



Canadian Sanctions and Canadian charities operating in Zimbabwe: Be Very Careful!

By Mark Blumberg (January 7, 2009)

Canadian charities operating in Zimbabwe need to be extremely careful. It is not the place for a new and inexperienced charity to begin foreign operations. In fact, only Canadian charities with substantial experience in difficult international operations should even consider operating in Zimbabwe. It is one of the most difficult countries to carry out charitable operations by virtue of the very difficult political, security, human rights and economic situation and the resultant Canadian and international sanctions. This article will set out some information on the Zimbabwe Sanctions including the full text of the Act and Regulations governing the sanctions.

It is not a bad idea when dealing with difficult legal issues to consult knowledgeable legal advisors.

Summary

On September 4, 2008, the [*Special Economic Measures \(Zimbabwe\) Regulations*](#) (SOR/2008-248) (the “Regulations”) came into force pursuant to subsections 4(1) to (3) of the *Special Economic Measures Act*. The Canadian sanctions against Zimbabwe are targeted sanctions dealing with weapons, technical support for weapons, assets of designated persons, and Zimbabwean aircraft landing in Canada. There is no humanitarian exception to these targeted sanctions. There are tremendous practical difficulties working in Zimbabwe and if a Canadian charity decides to continue operating in Zimbabwe it is important that the Canadian charity and its intermediaries (eg. Agents, contractor, partners) avoid providing any benefits, “directly or indirectly”, to a “designated person”. Canadian charities need to undertake rigorous due diligence and risk management to ensure that a “designated person” does not financially benefit from the program. In addition to concerns over sanctions charities need to also remember that CRA regulates foreign operations and charities have obligations under common law and

statue, other than those imposed by the sanctions and the Income Tax Act dealing with many issues including but not limited to preventing a disproportionate or undeserved private interest obtained by anyone from a Canadian registered charity, irrespective if the funds come from the Canadian government or private donations.

The Canadian Department of Foreign Affairs advises:

Zimbabwe has been in serious decline for a decade; however, events since March 2008, including a marked escalation in human rights violations and violence directed at the political opposition, a stolen election, the denial of a peaceful democratic transition and a worsening humanitarian situation have taken the crisis to a new level.

Subject to certain exceptions, the measures implemented by the Regulations include:

- a ban on the export of arms and related material to Zimbabwe or to any person in Zimbabwe;
- a prohibition on the transport of arms and related material to Zimbabwe aboard a Canadian vessel or aircraft;
- a prohibition on the provision of technical or financial assistance or services relating to arms and related material, including the provision, transfer or communication of technical data, to Zimbabwe or any person in Zimbabwe;
- requirement on any person in Canada and Canadian outside of Canada to freeze the assets of listed Zimbabwean persons and entities;
- a prohibition on Zimbabwean aircraft from flying over or landing in Canada.

As Canadian charities should not be involved with exporting arms, providing technical assistance on weapons or flying Zimbabwean aircraft over Canada it is the “freeze on assets of listed Zimbabwean persons and entities” that most charities would be primarily concerned with. It is in fact far more than just a freeze on assets and it can affect Canadian charitable operations in Zimbabwe. Under the Regulations, the Canadian government has prepared a list of people who the Canadian government believes are “connected with the Government of Zimbabwe or persons or entities engaged in activities that seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe.”

Section 1 of the Regulation provides definitions and it defines “designated person” means a **person whose name is listed** in the schedule in accordance with section 2.” [emphasis added]

Section 2 of the Regulation provides:

(2) A person whose name is listed in the schedule [emphasis added] is a person in respect of whom the Governor in Council, on the recommendation of the Minister, is satisfied that there are reasonable grounds to believe is:

- a. a former or current senior official of the Government of Zimbabwe, the Zimbabwe African National Union - Patriotic Front or a successor to either of the foregoing;
- b. an associate or family member of a person set out in paragraph (a);
- c. an entity owned or controlled by, or acting on behalf of a person set out in paragraph (a) or (b);
- d. an entity owned or controlled by, or acting on behalf of the Government of Zimbabwe, the Zimbabwe African Nation Union - Patriotic Front or a successor to either of the foregoing;
- e. a person engaged in activities that seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe; or
- f. a senior official of an entity referred to paragraph (e).

