

ZIMBABWE'S TRADE UNION MOVEMENT: ON THE FRONT LINES OF CHANGE



AFL-CIO



EXECUTIVE SUMMARY

Workers and their unions are central to Zimbabwe's economic and political life.

As the July 31 presidential elections approach, the Zimbabwe Congress of Trade Unions (ZCTU), one of the country's only nonpartisan, mass-based movements, plans to actively promote free and fair elections and hold lawmakers accountable after elections.

ZCTU's role is especially critical in this election cycle given the country's history of government-directed violence against and repression of critics over the past decade. This includes harassment and arrests of union officials, attacks on informal-economy workers, arrests and beatings of union protesters and other politically motivated arrests and violence. The violence reached an apex in May and June 2008, when the government of President Robert Mugabe and his Zimbabwe African Nation Union–Patriotic Front (ZANU-PF) party, following a damaging first-round defeat in national elections, brutally attacked citizens and communities to suppress voting in the presidential runoff election. The violence effectively forced the opposition Movement for Democratic Change (MDC) party, and its presidential candidate, Morgan Tsvangirai, back out of the runoff elections.

In the wake of Mugabe's disputed victory, the unprecedented opposition gains in parliamentary and presidential elections and growing international and pan-African disfavor with the highly publicized election violence forced a compromise between parties. They reached a power-sharing agreement, the Global Political Agreement (GPA), which created a government of national unity—the unity that was expected to work on policies to halt the country's economic decline and move necessary reforms, such as a new constitution and an electoral overhaul that would lead to open, contested, free and fair elections. Five years later, elections loom, but little has happened in terms of reform.

For the labor movement, the GPA has been a disappointing compromise. While the open anti-union violence that had characterized previous years diminished and numerous former labor leaders entered government under the GPA, the labor movement remained critical of the administration. Inflation was brought under control by dollarization in 2009, but basic goods remained beyond the reach of the country's low-income and working-class citizens. Although the government points to an economic turnaround in terms of a rising gross domestic product (GDP), growth is limited to politically controlled sectors such as mining with little change in staggering unemployment, and no shared redevelopment of the country's once-strong economic base and infrastructure. Zimbabwe remains an "enclave economy" characterized by "a relatively well-developed modern formal sector and an underdeveloped and backward rural economy," according to the labor-affiliated Labour and Economic Development Research Institute of Zimbabwe (LEDRIZ).

As the country moves toward elections this year, the ZCTU again will be an independent and fundamental voice calling for political reform and economic fairness. Although hampered in this effort by the government's anti-union policies, ongoing job losses and the slow process to heal an internal division within the federation, the ZCTU approaches elections with its democratic mandate to educate workers about their rights on the issues important to their economic security, and to encourage citizens to exercise their rights to vote and to a transparent and accountable government.



A Decade of Repression

On Sept. 13, 2006, protests by the Zimbabwe Congress of Trade Unions (ZCTU) ended in retaliation against union leaders. In 34 different locations, the ZCTU publicly protested the steady economic decline of the country, calling for living wages and greater access to antiretroviral drugs for Zimbabweans diagnosed with HIV/AIDS. ZCTU leadership, including then-General Secretary Wellington Chibebe and other leaders, were arrested on the streets of Harare, the capital, detained and brutally beaten while in custody.¹ A medical report noted that many of those arrested had their arms, wrists and fingers broken in what a medical doctor would judge to be “defensive injuries.”² The attacks sparked a wave of protests by the global trade union movement, including the International Confederation of Free Trade Unions (ICFTU),³ the AFL-CIO and union allies across the globe, such as the Congress of South African Trade Unions (COSATU).

The U.S.-based Coalition of Black Trade Unionists (CBTU) also protested anti-union violence and took action to publicize it, launching a postcard campaign supporting the ZCTU. A CBTU delegation traveling to Zimbabwe to mark the International Day of Action on Zimbabwe some nine days later was harassed and barred from entering the country, but not before obtaining footage from the Sept. 13 attacks.⁴

The 2006 protest and anti-union violence was not the first time union members had been arrested or attacked for exercising their rights to public protest. Police and government agents frequently harassed ZCTU members



long before the 2006 attacks. (Chibebe was arrested nine times between 2003 and 2008.)⁵

As the country’s economic situation deteriorated, the ZCTU, a democratic confederation of unions with six offices in 38 regions, again called on the Zimbabwean government to account for the rapid withering of the country’s infrastructure, ballooning unemployment and loss of critical public services. By 2006, unemployment was soaring—estimated at 50% in 1999 and on its way to well over 90% as the next decade closed. By 2008, Zimbabwe was facing a hyperinflation rate of 231 million percent.

