

**Report # 103****BUSINESS AND POLITICS IN THE MUSLIM WORLD****Region: Southern Africa****Weekly Report: 17-23 January 2010****Presentation: 27 January 2010****Zahid Aqil**

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## **Summary of Report**

### **Political Developments**

#### ***Angolan Opposition Walks Out as Parliament Votes New Constitution***

UNITA party left Angola's national assembly denouncing what they called an illegal and fraudulent constitutional process, but MPLA approved the document.

#### ***Angola President Dos Santos Reneged on Promise, Says an Analyst***

A political analyst says Angolan President Jose Eduardo dos Santos reneged on a promise to hold direct elections following parliament's approval of a new constitution that allows a president to be chosen as the leader of the party with the most votes in parliament.

#### ***New Report Identifies Challenges in Africa for Obama***

A new report (co-published by Africa Action and Foreign Policy in Focus) says the Obama administration faces key challenges in Africa this year, including poverty, climate change and HIV/AIDS.

#### ***ZAMBIA: Scarcely Room for Women in Male-dominated Politics***

Charity Mwansa, a former minister and Member of Parliament, knows just exactly what being one of the very few female politicians in Zambia means. When she left politics it had nothing to do with not being able to do the work and instead had everything to do with the mad world of male-dominated politics.

### **Economic Developments**

#### ***South Africa: Business to Eskom - Hikes Will Cripple Country***

ESKOM's proposed 35% tariff hikes every year for the next three years could cost South Africa 200000 jobs and delay the economy's recovery from recession, Jerry Vilakazi, CEO of Business Unity South Africa, warned yesterday.

#### ***Zimbabwe: Country Faces Food Shortages***

Zimbabwe is facing massive food shortages again this year with crops already wilting in many parts of the country due to a prolonged dry spell.

### ***Zambia: Follow Procedure in Selecting Oil Supplier –ZCTU***

THE Zambia Congress of Trade Unions (ZCTU) has advised Government to adhere to the laid down procedure as it selects the preferred bidder for the supply of fuel in the next two years.

## **Social Developments**

### ***Malawi: Some surprises in post-election Malawi***

Despite the HIV/AIDS pandemic, Malawi is having a population boom that is a strain on the country's meager resources. There are no jobs; fuel is as scarce, and forex is not easy to come by.

### ***Blikkiesdorp evictees evicted again***

60 people in Blikkiesdorp, Delft, Cape Town, a temporary relocation area, have been evicted by the very same city officials who put them there.

### ***Zimbabwe: Statement on suspension of Paul Verryn***

Here is a Legal Resources Centre statement on behalf of Paul Verryn. There has been much inaccurate speculation regarding the basis of the purported suspension. Specific media reports have linked Verryn's suspension to allegations involving sexual abuse of persons living at the CMM. No attempt has been made by the Presiding Bishop or his legal representatives to correct this speculation.

### ***RIGHTS-ZIMBABWE: New Threats to Media Freedom***

Death threats allegedly made by a senior police officer to a journalist and the arrest of a photographer, all in the space of a few days, have heightened fears of a new onslaught on the country's media.

### ***MALAWI: Love That Dares To Speak Its Name***

The traditional engagement ceremony of two men on Dec. 26, 2009 has created controversy in conservative Malawi. Tiwonge Chimbalanga and Steven Monjeza were arrested two days after their engagement and remain in police custody, facing long jail terms.

### ***ZIMBABWE: Water Scarcity No Obstacle To Bulawayo Farmers***

A project in Zimbabwe's second city, Bulawayo, is creatively using "marginal water" to ease water scarcity while helping residents provide food and earn a living.

## **Detailed Report**

### **Political Developments**

#### ***Angolan Opposition Walks Out as Parliament Votes New Constitution***

(Voice of America)

Angola's main opposition party has walked out of parliament to protest a new constitution that expands the powers of the presidency. The walk-out occurred Wednesday as the assembly approved the first reading of the new document.

Fourteen parliament members of the opposition UNITA (Union for the Total Independence of Angola) party left Angola's national assembly denouncing what they called an illegal and fraudulent constitutional process.

Nevertheless, the document was overwhelmingly approved because the MPLA (Popular Movement for the Liberation of Angola) controls four-fifths of the seats. The constitution is expected to be approved in a final vote on Thursday and sent to President Jose Eduardo dos Santos for signature.

Analysts said the new constitution enhances the powers of the president who becomes head-of-state, head of government and head of the armed forces. It abolishes the post of prime minister and creates a new post of vice-president.

Under the new document the head of the party that wins the most votes in parliamentary elections is elected president, a process known as the party-list system.

The president may serve two five-year terms which means Mr. Dos Santos could remain in power until 2022.

Presidential elections were expected last year but were postponed until a new constitution could be enacted.

The head of Benguela's Katiava Bwila University, political scientist Paulo de Carvalho, says the new constitution does not represent a setback for democracy and notes that the party list system is used in many democracies in Europe, Asia and South Africa.

He says there are no great changes in terms of political democratization because the new document maintains many existing clauses.

He says it also guarantees freedom of expression and the media. And it outlaws torture and ends the death penalty.

De Carvalho says more important is to have the political will to enact reforms that encourage political liberalization and maintain the process of national reconciliation.

Angola is still recovering from a lengthy struggle for independence and a subsequent 27-year civil war between the MPLA, UNITA and several other parties. The war ended with a peace agreement in 2002 after the death of UNITA leader Jonas Savimbi.

Savimbi ran against Mr. Dos Santos in Angola's first elections in 1992 but the second round was cancelled after he rejected the results and resumed fighting.

A separatist rebellion continues in the oil-rich enclave of Cabinda which is separated from Angola by the Democratic Republic of Congo.

Rebels of the Front for the Liberation of the Enclave of Cabinda two weeks ago killed two members of the national football team of Togo in an attack on the eve of the African Cup of Nations.

Human rights groups say since then authorities have arrested several local dissidents who, they say, have no ties to the rebels.