Below there is a copy of the list of designated persons.

For the people listed as designated persons there are certain consequences including the Regulations provide under the title “Assets freeze”:

6. No person in Canada and no Canadian outside Canada shall

(a) deal, directly or indirectly, in any property of a designated person, including funds derived or generated from property that is owned or controlled, directly or indirectly, by that person;

(b) enter into or facilitate, directly or indirectly, any financial transaction related to a dealing referred to in paragraph (a);

(c) provide any financial or other related service in respect of the property referred to in paragraph (a); or

(d) make any property or any financial or other related service available, directly or indirectly, to or for the benefit of a designated person.

With respect to 6(d) the title “Assets freeze” would seem to indicate that the section is about freezing of assets and some of it is to the extent that those assets in Canada and they can be frozen or you have control of those assets. I would not put much meaning in the title and clearly the sections goes beyond just freezing of assets of certain designated persons. To the extent the assets are in Zimbabwe, a Canadian charity should avoid dealing with those assets and businesses. There is no definition of “financial or other related service”. Although one may think that “financial or other related services” are services similar to “banking”, in fact, it is likely that a very broad definition of financial services could apply. It is important to put in place appropriate controls to ensure that the funds are not for the benefit of the designated person.

There is also no definition of “benefit” and “directly or indirectly”. One dictionary I saw said that benefit is “Something that promotes or enhances well-being; an advantage”. It is impossible to know how broadly such a term could be defined and used. It is largely a factual determination. In terms of the words “directly or indirectly” a Canadian charity should be careful to avoid providing funds or dealing with the family of the designated person, or paying a close associate of the designated person on the understanding that the funds will be provided for the benefit of the designated person, or providing a lucrative contract with a company that the Canadian charity knows is involved with a designated person.

As well, under Section 8 of the Regulation provides under the title “Assistance in committing a prohibited act”:

8. No person in Canada and no Canadian outside Canada shall do anything that causes, assists or promotes or is intended to cause, assist or promote any act or thing prohibited by sections 3 to 7.

In terms of the sanctions Canadian charities must be careful to not “(d) make any property or any financial or other related service available, directly or indirectly, to or for the benefit of a designated person”.

Exceptions

There are some exceptions to the sanctions as provided below but they are probably not relevant as Canadian charities are not looking to benefit a designated person or do something that is contrary to the sanctions. Section 13(2) of the Regulations provides a narrow exception for certain sanctioned political negotiations for a political settlement. Under section 4(4) of the Special Economic

Measures Act, there is the *Special Economic Measures (Zimbabwe) Permit Authorization Order* (SOR/2008-249), which allows the Minister of Foreign Affairs to issue a permit to carry out a specific activity or class of activities that would otherwise be restricted or prohibited under the Regulations.

Consequences for Violating Sanctions

As mentioned above there are significant legal consequences of violating the Regulations and the Act including but not limited to that provided in Section 8 of the Act which provides:

8. Every person who wilfully contravenes or fails to comply with an order or regulation made under section 4
 - (a) is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding twenty-five thousand dollars or to imprisonment for a term not exceeding one year, or to both; or
 - (b) is guilty of an indictable offence and is liable to imprisonment for a term not exceeding five years.

As an aside Section 3 of the Act provides that “**3.** This Act is binding on Her Majesty in right of Canada or a province.” Therefore, the Act and the Regulations apply to CIDA and other federal and provincial departments.

