

Zimbabwe Environmental Law Association

Using the Law to Protect and Conserve the Environment



ANNUAL REPORT 2005



No. 145 Exploration House, 1st Floor
Robert Mugabe
Harare, Zimbabwe
Tel: 263 4 253381; 263 4 252093;
Fax: 263 4 250971
Email : zela@mweb.co.zw
Website: www.zela.org

Contents	Page
BACKGROUND	2
DIRECTOR’S STATEMENT	2
SUMMARY	4
INTRODUCTION	6
ENVIRONMENTAL JUSTICE PROJECT	6
ENVIRONMENTAL LAW EDUCATION	7
LITIGATION AND CONFLICT RESOLUTION	11
TBNRM AND COMMUNITIES (<i>Registration of community based organisations</i>).....	13
KEY RESULTS AND OBSERVATIONS: Environmental Justice Project	14
LEGISLATIVE ENVIRONMENTAL MONITORING PROJECT	15
THE ACCESS INITIATIVE	15
WATER QUALITY RESEARCH PROJECT	17
LEGAL ENVIRONMENTAL COMPLIANCE AUDITS FOR INDUSTRIES	18
ZELA ORGANISATIONAL DEVELOPMENT PROCESS	19
ADMINISTRATION	19
FINANCE	19
PROBLEMS AND CHALLENGES	20
CONCLUSION	21

BACKGROUND

The Zimbabwe Law Association (ZELA) is a Non Governmental Organisation (NGO). It is the first public interest environmental law organisation to be established in Zimbabwe. The organisation was formed in September 2000 and officially constituted as Trust in November 2001, under Deed of Trust and Donation Number (1669/2001). ZELA's formation was inspired by visits from environmental law advocates in 1999, particularly Professor Owen Lynch from the Centre for International Environmental Law (CIEL) in Washington DC who encouraged law students at the University of Zimbabwe to form a public interest environmental law organisation. ZELA was formed after the realisation that there are many organisations in Zimbabwe that focus on different environmental aspects without any focus on environmental law.

DIRECTOR'S STATEMENT

Welcome to ZELA's second annual report. In September 2006 ZELA celebrates its 6 years. It is a time to look back and reflect where we came from and where we are going as an organisation. ZELA was formed against a background of serious political, economic and social problems in Zimbabwe which impacted negatively on the weak, the poor and the environment. Most donors were pulling out of Zimbabwe and relocating to neighbouring countries. Public interest work by its nature is heavily dependant on donor funding. These were trying times indeed to the extent that there was a real possibility that ZELA could die in its infancy. However, as the old adage goes, where there is a will there is way. ZELA members realised that it was during these times that public interest work became even more relevant. With this conviction, the founding members soldiered on.

Today, ZELA is an organisation that is recognised nationally, regionally and internationally. ZELA promotes environmental justice by working with poor and disadvantaged communities to amplify their voices in the policy and decision making process in natural resources management. The environmental justice project is in its second phase. The first phase began in 2003-2005. The second phase started in 2005 and

scheduled to end in 2007. Through our programmes namely Land and Communities, Urban Environments, Transboundary Natural Resources Management and Environmental Law Reform, we have managed to sensitise communities on their environmental rights and duties as contained in the various law and policies. Promoting environmental justice is a process and not an event. As an organisation, ZELA is confident that the first phase of the project established a solid foundation for the promotion of environmental justice in the coming phases.

ZELA is also in the process of expanding its areas of operation nationally. We have been approached by a number of organisations from various parts of the country to help them address some of the environmental challenges they are facing using the law. However, ZELA's expansion has not been at the anticipated pace. This is mainly due to very limited financial resources.

Regionally, ZELA is collaborating with partners in Mozambique, South Africa and Malawi, Tanzania, Zambia and as far as Kenya, Uganda and Cameroon in implementing the Legislative Environmental Representation Project and The Access Initiative. Environmental issues by their nature do not recognise political boundaries hence the need for organisations to work across boundaries.