### ***Angola President Dos Santos Reneged on Promise, Says an Analyst***

(Voice of America)

Andre Thomashausen, a professor at the University of South Africa said the ruling party with its overwhelming majority in parliament should have accommodated the concerns of the main opposition UNITA party before approving the new constitution.

“The fact that the opposition boycotted the vote says a lot because that is a very drastic thing to do for an opposition party to walk out. And it is a pity that the majority party, the MPLA (Popular Movement for the Liberation of Angola) although they have such a large majority, but they didn’t try and accommodate the concerns and the wishes of the opposition. So, the start for this is not very nice,” he said.

Angola's media quoted Fernando da Piedade Dias dos Santos, president of the parliament as hailing the new constitution, saying "This is a historic moment...(after) parliament adopted the new constitution of the Republic of Angola."

However, President Dos Santos and the Constitutional Court would have to approve the new constitution before it comes into effect. Political observers say the new constitution will further consolidate more power in the hands of President Dos Santos.

Thomashausen said President Dos Santos and his ruling MPLA did not live up to their promise.

"In 2008, there was a firm promise that once a new parliament is constituted, once a new constitution has been passed then the president would finally put himself for direct election. The promise has now been breached because the president in future would simply be the first name appearing on the party list. And to understand that one must know that in Angola, you don't elect individual representatives," Thomashausen said.

The ruling MPLA won an overwhelming 82 percent of the 2008 vote giving a majority in Angola's parliament.

President Jose Eduardo dos Santos has been the leader of Angola since 1979.

## ***New Report Identifies Challenges in Africa for Obama***

(Voice of America)

"We have seen the result of failed states across the globe and including in Africa, places like Somalia, that have come back to haunt The United States and other countries."

A new report says the Obama administration faces key challenges in Africa this year, including poverty, climate change and HIV/AIDS.

Africa Policy Outlook 2010 says the U.S. must take action to ensure it "does not miss a historic opportunity to bring meaningful change to the continent." The report is co-published by Africa Action and Foreign Policy in Focus.

Gerald LeMelle, executive director of Africa Action, "The policy outlook is something we've put out now for 10 years. What we try to do is give a sort of an honest look at what the following year will look like vis-à-vis U.S. foreign policy in Africa based on the trends that we've seen from the year previous."

### **Poverty is the biggest challenge**

"We don't like to discuss poverty that much because it's kind of an indication that some of the free trade deregulation policies so favored by Western countries and Bretton Woods Institutions (World Bank, IMF) are in fact failing," he says.

LeMelle calls poverty the greatest single threat to U.S. security today.

“We have seen the result of failed states across the globe and including in Africa, places like Somalia, that have come back to haunt The United States and other countries. And therefore, if we are not seriously addressing the question of poverty, then we’re really setting ourselves up for a fairly dismal future,” he says.

The Africa Policy Outlook report calls for a “nuts and bolts” approach to deal with poverty.

“We have to stop promoting deregulation. We have to stop promoting free trade. We have to stop promoting structural adjustment programs that make it safe for foreign direct investment to make 20, 30 percent profit at the expense of even minimal reinvestment in these communities where the money is being taken from,” he says.

LeMelle says an example of how failure to reinvest in the community can cause major problems is Nigeria’s Niger Delta.

“Fifteen years ago, we were organizing with Ken Saro-Wiwa, the peace activist from the Niger Delta, to get the oil companies to stop dumping oil into the environment. And by and large they refused to meet even minimal demands of reinvesting in schools and in housing and in roads for poor people in the Niger Delta. Today, people in the Niger Delta are picking up guns and shooting,” he says. He calls it an attitude of profits being more important than people.

Ken Saro-Wiwa and eight other Ogoni activists were executed after being convicted by a military tribunal for allegedly instigating violence that led to the deaths of pro-government Ogoni chiefs. Saro-Wiwa and the others were hanged in 1995.

## **Climate Change**

The report says another major challenge to Africa is climate change. And LeMelle is critical of the major powers for failing to take stronger action at the Copenhagen climate summit in December.

“Climate change is going to be a major contributing factor to death, disease, conflict, insecurity - all the things that we are concerned about from the perspective of national and global security. So we have to begin to address this,” he says.

LeMelle says while the rich nations pledged \$100 billion to help developing countries deal with climate change, it’s unclear whether that’s new money or funds reallocated from other programs.

## **HIV/AIDS**

The Africa Action report says HIV/AIDS will also remain a major problem, despite programs such as PEPFAR, the President’s Emergency Plan for AIDS Relief. LeMelle says it’s responsible for an 18 percent decrease in AIDS-related deaths across Africa

since 2004. But he says the increase in funding for PEPFAR is not as large as in years past.

“The end result has been that countries like Tanzania are beginning to turn people away. New patients approach them and they are told they can only enter the rolls (for treatment) if someone else dies. Or they’re saying they’re not taking any new patients for the coming year. This is going to reverse the trend toward successfully decreasing the deaths from HIV,” he says.

He calls on the Obama administration to keep the strong U.S. support to provide anti-retroviral drugs to those infected with the AIDS virus.

LeMelle says with the many problems facing the continent, “Africa deserves a more sophisticated approach than what has been afforded to its people.”

### ***ZAMBIA: Scarcely Room for Women in Male-dominated Politics***

(Inter Press Service News Agency)

"It was too hectic, tiring and one needs a lot of stamina to be in the rough and tumble of politics. You do not deal with normality, there is a bit of madness."

Mwansa, who cites the adage "if you can't stand the heat, get out of the kitchen", is just another woman who has declined to participate in the country's next elections. She says that having to constantly watch her back; putting out fires where other people created problems for her; and just having to be alert of plotting against her 24/7 became a bit too much.

"It's what politics is about, it's not for the faint hearted. That's why I want to rest for now."

A lawyer, Mwansa says that the political terrain in Zambia is still uneven for women.

While the rest of the SADC region increases the number of women in governance, Zambia, which goes to the polls in 2011, is likely to see a further reduction of the number of females in decision making. This, women in politics say, is because the male dominated political terrain has not changed.