The rising authoritarianism and use of violence that accompanied the breakdown of Zimbabwe’s economic and social fabric—what one author calls “the disaster years”⁶—underlies ZCTU’s protests. Zimbabwe’s government, ruled since independence by the ZANU-PF President Mugabe, enacted a string of failed policies and actions that decimated the economic structure of the country. These include:

- Drastic cuts to public spending as part of a World Bank/International Monetary Fund (IMF)-sanctioned Economic Structural Adjustment Programme (ESAP) that resulted in increasing unemployment and rapid informalization of the economy.
- An expensive, controversial and divisive agricultural reform process.
- Politically motivated violence such as Operation Murambatsvina (“Drive Out the Trash”), a 2005 effort to aggressively displace informal economy workers and settlements, forcing an estimated 570,000 people into immediate homelessness during the run-up to elections. The campaign destroyed the homes and/or livelihoods of an estimated 2.4 million people.⁷
- Pervasive corruption and a sense that policies such as agricultural reform or ESAP benefit the wealthy and politically connected at the expense of workers and the poor.

These policies led to substantial job losses and a massive migration of Zimbabweans seeking work elsewhere. Although the Zimbabwean labor movement suffered

significant losses in membership because of rampant joblessness and government's failed economic policies, workers remained in the forefront of protests, leading the initial campaign against ESAP that ultimately led to the development of both an independent trade union movement and a mass-based opposition to one-party rule.

Labor as an Independent Voice

Time and again in Zimbabwe's modern history, workers and trade unions have taken the lead as a public voice for equality, justice, democracy and human rights. Beginning in the late 1920s, when the country was still the British colony of Southern Rhodesia, unions such as the Industrial and Commercial Workers Union (ICU) emerged to provide an organizational basis to defend the labor and social rights of Africans.⁸ African workers, central to efforts to ramp up Rhodesian production to support the British effort in World War II, found their voice in the immediate post-war years with major strikes, first in railways in 1945 and then a general strike in 1948. The strikes of the 1940s are largely credited with pushing Zimbabwe's nationalist movement toward a greater sense of confidence. After the 1945 Railway Strike, Jasper Savanhu, leader of the Bulawayo Worker Trade Union, noted that "the days when a white man could exploit us at will are gone and gone forever."⁹ Accordingly, many nationalist leaders in Zimbabwe began their political careers as trade unionists.

Following the country's independence in 1980, the ruling Zimbabwe African National Union (ZANU) and precursor to today's ZANU-PF formed the ZCTU in 1981 by amalgamating trade union centers with 35 affiliated unions, initially led by Robert Mugabe's brother, Albert. Trade union membership increased rapidly following independence in 1980 and reached approximately 200,000 members in 1985. Although the ruling party may have hoped to control the labor movement through this close alliance, the economic policies of the 1990s forced any proto-partnership into open tension and then to an absolute breaking point.

Major economic cutbacks related to ESAP—designed to reduce the overall role of the state in the economy—led to a reduction of price controls and subsidies and the introduction of user fees and other "cost-recovery" policies in health care and education.¹⁰



The ESAP cuts, planned and implemented with little or no input of workers, unions or affected communities, resulted in an economic slowdown that pushed workers, initially professionals and civil servants, into street protests in 1996. The growing rift between the ZCTU and the ZANU-PF opened “a broad social front against the government,” with other economic protests coalescing around the dire economic and political turmoil of the late 1990s.¹¹ Food riots, set off by rising prices resulting from agricultural reform and the crash of the Zimbabwean dollar in late 1997, combined with continued strikes and ham-handed government attempts to rein in public activity, pushed elements of Zimbabwe’s civil society in 1999 to create an opposition political party, the Movement for Democratic Change (MDC), with former ZCTU General Secretary Morgan Tsvangirai as its leader.¹² The social mobilization sparked by workers and the ZCTU, and the launch of a mass-based political party, were the most significant challenge to the growing authoritarianism of ZANU-PF since independence.