HERE IS THE TEXT OF THE SPECIAL ECONOMIC MEASURES ACT

<http://laws.justice.gc.ca/en/S-14.5/text.html>

Special Economic Measures Act

1992, c. 17

S-14.5

[Assented to June 4th, 1992]

An Act to provide for the imposition of special economic measures

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE

Short title

1. This Act may be cited as the *Special Economic Measures Act*.

INTERPRETATION

Definitions

2. In this Act,

"Canadian"

«*Canadien*»

"Canadian" means a person who is a citizen within the meaning of the *Citizenship Act* or a body corporate incorporated or continued by or under the laws of Canada or of a province;

"entity"

«*entité*»

"entity" means a body corporate, trust, partnership, fund, an unincorporated association or organization or a foreign state;

"foreign state"

«*État étranger*»

"foreign state" means a country other than Canada, and includes

(a) any political subdivision of a foreign state,

(b) the government, and any department, of a foreign state or of a political subdivision thereof, and

(c) any agency of a foreign state or of a political subdivision thereof;

"national"

«*nationaux*»

"national", in relation to a foreign state, means an individual who possesses the nationality of that state as determined in accordance with the laws of that state or a body corporate incorporated or continued by or under the laws of that state;

"person"
«*personne* »

"person" means an individual or an entity;

"property"
«*bien* »

"property" means any real or personal property;

"technical data"
«*données techniques* »

"technical data" includes blueprints, technical drawings, photographic imagery, computer software, models, formulas, engineering designs and specifications, technical and operating manuals and any technical information or know-how.

HER MAJESTY

Binding on Her Majesty

3. This Act is binding on Her Majesty in right of Canada or a province.

ORDERS AND REGULATIONS

Orders and regulations

4. (1) The Governor in Council may, for the purpose of implementing a decision, resolution or recommendation of an international organization of states or association of states, of which Canada is a member, that calls on its members to take economic measures against a foreign state, or where the Governor in Council is of the opinion that a grave breach of international peace and security has occurred that has resulted or is likely to result in a serious international crisis,

(a) make such orders or regulations with respect to the restriction or prohibition of any of the activities referred to in subsection (2) in relation to a foreign state as the Governor in Council considers necessary; and

(b) by order, cause to be seized, frozen or sequestered in the manner set out in the order any property situated in Canada that is held by or on behalf of

(i) a foreign state,

(ii) any person in that foreign state, or

(iii) a national of that foreign state who does not ordinarily reside in Canada.

Restricted or prohibited activities

(2) Orders and regulations may be made pursuant to paragraph (1)(a) with respect to the restriction or prohibition of any of the following activities, whether carried out in or outside Canada, in relation to a foreign state:

(a) any dealing by any person in Canada or Canadian outside Canada in any property wherever situated held by or on behalf of that foreign state, any person in that foreign state, or a national of that foreign state who does not ordinarily reside in Canada;

(b) the exportation, sale, supply or shipment by any person in Canada or Canadian outside Canada of any goods wherever situated to that foreign state or any person in that foreign state, or any other dealing by any person in Canada or Canadian outside Canada in any goods wherever situated destined for that foreign state or any person in that foreign state;

(c) the transfer, provision or communication by any person in Canada or Canadian outside Canada of any technical data to that foreign state or any person in that foreign state;

(d) the importation, purchase, acquisition or shipment by any person in Canada or Canadian outside Canada of any goods that are exported, supplied or shipped from that foreign state after a date specified in the order or regulations, or any other dealing by any person in Canada or Canadian outside Canada in any such goods;

(e) the provision or acquisition by any person in Canada or Canadian outside Canada of financial services or any other services to, from or for the benefit of or on the direction or order of that foreign state or any person in that foreign state;

(f) the docking in that foreign state of ships registered or licensed, or for which an identification number has been issued, pursuant to any Act of Parliament;

(g) the landing in that foreign state of aircraft registered in Canada or operated in connection with a Canadian air service licence;

(h) the docking in or passage through Canada by ships registered in that foreign state or used, leased or chartered, in whole or in part, by or on behalf of or for the benefit of that foreign state or a person in that foreign state; and

(i) the landing in or flight over Canada by aircraft registered in that foreign state or used, leased or chartered, in whole or in part, by or on behalf of or for the benefit of that foreign state or any person in that foreign state.

Exclusions

(3) Any order or regulation made pursuant to subsection (1) may exclude any person, property, goods, technical data, services, transactions, ships or aircraft or any class thereof from the application of the order or regulation.