Currently, there are 24 members of parliament (MPs) out of a total 150. In cabinet there are five female ministers out of a total of 21. There are only six female deputy ministers out of a total of 20.

Ironically, women constitute half of the voting population, and yet, they accounted for less than 15 percent as candidates and elected officials in Parliament and Local Government institutions, according to the Zambia National Women's Lobby (ZNWL) analysis of the last elections in 2006.

ZNWL is working to get more women to contest the next elections in 2011. But the party's board secretary, Tamala Kambikambi, told IPS she would be very surprised if there was an increase in women making it into parliament and local government in the next elections.

"There are fewer and fewer women getting elected and even contesting positions at each election."

Kambikambi said while patriarchal attitudes, negative traditions and customs that did not recognise women as equal partners with men were responsible for the low participation of women in governance.

Political party structures did not promote women's participation as leadership positions were usually reserved for men. None of the parties had changed their processes on how candidates got chosen to run for a constituency to make it accessible for women. It was still the male dominated national executive committees that choose candidates.

"Despite their pronouncements about promoting women's participation at all levels of decision making, none of the political parties come close to achieving the minimum SADC recommendation threshold of 30 percent women in decision making positions," Kambikambi said.

She recommends the adoption of a clear national policy that would be backed by a legal framework to guide political parties on adoption of candidates to ensure women are not disadvantaged and only used as foot soldiers whenever political parties feel like doing so.

However, Given Lubinda an MP and senior member of the UPND says complaints about how parties adopt candidates are 'nonsense'. "Everyone, men and women vote for people to serve committees including the adoption committees. The women are there voting with us, so how can someone complain about male domination?"

Zambia has four main political parties, the ruling Movement for Multi Party Democracy (MMD) and three opposition parties, the Forum for Democracy and Development (FDD) the only party to have an elected female president, the Patriotic Front (PF) and the United Party for National Development (UPND).

Elizabeth Chitika, an MP who has served as a cabinet minister in government, argues that the problems for women begin at the very level Lubinda describes.

"Everything is run by men who hold meetings and caucuses amongst themselves about who gets elected to which committees. It's not true to say women are not visible, they are just ignored."

She warns that she will stand as an independent candidate if her party does not adopt her in the 2011 elections.

"Parties say they chose the best candidate, but we see situations where a woman is the better candidate but a man is chosen, sometimes at the last minute, after the woman has done all the ground work for the party to be accepted in that area," says Chitika.

Edith Nawakwi president of FDD knows all about gender discrimination. She won a hard fight against powerful men to become president of the party.

She agrees that it is difficult for women to get adopted as candidates especially since Zambia still practices the first past the post system of voting. But rather than harp on the challenges, women should knuckle down and get to work.

"Women should go to their parties with something on the table. They must give evidence of their popularity which means they must canvass amongst their constituency and get their buy-in. If they create a name for themselves; no party can afford to ignore them."

Nawakwi is now weathering criticism from some of her party members who say she cannot win them the presidency and are calling for her to step down. Her critics say she spends more time "being a wife" to her polygamous husband than being a leader of a political party that wants to form the next government.

Nawakwi shrugs this off saying it is the 'usual nonsense' of bringing in gender whenever unenlightened men feel threatened by a woman.

"I am accustomed to breaking gender barriers. I was elected by the party at a convention that was dominated by men so my gender cannot be an issue now. It's a new phenomenon to have a female presidential candidate, so it's not surprising that there is some nervousness. But I have told them to keep calm and watch me."

Where the ZNWL has identified low education levels and poor economic status as some of the barriers for women's election campaigns, Nawakwi told IPS she does not suffer those handicaps.

Of all the presidential candidates, she is the most educated (her Economics and Energy degrees are from the Imperial college of London) she is also the most experienced politician having spent over 15 years in various government portfolios, being the first female finance minister in Zambia and in the SADC region. She is also wealthy in her own right.

"If you want to do a check list, you will find I am the most qualified candidate around."

But others do not have the same confidence. Business woman Angelica Rumsey has been courted by the ZNWL to stand in her home village in the northern part of Zambia. She has declined saying her experience in politics were disillusioning.

"There were lies being peddled about me. While I was discussing issues of development my opponents were attacking my personal character. I saw so much corruption and dirty games during the campaigns that left me disgusted. I would have had to stoop to the level

of my opponents if I wanted to win a seat and I could not do that, Rumsey says of her campaign for a parliamentary seat in the 2006 elections.

Another reason she is reluctant to run for elections is that campaigns are expensive. Men are able to take risks and borrow from banks and other lending institutions, women are reluctant to undertake such risky ventures and in any case, they are not giving that opportunity, Rumsy told IPS.

"For women who have been in parliament before it is a little easier for them to retain their seats because they will have gotten their gratuities and other monies, that they can use, but for us that are trying to get in, we have to find money for campaigns and that is not easy."

Zambia has signed and ratified a number of agreements that promote women's rights. However, there has been a lack of political will to implement and adhere to these agreements and have them domesticated into national laws, Mwawnsa says.

Mwansa hopes that the 2011 elections will provide a fresh break from the discriminatory election system, and more women will participate, but like Kambikambi she is not hopeful that this will happen.

## **Economic Developments**

### ***South Africa: Business to Eskom - Hikes Will Cripple Country***

(Business Day)

Johannesburg — ESKOM's proposed 35% tariff hikes every year for the next three years could cost SA 200000 jobs and delay the economy's recovery from recession, Jerry Vilakazi, CEO of Business Unity SA, warned yesterday.

On the second-last day of public hearings on the proposed tariff increases, business groups and companies poked holes in Eskom's argument for the rises to help fund its R385bn expansion.

While the hikes would bring in R18, 2bn in the first year, the cost to SA would far exceed this, and the economy could lose R80bn, Vilakazi said.

A 35% hike could lead to consumer price inflation rising 1,2%. "And the pass-through effects would hit food prices."

This, he said, would come after last year's negative economic growth and 1-million job losses.