ZELA is also in the process of implementing an Organizational Development Process (ODP). The ODP was facilitated Hivos who hired a consultant to review ZELA's organizational structures. The objective of the restructuring process is to improve our governance structures, project implementation and management. ZELA has a Board of Trustees made up of ten members consisting of four females and six males. The day to day affairs of the organization are managed by an Administrative Council.

ACKNOWLEDGEMENTS

The Zimbabwe Environmental Law Association (ZELA) would like to thank HIVOS, the Ford Foundation- Southern Africa, Center for International Environmental Law (CIEL), Ministry of Environment and Tourism, Environmental Law Alliance Worldwide (ELAW), World Resources Institute (WRI), Environment Africa and many other local and international partners for providing the organisation with financial and technical support to promote environmental justice in Zimbabwe.

SUMMARY

The purpose of this report is to update our donors, partners and other stakeholders on progress made in promoting the environmental rights of communities, environmental democracy and good-governance in natural resources management.

This report covers project activities and results for 2005. With the support of the Ford Foundation and HIVOS in 2005, ZELA continued to implement the Environmental Justice Project. The objectives were to expand the environmental justice project activities carried out in the first phase of the project, to evaluate the success of the first phase of the project, to sensitise and raise environmental law awareness in new project areas and to target traditional leaders in rural areas. Some of the project activities that were implemented included workshops, publication of newsletters, representing disadvantaged communities in court cases as well as registering community based groups as legal entities. These activities achieved the desired results such as the respect of community rights by local authorities, building the legal capacity of community groups and led to more communities being aware of their environmental rights and duties.

Further, ZELA in collaboration with Environment Africa and the Environmental Management Agency (formerly Department of Natural Resources) partnered to educate rural and urban communities about their environmental rights and duties in 2005. The three organisations held close to ten joint workshops and meetings by contributing both financial and human resources. This strategy proved very effective in reducing workshop expenses and preventing duplication of work by the three organisations as they are all involved in environmental education.

Further, with support from the World Resources Institute (WRI) in 2005, ZELA started to implement the second phase of a project to monitor the representative performance of legislators with respect to their constituents' environmental concerns and needs and to promote transparency and accountability by legislators. In the same year, the World Resources Institute gave ZELA another small grant to carry out an assessment

of the implementation of Principle 10 of the Rio Declaration by the government of Zimbabwe under a project called the Access Initiative. The Access Initiative (TAI) is a global coalition of non governmental organizations (NGOs) that work together with governments and quasi-government institutions, private sector, civic society and communities to assess the progress made by states in implementing Principle 10 of the Rio Declaration on Environment and Development of 1992. Principle 10 seeks to promote access to environmental information, public participation and judicial redress in member states. In Zimbabwe, ZELA is the leading organisation and has identified researchers and reviewers for the project. The purpose project is to hold governments accountable under the declaration and to promote the implementation of the principles through advocacy.

The other projects implemented by ZELA in 2005 are the Water Quality Law Research and the Environmental Legal Compliance Audits for the industrial sector. Under the Water Quality Laws Research, ZELA has been assessing the weaknesses and strengths of the implementation and enforcement of the current water pollution legislation in urban areas. On the other hand, the Environmental Legal Compliance Audits for the industrial sector were aimed at making sure that the industries comply with environmental legislation in their operations and services.

INTRODUCTION

This report covers the activities of the various projects that were implemented by the Zimbabwe Environmental Law Association during the period January 2005 – November 2005. This is not an exhaustive account of the activities carried out, but it will give the major highlights and the key results achieved during that period. Notably, the report outlines the activities carried out under the following projects; the Environmental Justice Project, the Legislative Environmental Representation Project, the Water Quality Laws Research Project, The Access Initiative and the Legal Environmental Compliance Consultancy Programme.

