



Zimbabwe Lawyers for Human Rights

MATABELELAND / MIDLANDS

3rd Floor Barclays Building
Cnr 8th Avenue/JMN Nkomo Street
Bulawayo, Zimbabwe
Telefax: +263 292 72201
Voip: 08677005348
Hotline: +263 773 855 635

NATIONAL OFFICE

Kodzero- Amalungelo House
103 S. Nujoma Street
P. O. Box CY 1393, Causeway
Harare, Zimbabwe
Tel: +263 242 705370/708118/764085
Voip: 08677005347
Fax: +263 242 705641
Hotline: +263 772 257 247
Email: info@zlh.org
www.zlh.org.zw

MANICALAND/ MASVINGO

Ground Floor, Winston House
Cnr First Street and Second Avenue
Mutare, Zimbabwe
Telefax: +263 2020 60660
Voip: 08677006052
Hotline: +263 773 855 718

19 January 2022

The Financial Action Task Force

Kristen.ALMA@fatf-gafi.org
Tom.NEYLAN@fatf-gafi.org

Dear Sir/Madam,

RE: **Gazetting of the Private Voluntary Organisations Amendment Bill – Restrictions to Civic Space and Provision of Humanitarian Services in Zimbabwe**

Zimbabwe Lawyers for Human Rights (ZLHR) is a law-based not-for-profit organisation that has an objective in fostering a culture of human rights, constitutionalism and upholding the rule of law in Zimbabwe. Kindly note our interest.

1. **Background to our request**

We write to express our concern that the Zimbabwean government has recently gazetted the Private Voluntary Organisations Amendment Bill 2021 (the PVO Bill), on 5 November 2021. We have analysed its contents and strongly believe that it is contrary to international human rights and Financial Action Task Force (FATF) standards. If passed into law, these amendments will have far-reaching implications for the human rights, humanitarian, and development sectors, and will result in the closing down of civic space.

- 1.1 The Bill has been introduced under the auspices of complying with the FATF recommendations. Zimbabwe has been placed under increased monitoring by the East and Southern Africa Money Laundering Group (ESAAMLG) since October 2018 and is currently rated as 'partly compliant' with Recommendation 8 on non-profit organisations.
- 1.2 We are aware that the FATF has identified activities of Non-Profit Organisations (NPOs) (in the context of Zimbabwe these may be not for profit charitable organisations including non-government organisations, private voluntary organisations, trusts, common law *universitas* associations, faith-based organisations, and community-based organisations) as potentially posing a risk of abuse for money laundering and funding of terrorist organisations. Of the 40 Recommendations/ Standards, that your institution FATF has developed, Recommendation 8 is the standard for NPO regulation. In terms of Recommendation 8, governments are required to:

“...review the adequacy of laws and regulations that relate to non-profit organisations which the country has identified as being vulnerable to terrorist financing abuse. Countries should apply focused and proportionate measures, in line with the risk-based approach, to such non-profit organisations to protect them from terrorist financing abuse...”

Fostering a Culture Of Human Rights in Zimbabwe

Secretariat: Roselyn Hanzi LLB (UZ), LLM (UP), PG Dip-Transitional Justice (Director), Blessing Nyamaropa LLB (UZ), LLM (NotreDame)(Deputy Director), Fiona C. Iliff LLB (Edinburgh), LLM(Essex), Nosimilo Chanaiva LLB(South Africa), Msc (NUST), Peggy Tavagadza LLB(UZ), Ndanatsei Taderera.BCOM (Hons) (NUST),

Observer Status with the African Commission on Human and People's Rights
Affiliate status with International Commission of Jurists
Secretariat of the SADC Lawyers Association Human Rights Committee

Nº 000025
1