Ian Langridge, chairman of the Energy Intensive User Group, said Eskom needed to change its funding model and sell an existing power station instead of a mere stake in the still-to-be-built Kusile power station, as planned.

Langridge said procurement for Eskom's Medupi and Kusile power stations was done at the peak of the market, and the costs were too high, making them unattractive to private investors.

He said prospective private investors were likely to be interested in Eskom's older, more established power stations rather than Kusile, which was still under construction.

"The offer will have limited uptake due to the fact that construction risk has already been managed by Eskom, and potential bidders cannot apply their expertise to enhance their capital return," he said.

Langridge said investment in Eskom's older power stations could be a preferred option for investors if the market became more attractive.

"It is difficult to imagine that an investor will invest in a power station that was procured at the peak." But an existing power station, with a good track record, presented an attractive opportunity for investment in good assets.

Greg Kinross, president of CIC Energy, was also sceptical about Eskom securing private equity partners for Kusile in the next three years.

"The risk of not securing a partner for Kusile during (this period) ... is very high," he said. It was unlikely that an investor would enter into material contracts in which it played no part in negotiating.

Investors would also be reluctant to assume Kusile's coal supply, environmental and water supply risks, he said.

Steel and Engineering Industries Federation of SA (Seifsa) council member Guy Harris said: "No investor in their right mind will look at a minority stake at an unproven asset."

Kinross also questioned the wisdom of granting Eskom high tariffs. "Eskom is raising tariffs now, to finance capital to build capacity for electricity that will only be generated in the future. Today's users will be subsidising tomorrow's, at great current cost to the economy," Kinross said.

Eskom would over-recover its operating costs if the 35% increase was granted, and only a 25% hike was needed, he said.

CIC Energy is the developer of the Mmamabula energy project in Botswana. The project includes a 1320MW coal plant. Of the electricity from the plant, 75% will be sold under a still unsigned long-term power purchase agreement to Eskom.

Kinross said delaying or downsizing all or part of Kusile would reduce Eskom's cash-flow requirements "significantly".

He said there was likelihood of Medupi, the other new power station, and Kusile being delayed beyond the dates estimated in the multiyear price determination.

According to Eskom, the first unit of Medupi will be commissioned in 2012, while Kusile is scheduled for commissioning in 2014. Kinross said a delay in the commissioning of the power stations would aggravate the energy crunch, requiring Eskom's existing plants to run harder. Such a delay would also cause the capital costs of the two power stations to soar.

Chris Meares, MD of Progress Ceramics, told Nersa yesterday that his company was on the brink of closure because of, among other things, the rising electricity costs. He said he had retrenched employees in the past year. "The future of my business is on a knife edge."

While it was possible to change his company's business model and reduce reliance on electricity, doing so required "massive" investment. "It is not that easy to change your business model in the face of a crisis like this," he said.

Meanwhile, ratings agency Standard & Poor's yesterday confirmed Eskom's local currency rating at A- and its foreign currency rating at BBB+. According to Eskom, the move brings to an end the uncertainty created by the agency's previous placing of the power utility on credit watch.

Eskom acting chairman Mpho Makwana said he was "satisfied" that the rating reflected Eskom's critical role in the economy, and recognised Eskom's progress in stabilising its credit profile.

Today will be the last day of the Nersa hearings. The regulator is scheduled to make a determination on Eskom's application next month.

## ***Zimbabwe: Country Faces Food Shortages***

(allafrica.com)

Harare — Zimbabwe is facing massive food shortages again this year with crops already wilting in many parts of the country due to a prolonged dry spell.

The United States funded Famine Early Warning System Network (FEWSNET), in its latest forecast predicts that as a result of the poor rainfall and the severe shortage of agriculture inputs, 2.2 million Zimbabweans would need food aid.

This means that people who will need urgent food aid between January and March has increased from the 1.7 million projected at the end of last year. Close to half of Zimbabwe's population has depended on donors for food in the last nine years.

But hopes were heightened following the formation of a unity government between President Robert Mugabe and his former archrivals in February last year that the situation would improve.

In November last year, the United Nations reduced by almost 50 percent its request for donations to assist Zimbabwe's poor following positive changes in the economic situation. Aid agencies now fear the cuts in funding will see more people going without food this year.

FEWSNET said the below average rainfall and high temperatures in the southern half of the country over the past three weeks had seen most crops wilting due to moisture stress. "Since December, below average precipitation and above average temperatures continue to help strengthen seasonal moisture deficits across central Mozambique, southern Malawi, southern Madagascar and southern Zimbabwe," FEWSNET said in the report covering Southern Africa.

The traditional food producing areas of Mashonaland have also received below average rainfall. Mr Mugabe's government has already come under attack for poor planning as farmers are still battling to access fertiliser, a couple of months before the summer cropping season comes to an end in April.

The unity government has also failed to stop the renewed attacks on white commercial farmers by Zanu PF militants trying to push the remaining few land owners under the previous administration's controversial land reforms.

Mr Renson Gasela, the spokesperson of the smaller faction of the Movement for Democratic Change (MDC) said the poor season would be as a result of poor planning and climatic factors.

"We are faced with another disastrous agricultural season," says Gasela. "But it's a combination of human and climatic factors that are causing this calamity."

The Commercial Farmers Union (CFU), which represents mainly the white farmers has already forecast a poor agricultural season citing continued invasion of white owned commercial farms as well as shortages of seed and fertiliser.

### ***Zambia: Follow Procedure in Selecting Oil Supplier –ZCTU***

(Times of Zambia)

THE Zambia Congress of Trade Unions (ZCTU) has advised Government to adhere to the laid down procedure as it selects the preferred bidder for the supply of fuel in the next two years.

ZCTU president, Leonard Hikaumba said there was need for the Government to follow the laid down procedure as it selects the preferred bidder for the supply of oil in Zambia.

Mr Hikaumba said as long as Government adhered to the laid down procedure, there would be no complaints from the bidders regarding the selection because the procedure would have been followed.

He said the regulations were already in place, it was just a matter of adhering to them.

Mr Hikaumba said if there was any obligation that Government needed to meet after the selection, it should be done.