Further, the report also gives an outline of the institutional/organisational development of ZELA especially in relation to project management and capacity to mobilise support from other support agencies. The report will also highlight the challenges that ZELA faced in implementing the projects and the measures that were adopted to address the problems.

ENVIRONMENTAL JUSTICE PROJECT

The Environmental Justice project has been supported by the Ford Foundation and HIVOS since 2003 and 2004 respectively. In August 2005, ZELA received a supplementary grant from the Ford Foundation to further support and expand project activities under the Environmental Justice Project. The funds from HIVOS and the Ford Foundation have been used to strengthen and nurture the environmental justice initiative through follow-up activities. The key objectives of the organisation in 2005 were to expand the environmental justice project activities carried out in the first phase of the project, to evaluate the successes of the first phase of the project, to sensitise and raise environmental law awareness in new project areas and to target community groups such as Community Based Organisations, traditional leaders and local authorities in selected rural and urban areas. Further, the organisation sought to promote public interest litigation. The strategies that were used to promote environmental justice included; workshops, litigation, advocacy and capacity building.

1. ENVIRONMENTAL LAW EDUCATION

The objective of the Environmental Law Education Programme is to promote environmental law awareness through the following strategies; workshops, seminars, publication of newsletters, website and the use of electronic and print media.

(a) Workshops and Seminars

In 2005, ZELA conducted a total of 15 workshops in both rural and urban communities. Follow-up and evaluation workshops were held in Epworth, Dzivarasekwa and Mabvuku in partnership with Environment Africa. In January and March 2005 four community consultation meetings were held in Dora Pindo in Mutare. The objective of the Mutare meetings was to sensitise community members on how best they can enforce their right to live in a clean and healthy environment in light of the pollution of Sakubva River by the Mutare Municipality. In all these meetings and workshops, ZELA always tried to mainstream gender both from a qualitative and quantitative perspective by ensuring the attendance of women and the youth as well as their contribution to debate. However, in urban areas the target groups were community based Environmental Action Groups that are mainly composed of the youths and women.

In rural areas, ZELA held three training workshops in Chibhememe Village for members of the Board of Trustees of Chibhememe Earth Healing Association (CHIEHA) which was registered as a Community Trust in August 2005. ZELA also attended meetings as a member of the NGO network working with communities around the Great Limpopo Transfrontier Park together with IUCN, Africa 2000 Network (GEF), SAFIRE and the Parks and Wildlife Authority.

During the months of October and September 2005, ZELA organized workshops for traditional leaders and community based organizations in Mhondoro and Mutare Rural Districts. The Mhondoro workshop was held at a traditional leaders homestead in Murove

Village. This was to ensure that ZELA reaches the people who use natural resources for livelihoods in their daily life at the grassroots level. During the workshops, ZELA explained the environmental roles and responsibilities of traditional leaders in promoting community rights to use natural resources and also their role in promoting the enforcement of environmental legislation to ensure the sustainable use of natural resources.

An assessment of these workshops showed that most traditional leaders and people in rural areas do not know the laws that apply to natural resources utilisation. They were equally surprised to discover that there are lawyers in Zimbabwe who have dedicated their time to teach communities about environmental law. As a result, the traditional leaders requested ZELA to continue with the programme and to do follow-up workshops in the future. They also requested ZELA to summarise relevant laws in the vernacular languages for easy comprehension and application. Most people at these workshops noted that while some NGOs bring them income generating projects, ZELA was bringing knowledge which is another form of capacity building which is important in their daily lives.

In May 2005, ZELA was actively involved in a project to protect wetlands within Harare. It co-organised a wetlands protection workshop with Environment Africa and Birdlife Zimbabwe that was held in Harare. ZELA made a presentation on the legal and policy aspects on wetlands in Zimbabwe and was appointed to be a member of the Wetlands Protection Stakeholders Group that is being led by the Environmental Management Agency, Environment Africa and Bird Life Zimbabwe. This process provides an opportunity for ZELA to advocate for the protection of community rights in the management, conservation and utilisation of wetlands.