Although the ZCTU remained independent of the MDC, both organizations were treated with open contempt by the ZANU-PF authorities. Anti-union actions regularly took place between 2000 and 2008, and ranged from barriers to organizing and striking to raids on union offices and confiscation of union materials, and from interference with union meetings and arbitrary arrests to anti-union violence.¹³

The elections of 2008 signaled a clear opportunity for the ZCTU and other pro-democracy organizations to use much of the momentum built over more than a decade of protests and public action to push for real change. Despite its struggles, ZCTU was and remains one of the few nationwide membership-based nongovernmental organizations (NGOs). Its scope and institutional presence make it a critical part of strategies to get out the vote and promote civic awareness. ZCTU was and continues to be partners with civil society coalitions, such as the Zimbabwe Election Support Network (ZESN), a network of 38 independent, nonpartisan NGOs. ZESN includes the Foundation for Democracy in Zimbabwe, Human Rights Trust of Southern Africa, Zimbabwe Human Rights Association (ZimRights) and Zimbabwe Council of Churches (ZCC). In 2008, ZCTU played a major role in ZESN’s election

efforts, which included election monitoring, a statistical sampling of polling stations, which is generally credited with the detection and prevention of electoral fraud.

ZCTU and the Unity Government

Unions and civil-society partners invested a great deal of effort in the 2008 elections and believed they had successfully ushered in a new era of responsive government and multiparty democracy. Yet, despite the opposition victory in elections for the House of Assembly and a plurality for Morgan Tsvangirai in the first round of the presidential election, ZANU-PF used open force to retain effective control over key sectors of the economy and the presidency under the subsequent GPA. Disappointed in the 2008 election and outraged over the government’s failure to shore up the economy, the ZCTU became increasingly independent.¹⁴ Prime Minister Tsvangirai himself noted the poor economic record of the government at the ZCTU convention in 2011.¹⁵

The experience of former union leaders in the unity government has been difficult. Tsvangirai still retains a great deal of worker and union support but has borne criticism for the overall stagnation of policy making.

Lucia Matibenga, who became Minister of Public Services in 2011, has had some success in rooting out a number of politically connected “ghost workers” on government payrolls and has worked with the ZCTU and employers to rebuild the country’s dormant system of national labor dialogue, the Tripartite National Forum (TNF).¹⁶ But public services and other opposition-run ministries have been hindered by lack of funding. In Matibenga’s case, this has caused strife with civil servants over wages.¹⁷ LEDRIZ, the labor affiliated economic think tank, has recently served as a mediator between Matibenga and civil servants to head off growing discord. (Zimbabwe continues to prevent public-sector workers from joining unions, bargaining collectively or striking, a regular point of contention between the government and the International Labor Organization—ILO—over implementation of the core labor standards the country has ratified.)¹⁸

With the pace of economic and political improvement slow or non-existent and former union leaders either lacking



the resources to enforce better policy or not meeting high expectations, the Zimbabwe labor movement is calling for immediate economic action, transparent decision-making, completion of reforms needed to finalize the constitutional reform process and a new round of elections, due to take place in July 2013. Despite regional and international pressure, the governing political parties have been deadlocked on issues such as broadcasting deregulation, electoral and security-sector reforms and funding for the country's Human Rights Commission.

The ZCTU has fought for many of these reforms, including passage of the Zimbabwe Human Rights Commission Bill, which was signed into law in October 2012. The ZCTU hopes the law—while lacking a mandate to investigate abuses carried out during the 2008 election—will create a working institution that can serve as a watchdog for the 2013 elections.

New Constitution and Elections

The agreement to form a unity government required the drafting of a new constitution as a precursor for new elections. Despite a drawn-out process, which the ZCTU criticized for its non-transparency, a successful constitutional referendum on March 16, 2013, moved the country one step closer to national elections this year.

Despite some reservations about the draft constitution, particularly in regard to weak worker and citizen protections, the ZCTU supported the broad goal of enacting a new constitution for the country. The new constitution limits the president (Robert Mugabe exempted) to two five-year terms and requires a two-thirds vote in Parliament to approve a state of emergency. It also guarantees Zimbabweans freedom from torture or degrading treatment, prohibits arbitrary detentions and bars security forces from membership in a political party or group.¹⁹ It also sets up the basis for a limited system of government decentralization, affording the provinces new power. From ZCTU's perspective, the draft constitution's positive aspects include recognition of a broad range of socioeconomic and human rights, and language on dispute resolution and social welfare. However, the federation noted its objection to weak or misleading language on enforcement of ratified international law, maternity leave, rights of the arrested and detained, elderly rights, appointment of ministers and Supreme Court jurisdiction.

The federation did not actively participate in public voter turnout for the constitutional referendum, choosing instead to support the accreditation of referendum observers in coalition with partner Zimbabwe NGOs, working to build the groundwork for independent monitoring of the next elections.