He expressed hope that the most suitable bidder would be picked to ensure the smooth flow of fuel in Zambia.

Mr Hikaumba said the labour movement was hopeful there would be a smooth flow of fuel into the country by the new contractor because the erratic flow of fuel slowed down the economic activities in Zambia.

"So the smooth flow of fuel will ensure the economic activities go on without being interrupted," he said.

Seven foreign companies including Independent Petroleum Group (IPG) have bid for the supply of 1.4 million tonnes of petroleum feedstock to Zambia for the next two years, Zambia Public Procurement Authority (ZPPA) announced on Friday.

Companies have been given 21 days starting today in which they should submit their evaluations and recommendations for the award of the contract.

## **Social Developments**

### ***Malawi: Some surprises in post-election Malawi***

(Africa Files)

The latest national census was published earlier this year and contained the startling information that Malawi's population has risen above 13 million. It was just over a decade ago that some forecasters were talking about a 'failed state' as Malawi collapsed under the pressures of population loss accelerated by HIV and AIDS. Now we face pressure in the opposite direction. What's happening? The HIV infection rate is down to 12% on a national average, but much higher in the South (18%) and urban centers (25%). The latest studies indicate that the infection rates have declined significantly in rural areas and among adolescents: the latter down to 2-3%.

Word has got out and behaviour is changing, at least in part. What no one expected was where the growth is occurring: among those with tertiary education living in stable relationships. This is not an issue of lack of information but of lifestyle choices. It seems many successful (mostly) men are on Anti-Retroviral Therapy (ART) but not telling their spouses. Imagine the devastation both physically and emotionally.

The other under-anticipated consequence of the AIDS pandemic is the behaviour of the survivors. There are hundreds of thousands of young people with either no parents or no proper adult role models. Young girls are having babies, lots of them, and often to serial 'fathers'. Education and vocational training are not available, there is no work, so girls seek solace in temporary liaisons with disastrous consequences. The UN Population Fund also issued a warning to the Malawian Government. Based on the current fertility rate there will be 25 million Malawians by 2030, the majority living in cities. Lilongwe may have a population of 10 million in 20 years. Unbelievable and other factors may intervene, but the projections are based on current data.

During Fall Fairs in Canada there is a simple game where 'gophers' keep popping out of holes. You can take a stick and beat them over the head until they rise no more. So, Thomas Malthus seems to pop up every generation as we try to confound his prediction that rapid population increase would overcome food production and there would be mass starvation. In the post-war era the 'green revolution' was the stick that countered the predictions of the doomsayers, but at a cost. The high use of petroleum based insecticides, pesticides and fertilizers has created another set of problems. Genetically modified seeds boost production but also with the loss of genetic adaptation built up over centuries.

The Government of Malawi has stared down the IMF and other economic gurus and heavily subsidized food production over the past four years. Preliminary evidence indicates it worked – Malawi has had surplus maize each year. But the issue is sustainability. How can the Government devote close to half of its budget to food subsidies? The money comes from somewhere and already we see the loss of funding to nursing colleges, less medicine in hospitals and the average class size in primary schools is now at 100. A severe fuel shortage has been crippling the economy for a month. There are several reasons: congestion at Beira, a weakening bridge at Tete, but the main issue is lack of foreign exchange. Too much forex is leaving the country for dubious economic benefit.

My responsibility these days is to direct the Blantyre Synod Health and Development Commission. BSHDC used to be called more modestly the 'Projects Office' and the interventions were mainly in the areas of Orphan Care, Literacy and Community Development. The latter has morphed into 'Livelihoods' and now constitutes our major programme. After a strategic review in 2008 we selected 4 areas for our work: livelihoods (which include food security, water and sanitation, irrigation), Orphans and Vulnerable Children (OVC), gender and governance.

This year we received an unexpected boost when the Synod agreed to integrate the public health programme into BSHDC. We are also moving away from a project orientation where we come up with proposals and go searching for a donor. We are developing a

'programmatic' approach in which all 5 sectors of our work will be involved. In other words, we cannot design a livelihoods proposal without reference to health, OVC, gender and governance. Instead of a hierarchical organisation with the bwana on top, we are creating a 'flat' organisation in which 5 coordinators meet with the director and administrator on an equal footing.

We appreciate the support we receive through the Church of Scotland's World Mission Council, Child Survival in Malawi, and Scottish Churches World Exchange. There are a lot of visitors from Scotland each year, many from Congregations and Presbyteries that have established partnership agreements with Malawian counterparts. Unfortunately, some of these visitors come and go without hearing anything about BSHDC – and we hear about various development projects of which we would like to know more.

There is an anti-institutional bias these days. People do not trust large organisations and want every penny of donor money to reach its target. I understand the motivation and it does bring people closer to the action. But the negative side is a patchwork quilt of many actors doing many uncoordinated and unsustainable things. It is not a question of either/or, but an appeal to friends to be aware of the good work we are implementing on behalf of all those who work and speak, and give and pray, that this wonderful little country could have the quality of life that matches the quality of its people. There is no one royal road, but I believe that BSHDC is moving in the right direction and will make a greater impact in future. Pay us a visit when next you visit Malawi.

### ***Blikkiesdorp evictees evicted again***

(Africa Files)

At 4pm today, 48 law enforcement officers from the City of Cape Town invaded the city's Temporary Relocation Area, Blikkiesdorp, and removed about 60 people from the one roomed dwellings. This was done completely unlawfully without any high court eviction order, without any explanation, and even more inexplicably by the same city officials who installed the people in the first place. Among the 60 evicted people are a pregnant woman, a few tiny babies, and several primary school children. There is also one unaccompanied 17 year old minor girl who was put into Blikkiesdorp by the city officials - installed alone into a single dwelling - and then evicted again.

We are demanding an investigation into city officials, Jimmy Jacobs and Lodewyk Petersen. They are the ones who bring people against their will to Blikkiesdorp and install them willy-nilly into the dwellings, and they were also the ones who came today and led the eviction. The families who get scooped up from under bridges and from derelict buildings and installed in the Tin Can Town are told by Jacobs and Petersen that they will be given "structure papers" later, but clearly this is a pack of lies.

