

Executive Summary

On 19 May 2005, with little or no warning, the Government of Zimbabwe embarked on an operation to “clean-up” its cities. It was a “crash” operation known as “Operation Murambatsvina”, referred to in this report as *Operation Restore Order*. It started in the Zimbabwe capital, Harare, and rapidly evolved into a nationwide demolition and eviction campaign carried out by the police and the army. Popularly referred to as “Operation Tsunami” because of its speed and ferocity it resulted in the destruction of homes, business premises and vending sites. It is estimated that some 700,000 people in cities across the country have lost either their homes, their source of livelihood or both. Indirectly, a further 2.4 million people have been affected in varying degrees. Hundreds of thousands of women, men and children were made homeless, without access to food, water and sanitation, or health care. Education for thousands of school age children has been disrupted. Many of the sick, including those with HIV and AIDS, no longer have access to care. The vast majority of those directly and indirectly affected are the poor and disadvantaged segments of the population. They are, today, deeper in poverty, deprivation and destitution, and have been rendered more vulnerable.

Operation Restore Order took place at a time of persistent budget deficits, triple-digit inflation, critical food and fuel shortages and chronic shortages of foreign currency. It was implemented in a highly polarized political climate characterized by mistrust, fear and a lack of dialogue between Government and local authorities, and between the former and civil society. There is no doubt therefore that the preliminary assessment contained in this report constitutes but a partial picture of the far-reaching and long-term social, economic, political and institutional consequences.

In assessing the scope and impact of the operation and the ability of the Government of Zimbabwe and of the humanitarian community to respond, the Special Envoy’s mission, supported by the United Nations Country Team, met with President Robert Mugabe, a cross-section of members of his cabinet and various people and institutions. These include central and local government officials, political parties, religious leaders, civil society organisations, the private sector, professional and trade associations, academia, the donor and humanitarian community, as well as some of the people affected. The mission was further informed by hundreds of written submissions and testimonials, official records and legal documents, interviews, articles and reports made by the media, and by site visits across the country. Furthermore, the mission witnessed first-hand the process of demolition and eviction and met with many of its victims.

The Special Envoy’s findings and their implications are as follows:

- (i) Operation Restore Order, while purporting to target illegal dwellings and structures and to clamp down on alleged illicit activities, was carried out in an indiscriminate and unjustified manner, with indifference to human suffering, and, in repeated cases, with disregard to several provisions of national and international legal frameworks. Immediate measures need to be taken to bring those responsible to account, and for reparations to be made to those who have lost property and livelihoods. In parallel, other confidence-building measures need to be taken to restore dialogue between the Government of Zimbabwe and civil society.
- (ii) Even if motivated by a desire to ensure a semblance of order in the chaotic manifestations of rapid urbanisation and rising poverty characteristic of African cities, none the less Operation Restore Order turned out to be a disastrous venture based on a set of colonial-era laws and policies that were used as a tool of

segregation and social exclusion. There is an urgent need to suspend these outdated laws and to review them within the briefest time possible to ensure the sustainability of humanitarian response and to set the stage for meaningful physical reconstruction and the restoration of livelihoods;

- (iii) The humanitarian consequences of Operation Restore Order are enormous. It will take several years before the people and society as a whole can recover. There is an immediate need for the Government of Zimbabwe to recognise the virtual state of emergency that has resulted, and to allow unhindered access by the international and humanitarian community to assist those that have been affected. Priority needs include shelter and non-food items, food and health support services.
- (iv) Any humanitarian response can only be meaningful and sustainable if it contributes to the long-term recovery and reconstruction efforts of the Government and of its people. Zimbabwe is not a country at war and it remains peaceful. By African standards, it has a well maintained physical infrastructure. The international community should engage the Government of Zimbabwe and help it to address some of the issues and causal factors that led to the present predicament. These include, first and foremost, the lack of security of tenure for the poor. They also include conflicting and outdated housing and urban development policies, overlapping jurisdictions, and a lack of clear definition of and respect for the respective roles and competencies between central and local spheres of government. The humanitarian response provides a unique opportunity and entry point to link the provision of temporary shelter and other forms of humanitarian assistance with immediate security of tenure for all those affected and to prepare the ground for overcoming the failures and inherent weaknesses in governance.

In view of the above, the Special Envoy proposes the following recommendations for the Secretary General's consideration:

- A. Recommendations that the Government of Zimbabwe should be encouraged to undertake:
 - a. On Humanitarian Issues

Recommendation 1: An estimated 700,000 people in cities across the country have either lost their homes or their livelihoods or both. The Government of Zimbabwe should immediately halt any further demolitions of homes and informal businesses and create conditions for sustainable relief and reconstruction for those affected.

Recommendation 2: There is an urgent need for the Government of Zimbabwe to facilitate humanitarian operations within a pro-poor, gender-sensitive policy framework that provides security of tenure, affordable housing, water and sanitation, and the pursuit of small scale income-generating activities in a regulated and enabling environment.

Recommendation 3: There is an immediate need for the Government of Zimbabwe to revise the outdated Regional Town and Country Planning Act and other relevant Acts, to align the substance and the procedures of these Acts with the social, economic and cultural realities facing the majority of the population, namely the poor.

Recommendation 4: There is an immediate need to revive dialogue and restore trust between different spheres of government and between Government and civil society. This process should emerge from a broad-based consultation among all Zimbabwean stakeholders.