Order authorizing Minister

(4) The Governor in Council may, by order, authorize a Minister of the Crown in right of Canada to issue to any person in Canada or Canadian outside Canada a permit to carry out a specified activity or transaction, or any class thereof, that is restricted or prohibited pursuant to this Act or any order or regulations made under this Act.

Ministerial permit

(5) The Minister may issue a permit pursuant to subsection (4), subject to such terms and conditions as are, in the opinion of the Minister, consistent with this Act and any order or regulations made under this Act.

Idem

(6) The Minister may amend, suspend, revoke or reinstate any permit issued by the Minister under subsection (4).

Costs

5. (1) Any costs incurred by or on behalf of Her Majesty in right of Canada in relation to the seizure, freezing or sequestration of property pursuant to an order made under paragraph 4(1)(b) are the liability of the owner of the property and constitute a debt due to Her Majesty in right of Canada that may be recovered in any court of competent jurisdiction.

Sale under execution

(2) The property referred to in subsection (1) may be sold under execution of a judgment in favour of Her Majesty in right of Canada for the costs referred to in that subsection and, subject to subsection (3), the proceeds of the sale shall first be applied in execution of the judgment and any balance shall be paid to the owner of the property.

Existing equities maintained

- (3) All secured and unsecured rights and interests held by persons, other than
- (a) a foreign state to which the order referred to in subsection (1) applies,
 - (b) persons in that foreign state, and
 - (c) nationals of that foreign state who do not ordinarily reside in Canada,

are entitled to the same ranking with respect to the rights and interests of Her Majesty and the owner in the proceeds of the sale referred to in subsection (2) as they would have been entitled to had this section not been enacted.

1992, c. 17, s. 5; 2001, c. 4, s. 120.

ADMINISTRATION AND ENFORCEMENT

Enforcement

6. (1) Subject to subsection (2), the Minister of Foreign Affairs is responsible for the administration and enforcement of this Act.

Designation

(2) The Governor in Council may, by order, designate one or more Ministers of the Crown to discharge such responsibilities as the Governor in Council may specify with respect to the administration or enforcement of any of the provisions of this Act or any order or regulations made under this Act.

Assessment of claims for compensation

(3) The Governor in Council may, by order, designate a Minister of the Crown as a Minister having the duty, for the purpose only of submitting a report to the Governor in Council with respect to claims for compensation, to receive and assess reasonable claims for compensation from any person who alleges to have suffered any loss or damages as a result of anything done or purported to have been done under this Act or any order or regulations made under this Act.

1992, c. 17, s. 6; 1995, c. 5, s. 25.

Tabling in Parliament

7. (1) Every order and regulation made under section 4 shall be laid before each House of Parliament by a member of the Queen's Privy Council for Canada within five sitting days of that House after it is made.

Filing of motion

(2) Where an order or regulation has been laid before a House of Parliament pursuant to subsection (1), a motion for the consideration of that House, to the effect that the order or regulation be amended or revoked, signed by

(a) not less than fifty members of the House of Commons, in the case of a motion for the consideration of the House of Commons, and

(b) not less than twenty members of the Senate, in the case of a motion for the consideration of the Senate,

may be filed with the Speaker of that House.

Consideration of motion

(3) Where a motion for the consideration of a House of Parliament is filed in accordance with subsection (2), that House shall, not later than the sixth sitting day of that House following the filing of the motion, take up and consider the motion, unless a motion to the like effect has earlier been taken up and is being considered in the other House.

Time for disposition of motion

(4) A motion taken up and considered in a House of Parliament in accordance with subsection (3) shall be debated without interruption for not more than three hours or such longer period as that House may, with the unanimous consent of its members, fix and, on the conclusion of the debate or on the expiration of the third hour of debate, whichever is earlier, the Speaker of that House shall immediately put every question necessary for the disposal of the motion.

Procedure on adoption of motion

(5) If a motion taken up and considered in a House of Parliament in accordance with subsection (3) is adopted, with or without amendments, a message shall be sent from that House informing the other House that the motion has been so adopted and requesting that the motion be concurred in by that other House.