We are particularly concerned about the primary school children who were removed from their homes in the past by the city, forcibly moved to Delft where they had to begin at new and hostile schools, and now evicted to sleep outside for a night. The children's belongings have been confiscated and put into a separate building by police which poses

extra difficulties for them. "This is a city-sponsored camp so they feel they can do what they want here because there is no law" said Blikkiesdorp resident, Willy Heyn.

### **Zimbabwe: Statement on suspension of Paul Verryn**

(Africa Files)

The *Legal Resources Centre*, which also represents many of the residents who have sought shelter at the *Central Methodist Mission*, Johannesburg ("the CMM"), acts for Paul Verryn, the Superintendent Minister of the CMM, in his dispute with the Presiding Bishop of the Methodist Church of Southern Africa, Ivan Abrahams.

Following media statements made yesterday by the Presiding Bishop and his legal representatives informing the public that Verryn has been "suspended", there has been much inaccurate speculation regarding the basis of the purported suspension. Specific media reports have linked Verryn's suspension to allegations involving sexual abuse of persons living at the CMM. No attempt has been made by the Presiding Bishop or his legal representatives to correct this speculation.

#### **It is therefore necessary to issue a statement on behalf of Paul Verryn.**

On 18 January 2010, a notice was served on Paul Verryn informing him that he is to attend a disciplinary enquiry on 1 February 2010 in respect of two charges.

1. Charge 1 relates to the *alleged institution of legal proceedings* in December 2009 for the appointment of a curator ad litem to safeguard the interests of unaccompanied minors living at the CMM. The allegation is that Verryn instituted such proceedings without authority and/or without doing so in the name of the Presiding Bishop or Executive Secretary.
2. Charge 2 relates to Verryn allegedly making *media statements* after being instructed not to do so.

Both charges, which Verryn disputes, are accordingly of a procedural or technical nature and are entirely unrelated to any of the grounds that emerged from media speculation. In view of the second charge, and without accepting its validity, Verryn will at this stage not issue any media statements personally.

On 19 January 2010, Verryn received a letter communicating the decision of the Presiding Bishop to "suspend" him on the basis of these charges. At this stage, Verryn contests the validity of his purported suspension. He also opposes the institution of disciplinary proceedings against him on the charges referred to above. Verryn has formally referred the dispute between himself and the Presiding Bishop, Ivan Abrahams, which dispute underlies both charges, to the Convenor of the *Arbitration Panel of the Methodist Church of Southern Africa*. Verryn has requested that the disciplinary hearing be postponed pending mediation in terms of the *Laws and Discipline of the Methodist Church of Southern Africa*.

We express our concern that the dispute between Verryn and the Presiding Bishop threatens to detract from steps currently underway to safeguard the rights of the people who have sought refuge at the CMM, especially the efforts of the court-appointed curator regarding unaccompanied minors at the CMM.

### ***RIGHTS-ZIMBABWE: New Threats to Media Freedom***

(Inter Press Service News Agency)

Freelance journalist Stanley Kwenda fled Zimbabwe on Jan. 15 after receiving a death threat apparently from a senior police officer Chief Superintendent Chrispen Makedenge.

Kwenda had "named and shamed" the policeman in a story published in The Zimbabwean newspaper. The story alleged that Makedenge's late wife's relatives had demanded to see the note she had allegedly left after she committed suicide.

After spending the whole day reading articles about the violation of journalists' rights in the Index on Censorship 2009 Review, it never dawned on Kwenda's that by the end of that very day, he would be going through a similar experience. It seemed so unlikely that what he thought were rather long lists of journalists who had been harassed, incarcerated and killed would get longer with the addition of his own name.

"I was preparing to get my weekend into swing," said Kwenda, a freelancer who writes for IPS and The Zimbabwean newspaper, among others. He is also the director of Artistes for Democracy in Zimbabwe Trust (ADZT), an initiative that uses artistes to campaign for civil participation in democratic processes in the country.

"I received a call at 7.15 pm from an unknown number while having a drink with a friend at a hotel in Harare. On the other end of the line was a male voice, and it was clear to me that this was none other than the senior police officer I had named and shamed in a story I wrote for The Zimbabwean newspaper," Kwenda alleged.

Much to the surprise of his colleague and other patrons at the hotel's bar, the burly Kwenda started trembling. And it was clear that something was wrong.

"The man told me in a very harsh and angry voice that: 'Kwenda. You are not going to last this weekend'. I failed to get a chance to make head or tail of the essence of his phone call, he was hurling all sort of profanities and repeatedly reminding me that I was going to die before people at my church finish their evening Sunday prayers."

Kwenda is generally viewed as a brave journalist among his colleagues, but after the call, he was just out of sorts. Having covered some of the harrowing experiences of people who have implicated his alleged caller, Kwenda did not need anyone to warn him of what was likely to happen after the call. Makedenge's name has featured prominently among officers involved in the abduction of activists in the aftermath of the March 2008 elections.

"I have never felt so afraid but on the day in question I was left trembling. I was left with no option but to think of a way out," he added.

Earlier in the day, Kwenda says he had received numerous calls from a suspicious character who claimed she wanted to give him an exclusive expose related to a story he had written for The Zimbabwean.

"At that point I realised I was in for a trap. I told her to put her information on the e-mail of the newspaper. She insisted on a face-to-face meeting," said Kwenda.

And that very evening, Kwenda was on the next flight out of Zimbabwe. His destination: South Africa where he is currently hiding.

"Fleeing Zimbabwe was the only way out for me after receiving very specific death threats from a senior police officer. All this is happening sadly at a time when we should be celebrating a new democratic dawn for Zimbabwe," said Kwenda.

However, police spokesperson Wayne Bvudzijena said despite Kwenda's allegations police will not investigate the claims based on media reports. He said Kwenda was required to open a case in order for police to investigate the matter.