The environmental law education was not limited to community groups alone in 2005, but it was expanded to include the industrial sector. ZELA conducted two environmental law compliance training workshops and meetings for Unilever South East Africa Company a soap manufacturing company in Zimbabwe. ZELA uses such consultancies to

influence the industrial sector to comply with environmental legislation and in the long run to promote the protection of the environmental rights of communities and workers.

(b) Newsletter

ZELA published the 3rd issue of the “Environmental Justice in Zimbabwe” Newsletter in August 2005. A total of 500 copies were printed and distributed to communities and partners around the country. The Newsletter profiled the activities of ZELA in promoting environmental justice. It also included a new section on environmental legal updates to give readers highlights of new pieces of legislation or regulations passed in 2005. Feedback from readers indicate that many people feel that the issue was more comprehensive and had topical legal developments than the previous ones.

(c) Print and Electronic Media Campaigns

Throughout 2005, ZELA held television interviews and talk shows about the environmental justice project and other legal developments in the mining sector, the water sector and the legal framework for the control of veld fires. In promoting environmental justice, television is an important medium for information dissemination and communication.

(d) Project Promotional Material

In September 2005, ZELA printed project promotional T-Shirts that conveyed a message about environmental justice. A total of 158 T-Shirts were printed and distributed to communities and partners around Zimbabwe and outside the country.

(e) Growth of the Partnership for Environmental Law Education

Over the past three years, the partnership between the Zimbabwe Environmental Law Association, Environment Africa and the Environmental Management Agency, (formerly

Department of Natural Resources) has been growing. It is a partnership based on the need to educate rural and urban communities about their environmental rights and duties as outlined in national environmental legislation. The target groups for the initiative are rural district councils, grassroots organizations, environmental actions groups, traditional leaders and government departments. The partnership is also driven by the need to address the main impediments to environmental justice, which are poverty and lack of knowledge. It is the purpose of this project to build the capacity of communities and locally based organizations to claim those rights and to promote the building of local institutions that can lead to the opening up of opportunities for improved access to natural resources, good health and improved livelihoods.

In 2005, ZELA, Environment Africa and the Environmental Management Agency held close to ten joint workshops by pooling financial and human resources together. The partnership was a way of avoiding the duplication of work by the three organisations. In practice, ZELA provides the legal advice while Environment Africa brings its experience, technical expertise and contacts with community groups. The Environmental Management Agency as a government agency brings the government perspective and commitment to natural resources management. Through this partnership, ZELA and Environment Africa are in a better position to make contributions to legal reforms and to influence policy decisions on natural resources management and environmental protection.

2. LITIGATION AND CONFLICT RESOLUTION

(a) Manyame Park Residents -vs- Chitungwiza Municipality HC 111552/03

The Manyame Park Residents V Chitungwiza Municipality court application which was filed in 2003 on behalf of the residents by ZELA was finally decided in February 2005. The High Court of Zimbabwe granted an order in favour of the residents and ordered that the existence of an open sewage drain in Manyame Park suburb was a contravention of Section 83 of the Public Health Act (Chapter 15:09) and Section 4 of the Environmental

Management Act (Chapter 20:27). The Municipality was ordered to take steps to close the sewage drain and to rehabilitate the ground affected by the open sewage drain.

However, the Municipality has not complied with the court order despite demand and follow-up by the residents. Initially the Municipality indicated that it did not have enough money to implement the terms of the Court Order and subsequently argued that the function had been taken over by the Ministry of Local Government. The residents are now considering instituting contempt of court proceedings against the Municipality. Nevertheless, the court order was an important step in making sure that municipalities respect the rights of residents.

(b) Dora Community –vs- Mutare City Council HC 1312/2005

After several attempts at resolving the matter through alternative dispute resolution mechanisms, the Dora community decided to approach the High Court in 2005 to seek a court order to compel the Mutare Municipality to stop disposing semi-treated sewage into Sakubva River and to order the Municipality to monitor, control and prevent the discharge of untreated industrial effluent into the river. The court application was filed by the Zimbabwe Environmental Law Association.

