

# Renovate Bluez Cafe Brick Bank Appeal.

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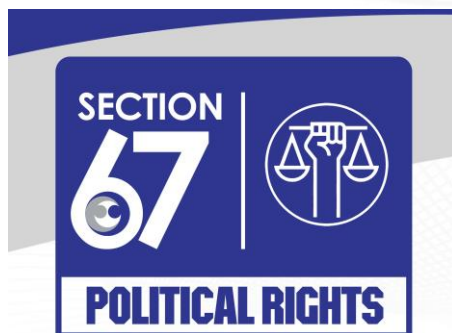
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**SECTION 67** | 

**POLITICAL RIGHTS**

ACCORDING TO THE NATIONAL CONSTITUTION, EVERY ZIMBABWEAN CITIZEN HAS THE RIGHT TO PARTICIPATE, INDIVIDUALLY OR COLLECTIVELY, IN GATHERINGS OR GROUPS OR IN ANY OTHER MANNER, IN PEACEFUL ACTIVITIES TO INFLUENCE, CHALLENGE OR SUPPORT THE POLICIES OF THE GOVERNMENT OR ANY POLITICAL OR WHATEVER CAUSE.

*Nhimbe Trust is a creative civil society organization whose strategic objectives include promoting and defending cultural rights and artistic freedom of artists and cultural professionals in Zimbabwe and globally.*

*As a critical element of its advocacy strategy, Nhimbe Trust seeks to increase artists' knowledge and claim of their political rights in terms of Section 67(2)(d) of the Constitution, so that they are able to engage with legislators across the political divide meaningfully - offer advisory services on cultural governance legislation; and extend solidarity to like-minded legislators under siege.*



## Nhimbe Trust Decries Zimbabwe's Intention to Enact a Patriotic Act

The Government of Zimbabwe has announced that it is drafting the Zimbabwe Patriotic Bill, which amongst other things, aims to criminalise and prescribe stiff punishment for citizens who "campaign against" national interests. According to the government, the Bill will also criminalise the peddling of "falsehoods" which undermine Zimbabwe's national interests. The proposed law will permit government to pry into private communications between citizens and officials of foreign governments. Government has said that the proposed law is necessary to "deal" with citizens who propagate negative information to foreign governments, which undermine the Government of Zimbabwe's efforts to attract foreign direct investment.

Nhimbe Trust believes that patriotism is love for and loyalty to one's own country, which is expressed in various ways. In certain circumstances, to be patriotic means that one has to be critical of their own government or even campaign against the government, especially when the government's policies undermine national interests. In terms of the Constitution of Zimbabwe, democracy, peace and respect for human rights and the rule of law are amongst Zimbabwe's national interests.

*"It must be recalled that Zimbabwe has been going through a severe human rights crisis, characterised by the Gukurahundi massacres, episodes of electoral violence, brutalization of peaceful protestors, grand corruption, muzzling of the press and arbitrary censorship of critical artists and cultural professionals. These violations are attributed to the government and to date, they remain unresolved."*

Nhimbe Trust believes that, it is the patriotic duty of every Zimbabwean to speak out against these violations because they undermine national interests. In particular, artists have a duty to raise public awareness both locally and internationally, of the human rights violations in Zimbabwe and call upon the members of the international community to hold the Zimbabwean government accountable.

It must be recalled that Zimbabwe is part of the international community of nations by virtue of being a member of various international inter-governmental organisations, including SADC, African Union and United Nations. By virtue of such membership, Zimbabwe has committed to respect, protect and promote human rights and principles of governance that are espoused in the Conventions and Treaties agreed upon by Member States.

Therefore, if government enacts a law which prohibits its citizens from engaging foreign governments to raise awareness of Zimbabwe's violations of international human rights, such a law would not only be in contradiction to the core principles of international co-operation, but it would also be a violation of the right to freedom of expression and the right to privacy.

These rights are protected both in the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and People's Rights. They are also protected in the Constitution of Zimbabwe in section 61 and section 57.

Nhimbe Trust calls upon the government of Zimbabwe to desist from enacting the Patriotic Act and rather concentrate on combatting corruption, delivering on its Electoral promises and respecting as well as protecting constitutional rights. It remains a constitutional and patriotic duty of every Zimbabwean citizen to campaign against their government if it fails to deliver on its promises and its constitutional mandate. To not do so would be unpatriotic.

