwa pasi kwenlayo we Section 31 we *Criminal Law Code* akalingisana nenlandu wedusa ndebo dzemanyepwa, koka bamwe kuti bate hoba nengwa kose nemisa tebegwa kwenlayo netumila ndebo pa-inthanethi.<sup>3</sup>

- Misa haligwa kwe-inthanethi kose nekumwe kunota kuti banhu basikhone nda pa-inthanethi.

— Bona kuti misiwa kwewana inthanethi, sa ndebo pa-inthanethi, kubungana nekumwe kotiwa kutebegwa milayo yemamo yehango dzose..

Nonsi wa 6 Mapembgwe gole la 2016 nelubaka kuna kuludzilana kwepa-inthanethi pasi kwe hashtag ye- #ThisFlagMovement yaka igwisana nesahingisiwa zwibuyanana kwefumwa yehango, hulumente weZimbabwe wakahalila hinga kwe WhatsApp kwelubakanya.<sup>4</sup>

Muna Mikono wegole la 2019, Zimbabwe yakahaliligwa inthanethi kwebubili kutebelala kidzila kwebantu nentha yetanhisiwa kwemitengo yemafuta emota nekunoswika pa 150%.<sup>5</sup>

Khutha gulu le Zimbabwe High Court lakakoti haligwa kwe-inthanethi kwaka kusi munlayo<sup>6</sup> kutebelala ndebo yakandisiwa kukhutha ileli nenhanganu we *Media Institute of Southern Africa (MISA)* newe *Zimbabwe Lawyers for Human Rights (ZLHR)*.<sup>7</sup>

#### INOMBOLO EZINGAPHANSI

- 1 Media Institute of Southern Africa (MISA), ‘State of the media report: 2020’ <https://data.misa.org/en/entity/dgfc1weg8f>.
- 2 MISA Zimbabwe. ‘Masvingo journalist charged with undermining authority of President’ <https://zimbabwe.misa.org/29/06/2020/masvingo-journalist-charged-with-undermining-authority-of-president/>.
- 3 NEWS24, ‘Hopewell Chin'ono arrested for third time in six months’ <https://www.news24.com/news24/africa/news/hopewell-chinono-arrested-for-third-time-in-six-months-20210108>.
- 4 Collaboration on International ICT Policy for East and Southern Africa (CIPESA), ‘Zimbabwe Becomes the Latest Country to Shut Down Social Media’ <https://cipesa.org/07/2016/zimbabwe-becomes-the-latest-country-to-shut-down-social-media/>.
- 5 NetBlocks, ‘Zimbabwe Internet shutdowns amid fuel price protest’ <https://netblocks.org/reports/zimbabwe-internet-shutdowns-amid-fuel-price-protests-OxAGDdBz>.
- 6 MISA Zimbabwe, ‘High Court sets aside internet shutdown directives’ <https://zimbabwe.misa.org/21/01/2019/high-court-sets-aside-internet-shutdown-directives/>.
- 7 Kubatana, ‘The Internet shutdown: The High Court's ruling of 21st January – Court Watch 2019 / 1’ <https://kubatana.net/31/01/2019/internet-shutdown-high-courts-ruling-21st-january-court-watch-2019-1/>.

## ● Jitisa mitengo yewana inhanethi nebona kuti banhu basingawane inhanethi kwelelulelu banonga banhu betjikadzi nebana bekwele banoyiwana

— Hingwsia nlayo weSection 74 kunda ku79 we *Postal and Telecommunications Act* unolinga nekwe kwama tje *Universal Access Fund* kutila kuti kuwangwe inhanethi nemari dzipasi kulingiwa basingakhone lipa mari dzipehugwi.

Zwikwele zwinoswika 30% koga muhango ndizvo zvina inhanethi.<sup>8</sup>

Muna Bheta wegole la 2020, kwakapamidziga mitengo yedhatha lemunhala nekunoswika pa 25%, mitengo iyeyi ikakopamhidziwa kakale ne 48% muna Kungulu wegole la2020.<sup>9</sup> Muna Ndlana wegole la2020, nekene nhu wose waka ohaka inhanethi kuti ahinge nentha yebugwele gweCOVID-19 mitengo yedhata yakatanha kakale nekunosvika pa 190%.<sup>10</sup>