Nevertheless, in late 2005 dialogue was initiated by the Zimbabwe Environmental Law Association, Environment Africa, the Dora Community and the Mutare Municipality to settle the case out of court and withdraw the application. After several meetings aimed at settling the matter out of Court, the Dora Community obtained judgement by consent of the sitting councilors on the 16th January 2006. The municipality had agreed to address the problems. The major blow to this case however was that the cooperative councilors left the municipality after the responsible Ministry dissolved council and replaced it with a commission. Efforts are however still underway to seek the Commission's cooperation to implement the court order, failing of which further legal action ensue.

(c) Svosve Community Criminal Case

As reported in previous reports, in 2005 ZELA continued with its efforts to promote environmental justice through litigation. The organisation represented the Svosve Natural Resources Conservation Sub- Committee members who were arrested for confiscating bricks from a villager who had defied a community ban on tree cutting. The case has been postponed on numerous occasions and ZELA is concerned that this is unfair to the accused who have to attend court all the time. It is ZELA's hope that the case will be finalised in 2006.

3. TBNRM AND COMMUNITIES (REGISTRATION OF COMMUNITY BASED ORGANISATIONS)

ZELA has been working with communities around the Great Limpopo Transfrontier Park (GLTP) since 2004. This is a capacity building initiative in which community based organisations are being registered into legal entities to give them legal capacity. ZELA successfully registered Chibhememe Earth Healing Association (CHIEHA) as a Community Trust in October 2005.

Further, within the framework of the GLTP, ZELA joined a network of NGOs that are working with communities around the Park to improve their livelihoods and ensure that benefits from the Mega Park also reach the local level. The NGO network is being spearheaded by IUCN-ROSA, Environment 2000 Network and the Global Environment Facility. ZELA attended and presented a position paper on the legal and institutional framework for the management of the Great Limpopo Transfrontier Park at a workshop that was held in October 2005 in Chiredzi District. The objective of establishing a network of NGOs is to facilitate synergies and experience sharing amongst the NGOs working in that area. There are opportunities for replicating this in the Zimbabwe-Mozambique-Zambia(ZIMOZA) and the Four Corners transfrontier conservation initiatives so that community interests are recognised and safe guarded from inception.

From the above it is evident that with the financial support of the Ford Foundation and HIVOS, ZELA is increasingly playing a great role in the environmental field in Zimbabwe and the region.

KEY RESULTS AND OBSERVATIONS: ENVIRONMENTAL JUSTICE PROJECT

1. The environmental law education activities of ZELA have helped in changing attitudes and spreading knowledge about environmental rights and duties among rural communities, government departments, NGOs and the industrial sector that have been involved in the programme. There is also increased demand for environmental law information and legal updates from these stakeholders.
2. The registration of CHIEHA as a Community Trust has helped the community group to attract further donor support and to put in place formal project management structures, thereby promoting transparency and accountability through attaining legal capacity. The community is now able to hold and own property legally and to enforce its interests in courts and other foras.
3. The litigation cases handled by ZELA have served as a lesson to local authorities to respect the environmental rights of communities. The local authorities are afraid of being sued by resident. Further, there has been growing demand for litigation by different communities around the country who are facing different environmental problems. The demand has been mainly from communities that live in or near urban areas. They are calling for legal assistance to go to court to have their long standing disputes with local authorities resolved by the courts. Most of the environmental disputes have been in existence for years and people did not know the legal avenues to follow until ZELA came into the picture.

4. Through the implementation of the Environmental Justice Project, ZELA is also emerging as a strong public interest environmental law group and needs to expand its activities.