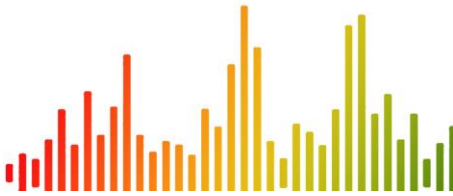
- Nhimbe Press Release 22.3.21





EVERY PERSON HAS THE RIGHT TO FREEDOM OF EXPRESSION, WHICH INCLUDES:

- FREEDOM TO SEEK, RECEIVE AND COMMUNICATE IDEAS AND OTHER INFORMATION;
- FREEDOM OF ARTISTIC EXPRESSION AND SCIENTIFIC RESEARCH AND CREATIVITY.



## Illegal recall of parliamentarians violates cultural rights & artistic freedom

Nhimbe Trust expresses its shock and condemnation of the recent illegal recall of six Members of Parliament from the majority opposition (MDC Alliance) purportedly in terms of section 129(k) of the Constitution. The total number of opposition Members of Parliament illegally withdrawn *en masse* from Parliament now stands at 47.

Nhimbe Trust views this as an unprecedented violation of the recall provision in the Constitution which severely undermines the electorate’s right to political representation. We hold the view that this latest recall attests and underscores the determination by the Government and the ruling party to violate freedom of expression and opinion, freedom of assembly and association, to unduly invalidate, revoke or obstruct the exercise of the parliamentary mandate by these Members of Parliament. This conduct also displays the deliberate motive to undermine the results of the last election in general.

We understand that the withdrawal of **Tendai Biti, Kucaca Phulu, Settlement Chikwinya, Willias Madzimure, Regai Tsunga** and **Chelesile Mahlangu** was announced by the Speaker of Parliament the Hon. Jacob Mudenda without verification of the authenticity of the individual claiming to be the Secretary General of their political party. This is despite the fact that a letter had previously been written to the Speaker of Parliament advising him of the identity of the authentic Secretary General of the **People’s Democratic Party (PDP)**, the party through which all the recalled Members of Parliament claimed their stake in the **MDC-Alliance**. Furthermore, the Speaker had also been advised that the question of the legitimacy of the author of the recall letter was pending before the court and the matter was thus *subjudice*.

The Speaker was also aware that Members of Parliament have pointed out that the arbitrary implementation of Section 129(k) without any Rules or Guidelines violates the right to administrative justice of the members of Parliament concerned and leads to arbitrary invalidation of their election mandate. A Motion is currently on the Order Paper of the House of Assembly to debate this very issue.

Nhimbe Trust would like to condemn this abusive and arbitrary revocation of parliamentary mandate and point out that there are various Bills that impact our work in advocating for the promotion of cultural rights and artistic freedom. The Constitutional Amendment Number 2, the Zimbabwe Media Commission Bill and other important Acts of Parliament, which still need alignment to the Constitution means that the implementation legislative agenda will suffer a big dent in credibility and its outcome will not reflect the electoral mandate that was given by the people of Zimbabwe in the 2018 election. The High number of Parliamentarians lost due to COVID-19 exacerbates this problem.

We call upon the Speaker of Parliament and Parliament to revisit the procedure used to implement section 129(k) of the Constitution and put in place a procedure that will guarantee Members of

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Parliament the right to be heard, the right to notice and the right to administrative justice in general. The procedure must not allow any random person to write a letter recalling elected members of parliament at a whim and for the speaker to implement such without much ado.

We also call upon the Speaker to quickly reverse the decision to implement a recall on the basis of a letter by an individual whose authority is being challenged.

- *Nhimbe Press Release 25.03.21*

### First Aid training for young Artists

From 24-26 March 2021 a First Aid Training Course was conducted for 40 young artists from various groups, at Cilla's conference Centre in Bulawayo. Besides basic first aid, they were equipped with vital knowledge and understanding to face the brave new world for performances and audiences.

The course was organised by Nhimbe Trust and sponsored by long-time cultural partner Africalia, the Belgian Cooperation and Zimbabwe Red Cross.