And while political progress is evident, the ZCTU is concerned about the sporadic but increasing legal harassment and intimidation aimed at independent civil society organizations. For example, in February 2013, the Counseling Services Unit (CSU), a civil-society organization that provides counseling and health care services to victims of violence and torture, was raided by security forces. In a public statement in March 2013, ZCTU General Secretary Japhet Moyo noted:

"The escalation in the number of politically motivated incidents reminiscent of the June 2008 elections is a cause for concern to the working people of Zimbabwe, coupled with the continued harassment of civic society organizations and their leaders."²⁰

The ZCTU joined nine civil society organizations on March 11, 2013, to protest the Zimbabwe government's harassment of organizations attempting to accredit observers to the March 16 referendum. As a result of the protest, the Zimbabwe Election Commission (ZEC) allowed the accreditation process to proceed.

The ZEC refused accreditation to one organization, ZimRights, which was protested by the coalition. Meanwhile ZESN, the broad election support coalition that includes ZCTU, is the target of intimidation. On Feb. 19, 2013, police raided two of ZESN's offices claiming to search for "subversive material, documents, gadgets, recordings and illegal immigrants."²¹ The police officers reportedly warned ZESN staff that they would remain under surveillance. In the run-up to the referendum, ZESN received and documented numerous cases of intimidation and harassment of civic organizations involved in citizen election observation.²²

As the country now prepares for another round of national elections, actions against groups like ZESN and CSU have increased tension within Zimbabwean society. Communities fear a repeat of the violence and repression that characterized the 2008 presidential ballot.

ZCTU is now working on its electoral strategy and a union-wide voter awareness program.

Toward Transition: Uniting Labor

ZCTU is not monolithic. Today the leadership and strategy of the union federation is democratic and openly contested, but for many years after the federation's break with ZANU, leadership disputes were divisive and often repressive. At the federation's seventh congress in August 2011, leadership disputes devolved into an open split, with two factions claiming the leadership. A Supreme Court decision in July 2012 ended the dispute, confirming ZCTU's leaders elected at the August 2011 convention: Japhet Moyo as general secretary and George Nkiwane as president.

The split occurred when much of the open and aggressive anti-union repression of the previous decade had subsided. According to union leaders, the ZANU-PF is now taking a more locally based approach against the ZCTU, such as promoting opposition to union organizing in workplaces, or, in regard to workers at state-owned companies, refusing to pay wage arrears or union dues in an effort to destabilize rank-and-file workers and push the ZCTU closer to financial insolvency. In October 2012, the ZCTU estimated that 90% of its affiliated unions had in some way been adversely affected by employers not remitting dues as agreed in collective agreements. This, in turn, has had major ramifications for the federation.²³

For example, the ZCTU and its railway affiliates have been in a protracted dispute with the National Railways of Zimbabwe (NRZ) over wage arrears and unpaid union dues since 2010. The ZCTU estimates that the Zimbabwe Railway Artisans Union is owed more than \$84,000 in unpaid dues and \$57,000 in negotiated payments to the union funeral fund, and the Zimbabwe Amalgamated Railway Workers Union is owed more than \$60,000. Other unions, such as the National Engineering Workers Union and the Zimbabwe Textile Workers Union, have sued companies over nonpayment of dues. Most recently, the Zimbabwe Construction and Allied Workers Union sued a construction company over an estimated \$14,000 in unpaid dues.²⁴ The Zimbabwe Energy Workers Union (ZEWU) and the ZESA Technical Employees Association (ZTEA) have both engaged the public utility company ZESA in legal disputes over unfair dismissals and long-running complaints of wage arrears.²⁵

As ZCTU works to resume dialogue among unions that split from it during the 2011 and 2012 turmoil and rebuild its core organizing and member advocacy work, it faces a dire financial environment evidenced by the wage arrears disputes and continuing job losses in sectors such as hospitality, textiles and construction. The ZCTU is seeking to rebuild its core organizing and member advocacy work.

Yet going into elections, the federation retains formidable national, regional and workplace-level structures, strengthened further by the support of allied organizations that help the federation implement a comprehensive strategy promoting workers' rights. ZCTU allies and support structures include:

- The Parliamentary Advocacy Desk (PAD), which leads the ZCTU's interaction with the legislative arm of government.
- The Labour and Economic Development Research Institute of Zimbabwe (LEDRIZ).
- The ZCTU newspaper, *The Worker*, one of the country's few registered independent news sources, which reaches a wide audience of workers with an analysis of the changing political and economic environment.
- The ZCTU-allied Zimbabwe Chamber of Informal Economy Associations (ZCIEA), the umbrella body for informal-economy worker groups with a membership of more than 2 million workers. Created by the ZCTU in the face of massive unemployment and political repression of informal-economy workers (such as Operation Murambatsvina), ZCIEA works with informal-economy workers and communities to help them better defend their legal rights, gain access to social safety nets and needed economic assistance, advocate for economic growth and educate workers about labor rights.