LEGISLATIVE ENVIRONMENTAL MONITORING PROJECT

With support from the World Resources Institute (WRI) in 2005, ZELA embarked on the second phase of the Legislative Environmental Representation project. The first phase started in 2003 and ended in 2004 when ZELA carried out a research on the environmental activities of legislators and hosted the Legislative Environmental Representation Conference for African researchers and legislators in Victoria Falls. In the second phase, the objective is to encourage legislative representation, good governance and democracy by measuring the representative performance of legislators with respect to their constituents' environmental concerns and needs and to promote transparency and accountability by legislators. The other objective is to work towards the institutionalization of legislative environmental monitoring in Zimbabwe.

ZELA has accordingly developed a set of indicators that are being used to measure the performance of legislators in Parliament. Some of the indicators include; the number and quality of environmental motions, bills and statements made by a legislator in the House or in the media. The results of the performance monitoring will be presented in a report which will be followed by advocacy campaigns.

Although ZELA is still in the early stages of implementing this project, the design of indicators for monitoring legislators has presented a few challenges. The first being that individual legislator's votes are not recorded in Parliament and only the total number of votes for or against a bill or a motion is recorded. So it will be difficult to determine how individual members of Parliament would have voted on an environmental bill.

Therefore, the key observation is that there is a need to constantly monitor how legislators vote on environmental bills in parliament and also to assess party positions on environmental issues. In fact legislative environmental monitoring should be institutionalized and strengthened. There is need to create the right conditions for monitoring how legislators vote

on various issues and this can be done after a through study and review of the current project results followed by advocacy campaigns in future.

THE ACCESS INITIATIVE (TAI)

The Access Initiative (TAI) is a global coalition of non governmental organizations (NGOs) that work together with governments and quasi-government institutions, private sector, civic society and communities to assess the progress made by states in implementing Principle 10 of the Rio Declaration on Environment and Development of 1992. The project started in 2005 in Zimbabwe to monitor how far the government has gone in implementing Principle 10. The project is being supported by the World Resources Institute (WRI). Under this project, ZELA is expected to compile a report on the assessment that will be used for advocacy work to promote the implementation of Principle 10. In June 2005, ZELA also attended a training workshop in Kenya to develop and share skills on how to carry out country assessments. The workshop was attended by ten African countries from, East, West and Southern Africa.

The Zimbabwean coalition or research team consists of the Zimbabwe Environmental Law Association as the lead organization and two other NGOs namely Environment Africa and the Zimbabwe Institute of Rural and Urban Planners. There is also a national review panel that consists of 9 prominent persons from the NGO sector, government, research institutions, quasi government organizations, the media as well as universities. The National Review panel is responsible for reviewing the research findings as well as giving advice to the researchers. It is envisaged that the involvement of the national review panel will assist the researchers in coming up with a comprehensive and objective report on the level of implementation of Principle 10 by Zimbabwe.

Principle 10 of the Rio Declaration states that “Environmental issues are best handled with the **participation** of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate **access to information** concerning the environment that is held by public authorities, including information on hazardous

materials and activities in their communities and the opportunity to participate in decision making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective **access to judicial and administrative proceedings**, including redress and remedy shall be provided.” The initiative therefore seeks to ensure that state parties guarantee public access to environmental information which is vital if members of the public are to effectively participate in environmental governance as well as seek judicial redress if their environmental rights are infringed upon.

WATER QUALITY RESEARCH PROJECT

In 2005, the Zimbabwe Environmental Law Association made tremendous progress in implementing the Water Quality Law Research Project. The research objective is to assess and highlight the strengths, weaknesses and opportunities that exist in the implementation and enforcement of water quality legislation in Zimbabwe. The project is being funded by the Water Research Fund for Southern Africa under the management of the Institute of Water and Sanitation Development.

In line with the research objectives, the research team carried out field interviews and discussions with stakeholders in Harare, Gweru and partly Mutare. In Harare a total of 80 residents and representatives of NGOs, water quality experts and industries were interviewed while a total of 46 residents were interviewed in Gweru. Another 10 residents were interviewed in Dora community outside Mutare.