### Nhimbe Congratulates NAMA @40 Legends

The special 2021 National Arts Merit Awards (NAMA) took place on Saturday 27 March 2021, to honour arts legends for their contribution to the entertainment industry in the past 40 years since Zimbabwe's Independence. The award ceremony was screened live on ZBC TV and streamed on various online platforms. Nhimbe congratulates all the Legends, and in particular celebrates those from the City of Kings:





**Albert Nyathi – Poet**  
**Barbara Makhalisa Nkala – Writer**  
**Cont Mhlanga – Playwright**  
**Pathisa Nyathi – Writer**  
**Matesu Dube – Theatre/Dance**  
**Ellen Mlangeni – Actress/StoryTeller/Dancer**  
**Nkululeko Dube – Theatre/Dance**  
**Barnabas Chademoyo – Dance**  
**and the celebrated Painter, the late Rashid**  
**Jogee**

Bulawayo newspaper The Chronicle published an article on mixed feelings and explanations by National Arts Council; read more at <https://www.chronicle.co.zw/mixed-feelings-on-nama-legends40-awards-as-nac-z-explains-selection-criteria/>



## Bluez Café Renovation: BRICK BANK APPEAL

One of Nhimbe Trust's areas of focus in this year is the renovation of the Bluez Café - the bold vision to create a multidisciplinary arts centre in the heart of Bulawayo, the cultural capital in the south-west of Zimbabwe.

After a strong start in 2017 Nhimbe Trust was forced to relocate the Bluez Café to 97A Lobengula St, an old townhouse donated to Nhimbe by the Youth Contact Centre, in dire need of repair and refurbishment. Limited activities continued – rehearsal space, video location, and popup support for artists elsewhere; for this Nhimbe Trust is grateful to its main partner, Africalia, for the ongoing institutional support.

To realise the vision of a dedicated centre for the city's producers of culture, the venue requires major renovation, costs of which are way beyond Nhimbe's capacity, and unreachable without financial support.

Nhimbe set up the BRICK BANK appeal in January, to start work on the physical, structural needs of the new premises - and invites all contributions.

Among other stakeholders in Bulawayo's cultural industries who expressed support for the refurbishment plan, Bulawayo artist, producer and director **SAIMON MAMBAZO PHIRI** described **the visions** as a place where "a lot of arts find a synergy, where a lot of arts meet ... if you support Bluez Cafe and the Nhimbe Trust Brickbank Appeal you are supporting the building of the future of Bulawayo arts."

**NICHOLAS MOYO**, Director of the National Arts Council of Zimbabwe, said “As NACZ we are quite elated with the Nhimbe Trust project of Renovate Bluez Cafe.... We recognise the work that Nhimbe Trust is doing as a private player fits very well in the bigger picture of resuscitating cultural spaces throughout the country ... We congratulate and wish Nhimbe Trust, in the buy-a-brick project to renovate Bluez Café, a happy project.”

***Nhimbe invites and urges all stakeholders and supporters of this crucial development to donate to the Bluez Cafe Brick Bank.***

The cost of a single brick is pinned at USD 0.35.

Donations can be made directly to Nhimbe Trust through [admin@nhimbe.org](mailto:admin@nhimbe.org).

### **Nhimbe Trust Covid-19 Pandemic Appeal 2020-2021**

[https://www.facebook.com/donate/876313056442482/?fundraiser\\_source=external\\_url](https://www.facebook.com/donate/876313056442482/?fundraiser_source=external_url)

COVID-19 is unravelling a decade of progress on the status of the artist and cultural professionals in the City of Bulawayo. The social and economic impact of the pandemic has already taken a toll on the city’s arts industry. Bulawayo, which is recognised as Zimbabwe’s Cultural Hub, currently has the highest nation-al prevalence rate of COVID-19 cases.

### **NHIMBE TRUST IS COMMITTED TO RAISING USD 150,000 TO KEEP ARTISTS, CULTURAL PROFESSIONALS IN BULAWAYO SAFE FOR THE NEXT 12 MONTHS.**

Nhimbe Trust aims to alleviate this hold-up for vulnerable artists and cultural professionals in Bulawayo by directly supporting at least 1500 artists and cultural professionals especially youth, women and the elderly who have disproportionately been impacted by COVID-19. Nhimbe Trust’s response will cover the entire cultural community of Bulawayo. This COVID-19 mitigation plan will be implemented in cooperation with the Bulawayo City Council.

This appeal is to people from all walks of life to donate towards the cause in support of our vulnerable artists and cultural professionals. No amount is too small.

### **Please Donate!**

Donations should be directed to the Facebook page (link above), which displays as [‘Ezra’s personal emergency fundraiser’](#) – (Fundraiser for Josh Nyapimbi by Ezra Tshisa Sibanda).

THANK YOU.

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## Our Partners



The Daneford Trust



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Make a difference ! DONATE

**COVID-19**  
APPEAL

**RENOVATE BLUEZ CAFE**  
Brick Bank Appeal