"In the first place he should have made a formal report so we could investigate it. Should there be any threats outside the law made against him (Kwenda) they should be investigated," Bvudzijena said.

He added that only Kwenda could open a case regarding the death threats and would have to return to Harare to do so. Bvudzijena said even though Kwenda feared for his life, if he laid a complaint, police would not be able to protect him.

"We don't have that capacity to provide security to individuals. He would have to provide his own security," Bvudzijena said.

He also expressed scepticism that death threats had been made against Kwenda. "I would like to know why he should be threatened, particularly at this time. What is so drastic why anyone would want him dead?" Bvudzijena asked. When IPS informed him about the article Kwenda had written concerning Makedenge, Bvudzijena said he was unaware of it.

"Fleeing does not help anyone. My suspicions are that it is to raise some (negative) perceptions about the whole issue. We have investigated police officers before," Bvudzijena said.

Three days after Kwenda fled the country, another freelancer, photographer Andrison Manyere was arrested while covering a demonstration in the capital. This is the second time Manyere has fallen victim to the machinations of state security agents. In 2008 he was abducted and dragged to the courts at the height of political violence along with opposition party members and human rights activists. This spate of arrests is the very same ones that Makedenge's name had been linked to.

Kumbirai Mafunda, a journalist who is also a spokesperson for the Zimbabwe Lawyers for Human Rights (ZLHR) said the threats on Kwenda's life and Manyere's arrest were "clear signs that we have not moved an inch in terms of media reforms".

"What happened to our colleague Stanley Kwenda is really worrying," said Mafunda. "As journalists we thought that threats and arrests of journalists were things of the past. It is really sad that in this era we still have journalists being threatened and hounded out of the country."

Mafunda said there was need for the inclusive government to show commitment to ending the violations of voices perceived to be against certain forces in the system.

"We honestly do not expect these things to continue even in this day and age," said Mafunda.

This was the general sentiment at the Quill Club, the meeting point for journalists in Harare.

"We do not take these threats lightly, because we have seen it in the past. This is a sign that the profession is in danger, and the government needs to do something about it," said one journalist at the club who requested anonymity.

Secretary General of the Zimbabwe Union of Journalists (ZUJ), Foster Dongozi said they had since launched an investigation into the matter, in collaboration with the police and other players in the media industry.

"We have set up a team which will investigate the harassment of our fellow member and we want to establish whether the threats were done at individual or official level," said Dongozi.

"But whatever the case might be, we are saying harassment of journalists by the state should come to an end. We expect the state security to protect its citizens not victimising them like what has been happening here for the past decade."

Dongozi said the incident was unfortunate as it came at a time when everyone was now "expecting media reforms and respect to journalists".

In a statement, the Media Institute of Southern Africa (MISA) Zimbabwe chapter condemned the threat on Kwenda, saying this was "yet another serious threat to media freedom and the right of journalists to conduct their lawful professional duties without fear or hindrance from any quarters".

"MISA-Zimbabwe urges the inclusive government and the Police Commissioner General to unequivocally guarantee the safety of journalists and to assure Kwenda of his security pending full investigations into the alleged threats," reads the statement.

The burly scribe is conspicuous about his absence from the Quill Club. The general concern among colleagues is that something bad might happen to him. But he believes all is under control, at least for now.

"I am safe and sound in my hiding place," he told IPS.

When the members of the Zimbabwe Media Commission were announced in December, hopes were so high among journalists that this marked a beginning of better fortunes for the media industry. They even dubbed the New Year "twenty-turn", hoping things would turn for the better. But for Kwenda and others, they seem to be turning for the worse.

IPS Africa was unable to reach Makedenge for comment.

### ***MALAWI: Love That Dares To Speak Its Name***

(Inter Press Service News Agency)

A traditional engagement in Malawi counts as a civil marriage and is recognised as such throughout the country. Chimbanga and Monjeza are the first gay couple to declare their sexual orientation in this manner. The couple is facing charges of "gross indecency" and buggery for "having carnal knowledge against the order of nature", offences under Malawi's colonial-era penal code.

#### **Arrest condemned**

Following their arrest, local human rights activists, civil society organisations and international human rights organisations condemned the government.

Amnesty International criticised the arrest and called for the immediate and unconditional release of the couple from police custody. Amnesty accuses Malawi of criminalising homosexuality, gender identity and the couple's legitimate exercise of their rights.

The international human rights body says that by arresting the lovers, the country is failing to respect international treaties it has ratified, such as the International Covenant on Civil and Political Rights and the African Charter on Human and People's Rights. Local activists are challenging the government's action as against its constitution.

But Malawi government officials, including the solicitor general's office, have refused to respond to the condemnations or comment on the matter, saying that it will be sorted out by the courts.

The state has administered several medical tests on the couple to establish that they were having sexual intercourse as well as a mental examination to test if each is mentally stable. These tests have since been described as demeaning by the human rights organisations.

Neither Chimbalanga and Monjeza seem to have been fully aware of the laws on homosexuality; Chimbalanga has been working as a domestic servant for the past five years, most recently employed as a waiter at a lodge; while Monjeza is a subsistence farmer.

They told local media after their arrest that they were motivated to come out in the open about their relationship by love. However, many people in the country are arguing that the two are being used by unspecified "rich people" as a test case on gay rights.

### **Trial a test in more ways than one**

The trial has become something of a circus in Malawi. The public has not been kind to Chimbalanga and Monjeza, taunting the couple is at every court appearance.

Chimbalanga does not seem to be moved by the jeers as he walks around the court corridors in feminine clothes, usually a flowery blouse and a wrapper. Monjeza, by contrast, has seemed uncomfortable and reserved.

Neither man enjoys the support of his family. Monjeza's aunt, Zione, accuses her nephew of bringing "disrepute and shame" to his family by marrying a man.

"People no longer respect our family. They regard our family as irresponsible and disorganised. This is a big scandal. We are very embarrassed," she says.

Chimbalanga's uncle, a chief in the southern district of Thyolo, also says he is unhappy with his nephew's behaviour.