ZCTU organs and allied organizations will engage in election-related outreach and civic education, as well as planned cooperation with ZESN on election monitoring. ZCIEA in particular has grassroots organizing capacities in rural areas, informal settlements and in low-income neighborhoods, known as "high-density suburbs" in Zimbabwe.



ZCIEA recently completed a strategic planning exercise along with a plan to increase its financial sustainability through improved dues collection (which is difficult among informal-economy workers, who often do not have steady sources of income and need all their income to subsist). ZCIEA has reported that its organizing efforts in key constituencies such as Chivu, Hwange and Chatsworth have seen interference from authorities, either local police or branches of Zimbabwe's Central Intelligence Organization.

Political Transition and the Enclave Economy

Many studies of democratization in Africa miss the important role of trade unions, even though "workers or trade unions have been one of the most crucial groups demanding and forcing authoritarian regimes to liberalize political life in a wide range of countries."²⁶ Independent unions have organized opposition forces in Zambia and, most notably, in South Africa, where the union confederation, COSATU, took a leading role in dismantling the country's apartheid dictatorship.

The need for Zimbabwean civil society organizations to effectively communicate the needs of citizens is especially critical. Despite the nearly five-year government stalemate, political public debate remains robust. While the March 2013 constitutional referendum successfully garnered public approval for revisions to the country's foundational document, the process raises many concerns about the non-transparency of public policy making and the lack of public input in the process. A concern shared by the ZCTU and its other pro-democracy partners is that years of repression and steady economic decline have left most Zimbabweans disillusioned. ZCTU and its partners fear a repeat of the 2008 violence and are concerned over the possible inability of the country to move beyond ZANU-PF control over critical government and economic sectors and another unity government perpetuating stalemate.

The ZCTU's allied economic policy think tank LEDRIZ has emerged as a leading voice on economic and social policy in recent years. Respected for analysis that is objective and

well researched, with a focus on pro-poor and pro-worker policies, LEDRIZ has worked with ZCTU to develop concrete policy recommendations to address what LEDRIZ calls the "enclave economy."

To LEDRIZ, the shell of Zimbabwe's once-strong economy now resembles two enclaves, a modern but withering formal sector that is surrounded by an impoverished informal and mostly rural sector. The formal economy is male-dominated, politically connected, has access to investment and inputs and is the beneficiary of policy making. The informal economy is largely rural, female, disenfranchised and survives on subsistence. The core problem, for ZCTU and LEDRIZ, is that the two enclaves are not linked, either by infrastructure or job-creating policies.

As it gears up for elections, the ZCTU is not only interested in seeing pro-worker politicians elected but is also pushing for a transition to an accountable government that is empowered to enact and enforce pro-worker economic policies. Along with its affiliates and allied organizations, ZCTU is educating workers around a vision for democratic development that ends the economic decline.



ZCTU's goals include:

- Completion of legal frameworks for land titles and rights (agriculture);
- Building agricultural infrastructure, such as roads and irrigation systems;
- Support and training for small farms;
- Rebuilding utilities, railways and ports to support manufacturing;
- Technology sharing between urban manufacturers and rural small businesses;
- Targeted worker training to promote skills needed in manufacturing;
- Establishment of a Sovereign Wealth Fund to channel mining income into economic infrastructure rebuilding, education and public health programs;
- Women's participation in policy making;
- Legal reform to protect women's access to and ownership of land, property and resources;
- Greater public investment in education, health care and utilities;
- Effective tripartite social dialogue in national-level labor relations;
- Job creation through public works, cooperative development, apprenticeship and training;

- Development of a comprehensive education policy to train new teachers;
- Greater focus on technology training and vocational training to link skills development to the job market;
- Opening the national social security and health insurance programs to informal and self-employed workers;
- Greater citizen access to credit and banking.²⁷

Initiating these policies will require extensive financial resources and political will.

Yet the ZCTU continues to work to support frameworks that the organization hopes will serve as the foundation for future democratic dialogue around economic and social development. ZCTU efforts to rebuild the country's system of tripartite social dialogue are just one example. While discussions among labor, business and government alone are not likely to result in improved workers' rights enforcement or economic development in the current political situation, the development of policy frameworks and institutional dialogue is another step toward institution building that the ZCTU hopes can become both regular and more effective in the future.



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