At another level, the research team also assessed whether criminal sanctions can be effectively used to ensure compliance with water quality standards. It emerged that the Zimbabwe National Water Authority’s Pollution Control Unit has stepped up its bid to file complaints against municipalities and industries which pollute water bodies and forward them for prosecution. These polluters will face criminal charges for failing to comply with water permits conditions and water quality legislation. One of the criminal

cases that were reviewed by the research team was *State V Mutare City Council* in the Magistrate's Court.

Through the research, ZELA observed that there is a steady upsurge of civil court cases by residents against municipalities based on water pollution and the contravention of people's rights to access clean water and to live in a clean and healthy environment. The research team also noted that civil litigation has achieved results in Manyame Park where the municipality with the assistance of the central government was jolted into action and started to upgrade the sewage disposal systems to stop water pollution after a court order. However, one of the key observations is that the implementation and enforcement of water quality legislation in Zimbabwe is being hampered by the institutional problems that are in turn caused by the economic and political environment.

LEGAL ENVIRONMENTAL COMPLIANCE AUDITS FOR INDUSTRIES

Over the past three years, ZELA has been offering legal services to the industrial sector. ZELA offers its legal services by carrying out environmental, health and safety legal audits for industries that are working toward ISO 14001 certification. This work involves compiling legal registers, site tours and assessing compliance with national environmental legislation. In this project, ZELA strives to maintain a balance between the interests of public interest litigation and promoting environmental protection by the industrial sector. This means balancing the differing interest of the business community and communities themselves. The objective is to make sure that industries in Zimbabwe comply with the environmental legislation while at the same time protecting the interest of communities through social corporate responsibility.

ZELA ORGANISATIONAL DEVELOPMENT PROCESS

ZELA has a Board of Trustees made up of ten members while the day to day affairs of the organization are administered by an Administrative Council made up of six members. Nevertheless, in 2005, with the assistance of HIVOS, ZELA started the process of

restructuring its management system. A consultant was hired by HIVOS to review the organisational structures of ZELA to avoid the duplication of roles. The consultant has already submitted recommendations that were adopted by ZELA. The recommendations include the incorporation of new people into the Board of Trustees, the need to include female members as well as mainstreaming HIV/AIDS issues in projects and within the organisation.

ADMINISTRATION

In mid 2005, the activities of ZELA were affected when the organization moved from its offices in Milton Park into the city centre. This was after the government had launched an operation called Murambatsvina. The government and Harare municipality gave an order that all businesses and organizations that are based in residential areas such as Milton Park should move into town since such areas were reserved for residential purposes and not business purposes. ZELA was visited by the police and ordered to close its offices and relocate into town. This relocation greatly affected projects and operational budgets.

FINANCE

The 2005 financial audit of ZELA was done in June 2006 by Ruzengwe and Company. A copy of the financial audit report is attached.

PROBLEMS AND CHALLENGES

One of the major challenges faced by ZELA in 2005 is fundraising. This is partly due to the political and economic problems being experienced in the country which has resulted in many donor organizations shunning any proposals from Zimbabwe. Therefore, there is need to embark on a fundraising drive by visiting some support agencies in South Africa with comprehensive proposals. The issue of proposals brings in the other challenge facing ZELA, which is project management and implementation. There is need for staff training to members on project management and fund raising.

CONCLUSION

It is evident from the foregoing that, in the past year ZELA has managed to implement most of its project activities as planned. The organisation achieved some of the intended results such as restructuring its management structures, raising environmental law awareness, building the legal capacity of community based groups and using litigation as a means of promoting environmental justice. Although, ZELA is also affected by the unwillingness of donors organizations to fund environmental programmes in Zimbabwe, it has managed to raise small grants from organizations such as the World Resources Institute and the Water Research Fund for Southern Africa. These have relieved the pressure on the grants received from HIVOS and the Ford Foundation.