"Tiwonge was born a man but he has always shocked us with his feminine behaviour. He walks, talks and dresses like a woman. This has always been embarrassing to us and people have been accusing us of having bewitched him," says Village Headman Chimbalanga.

Chimbalanga was banished from his village seven years ago, according to his uncle: he would have been just 13 at the time.

Their families did not attend the engagement ceremony, held outdoors in the garden of the lodge where Chimbalanga works in Blantyre, Malawi's commercial capital. But hundreds of curious people turned up to witness the union.

"They wore traditional outfits made out of the same material and Chimbalanga was dressed as a woman. The ceremony was colourful but a power black-out messed up the music system; a thing that made Chimbalanga weep," Natasha Golosi, who attended the ceremony told IPS.

Golosi said people were jostling each other to take a closer look at the couple as the ceremony was taking place. "It was like any other traditional engagement ceremony. They exchanged rings as well," she said.

## **Constitutional defense**

According to the Centre for Development of People (CEDEP), a local human rights organisation which looks after the welfare of marginalised groups, most homosexuals in Malawi are forced to hide their sexual orientation for fear of prohibitive and outdated laws that remain in force.

"It is not criminal to express your sexual orientation," CEDEP director Gift Trapense told IPS. "And the laws being used are from the Penal Code which is against the human rights that are enshrined in the Constitution. This is a gross human rights abuse against a group of people."

Chimbalanga and Monjeza have been arrested based on Sections 153 and 156 of the Penal Code which criminalise homosexuality and recommend that anyone convicted under these sections may be jailed for a minimum of five years and maximum of 14 years.

Human rights lawyer Chrispine Sibande says the arrest and prosecution of the gay couple is inconsistent with Article 20 of the Constitution which states that "discrimination of persons in any form is prohibited and all persons are, under any law, guaranteed equal and effective protection against discrimination on grounds of race, colour, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, property, birth or other status".

Sibande argues that the Constitution is the supreme law of the land and guarantees freedom of conscience, privacy and expression which includes sexual orientation; the constitution's Article 5 states that where a law is inconsistent with the provisions of the Constitution, it is invalid.

"The gay suspects did not do anything wrong as long as they lived the without violating other people's rights," says Sibande.

The trial has been adjourned to Jan. 25 because Chimbalanga has been afflicted by malaria.

During a Jan. 14 court appearance, he was unable to stand upright and was seen lying on the court floor and vomiting. Far from attracting sympathy, spectators jeered that Aunt Tiwo, as Chimbalanga is now popularly known, is pregnant.

The lawyers representing Chimbalanga and Monjeza are asking the Constitutional Court to take a position on the matter. But Blantyre chief resident magistrate Nyakwawa Usiwasiwa has indicated that his court will continue hearing the matter while awaiting a decision on the constitutional position.

## **ZIMBABWE: Water Scarcity No Obstacle To Bulawayo Farmers**

(Inter Press Service News Agency)

Water scarcity has led urban farmers to turn to treated waste water to grow food within the city limits.

Bulawayo's water woes stem from both periodic droughts in the Matabeleland region and from the collapse of the aged, poorly-maintained municipality infrastructure serving this city of more than one million.

But the shortage of water has not deterred urban farmers like Agnes Maziya. Maziya is one of the growing number of urban farmers growing vegetables and crops for residents.

"Using waste water has helped me to grow vegetables for sale," Maziya told IPS. "I have used money from the sale of these vegetables to put my children through school. The project has made a difference for my family and I.

"My wish now is to improve the variety of vegetables I grow here to include carrots, spinach, tomatoes cabbage and onions which will increase my income."

Maziya is one of about a thousand farmers who are part of a project to grow leaf vegetables such as rape, sugar beans and maize using treated waste water.

The 350-hectare Gum Tree Plantation Allotment project is a joint venture of the city of Bulawayo and the Municipal Development Partnership Eastern and Southern Africa (MDPESA) to use waste water to boost food security in the city.

The project is situated in Hyde Park, in the western part of the city. The land has been divided into individual plots of 5,000 square metres and a cooperative section where farmers have been grouped together. Treated water is provided for free by council, with each group allocated between 4,500 and 5,000 litres of water on a weekly basis.

The water, according to MDPESA urban agriculture programme coordinator Takawira Mubvami, is treated using the radiation and conventional biological methods at the treatment works. Due to breakdowns, the level of treatment does not consistently meet World Health Organisation standards.

The treated water supplied to the Gum Tree farmers comes from the Luveve and Cowdry Park treatment plants which are better in terms of performance, meeting WHO standards for waste water for irrigation 80 percent of the time.

This does mean elevated health risks. Mubvami told IPS that his organisation trained farmers regarding these risks, but found most were already aware of the necessary precautions to be taken with treated waste water regarding what crops to grow and taking measures against skin diseases.

"The major challenge has been getting the right protective clothing for farmers," Mubvami said. "Funds were not available. At the moment, farmers use buckets to get water from the irrigation canal.

"This is not the ideal irrigation method. They should be using suction hoses for flood irrigation which will reduce the frequency of them coming into contact with the water. Plans are under way to introduce this."

Only vegetables that have to be cooked - destroying any pathogens present in the water - before they can be eaten are grown. Crops like lettuce, tomatoes or carrots are not permitted.

A flood irrigation technique is used to channel water from the reservoir to the field using lined canals which reduce water lost to seepage and evaporation. The lining of the canal was the first phase funded by the MDPEESA to improve the irrigation system at the plantation. It will be completed with the introduction of feeder suction hoses which will bring the water to the gardens from the canals.

"The project enables our farmers to grow crops throughout the year because there is reliable water supply from waste water," Job Ndebele, city director for engineering services, explained to IPS.

The use of marginal water is not very common in Zimbabwe. It is used to some degree in the capital Harare, but limited to watering cattle pastures .

"Bulawayo has pioneered the use of the water for crops. They have actually reticulated the water to the gardens. This has been seen as being expensive by most local authorities in the country," said Mubvami.

Used correctly, treated waste water is building food security despite persistent water scarcity.