Kayakanyiwa kwebantu pa-inhanethi nentha yekuti balume kene bakadzi kondila mbeli kupamhidzilika, kuta kuti banhu betjikadzi banjinji besikhone hingisa inhanethi. Kayakanyiwa ikoku kwakutiwa kwazo kubantu betjikadzi/banozibgwa bengabe bedzindebo<sup>11</sup> kene bezwepoliki.<sup>12</sup>

### INOMBOLO EZINGAPHANSI

- <sup>8</sup> NewsDay, 'Lack of internet connectivity affecting govt e-learning programmes' <https://www.newsday.co.zw/06/2021/lack-of-internet-connectivity-affecting-govt-e-learning-programmes/>.
- <sup>9</sup> Freedom House, 'Freedom on the net: Zimbabwe' [https://freedomhouse.org/country/zimbabwe/freedom-net/2020#footnote4\\_16hp8y8i](https://freedomhouse.org/country/zimbabwe/freedom-net/2020#footnote4_16hp8y8i).
- <sup>10</sup> Business Insider Africa, 'Internet, mobile call cost in Zimbabwe has gone up by almost 200% since September 1st2020' <https://africa.businessinsider.com/local/markets/internet- mobile-call-cost-in-zimbabwe-has-gone-up-by-almost-200-since-september-1st/5694mwq>.
- <sup>11</sup> The Standard, 'Cyber-bullying surges in Zim Lockdown' <https://www.thestandard.co.zw/19/04/2020/cyber-bullying-surges-zim-lockdown/>.
- <sup>12</sup> Zim Metro, 'Linda becomes victim of cyber bullying, abuse' <https://www.zimetro.co.zw/linda-becomes-victim-of-cyber-bullying-abuse/>; Spiked, 'Women in politics must challenge cyberbullying' <https://spiked.co.zw/women-in-politics-must-challenge-cyberbullying/>.
- <sup>13</sup> NewsDay, 'Zanu PF breaks into Zec database' <https://www.newsday.co.zw/07/2018/zanu-pf-breaks-into-zec-database/>.
- <sup>14</sup> Citizen Lab, 'Running in Circles: Uncovering the clients of cyberespionage firm Circles' <https://citizenlab.ca/12/2020/running-in-circles-uncovering-the-clients-of-cyberespionage-firm-circles/>.
- <sup>15</sup> Biometric Update, 'Implementation of CloudWalk facial recognition technology in Zimbabwe progressing in stages' <https://www.biometricupdate.com/201805/implementation-of-cloudwalk-facial-recognition-technology-in-zimbabwe-progressing-in-stages>.

## ● Milidzila pehugwi mamo edzibililika nesumbikika kwendebo dzenhu kose nehingisa nlayo utjambosiwa we data protection law.

— Handula section 5 yenlayo ntswa we *Data Protection Act* izo kubumbiwe nhangano unohinga ulimile woga we *Data Protection Authority* Izso kusipawugwe nhangano we *Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ)* newumwe nhingo wedzibiligwa nesumbikika kwendebo.

Mugole la 2018, nhangano unotungamila hango wakatumila ma million nema million ebanhu bemuZimbabwe mameseji ubakuludzila kuti bavotele wabe ntungamili Emmerson Mnangagwa. Mameseji ihhawa aka akawagwa mazina ebanhu bakawatumigwa, namba dzekwalisa vota kose nekuti bakakwalisa poni, kwakasiya kuna sahanha nentha yekuti nhangano iwoyu wakawana luzibo gose gwebantu bakakwalisa vota gubva kunhangano we*Zimbabwe Electoral Commission*. Kwakabe nepana nlandu wekuti makampani enhala akatumila ndebo idzedzi esalinga dzibililika kwemazina ebanhu nekumwe.<sup>13</sup>

MunaZwita wegole la 2020, Zimbabwe yakabongwa ilipakati kwemihangano nehango dzinotjidziwa nekampani ye 'Circles', ili kampani inohingisa zila dzakasiyana ihwilila kunolebgwa nebanhu munhala, nemuma meseji kose nelenga kuti nhala wenuh uponi kusinani nekuti umuhango ipi.<sup>14</sup>

Mugole la2018, Zimbabwe yakazwipila tumila ndebo dzinohanganyisila mazina ebanhu nekumwe kwakafanilo sumbikika ku*CloudWalk Technology*, kampani ikuChina yaka ipa hango zila dzeziba nhu nebuso gugwe kuhingisiwa mutjina.<sup>15</sup>

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ihingila panhu pangompela nemihangano  
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