Procedure in other House

(6) Within the first fifteen days that it is sitting after receiving a request pursuant to subsection (5), the House receiving the request shall take up and consider the motion that is the subject of the request, and all questions in connection with the motion shall be debated without interruption for not more than three hours or such longer period as that House may, with the unanimous consent of its members, fix

and, on the conclusion of the debate or on the expiration of the third hour of debate, whichever is earlier, the Speaker of that House shall immediately put every question necessary to determine whether or not the motion is concurred in.

Where motion adopted and concurred in

(7) Where a motion taken up and considered in accordance with this section is adopted, with or without amendments, by the House of Parliament in which it was introduced and is concurred in by the other House, the order or regulation to which the motion relates is revoked or amended effective on the day specified in the motion, which day may not be earlier than the day of the vote of concurrence.

Where motion not adopted or not concurred in

(8) Where a motion taken up and considered in accordance with this section is not adopted by the House of Parliament in which it was introduced, or is adopted, with or without amendments, by that House but is not concurred in by the other House, the order or regulation to which the motion relates shall remain unaffected.

Report of the Governor in Council

(9) The Governor in Council shall submit a full report on the operation of any order or regulation made pursuant to the Act within sixty sitting days after the said order or regulation has ceased to have effect and the report shall be referred to a committee to be designated by each House of Parliament.

Offence and punishment

8. Every person who wilfully contravenes or fails to comply with an order or regulation made under section 4

(a) is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding twenty-five thousand dollars or to imprisonment for a term not exceeding one year, or to both; or

(b) is guilty of an indictable offence and is liable to imprisonment for a term not exceeding five years.

Peace officers for the purposes of this Act

9. (1) A person having the powers of an officer under the *Customs Act*, the *Excise Act* or the *Excise Act, 2001* is deemed to be a peace officer for the purposes of this Act and sections 487 to 490, 491.1 and 491.2 of the *Criminal Code*.

Search and seizure

- (2) A peace officer may search any building, receptacle or place for anything
- (a) in respect of which there are reasonable grounds to believe that any offence against this Act has been committed,
 - (b) that there are reasonable grounds to believe has been used in the commission of an offence against this Act, or
 - (c) that there are reasonable grounds to believe will afford evidence with respect to the commission of an offence against this Act

without a warrant if the conditions for obtaining a warrant exist but by reason of exigent circumstances it would be impractical to obtain a warrant, and may seize any such thing found therein.

1992, c. 17, s. 9; 2002, c. 22, s. 396.

Evidence

10. (1) The original or a copy of a bill of lading, customs document, commercial invoice or other document is admissible in evidence in a prosecution under this Act in relation to any dealing with respect to goods where it appears from the document that

- (a) the goods were sent or shipped from Canada or into Canada;
- (b) a person, as shipper, consignor or consignee, sent or shipped the goods from Canada or into Canada; or
- (c) the goods were sent or shipped to a particular destination or person.

Proof of the facts

(2) In the absence of evidence to the contrary, a document that is admissible in evidence under subsection (1) is proof of any of the facts set out in paragraph (1)(a), (b) or (c) that appear from the document.

Proceedings

11. (1) Any proceedings in respect of an offence under this Act may be tried and determined by the court having jurisdiction at the place in Canada where the offence was committed or at the place in Canada in which the person charged with the offence is, resides or has an office or place of business at the time of commencement of the proceedings.

Proceedings where Canadians outside Canada

(2) Where a Canadian is alleged to have committed, outside Canada, an offence against this Act, any proceedings in respect of that offence may, whether or not that person is in Canada, be commenced in any territorial division in Canada and the accused may be tried and punished in respect of that offence in the same manner as if the offence had been committed in that territorial division.

Idem

(3) For greater certainty, the provisions of the *Criminal Code* relating to

- (a) requirements that an accused appear at and be present during proceedings, and
- (b) the exception to those requirements,

apply to proceedings commenced in any territorial division pursuant to subsection (2).

Consent of Attorney General required

12. Proceedings with respect to an offence under this Act may only be commenced with the consent of the Attorney General of Canada.

REGULATION SPECIFIC TO ZIMBABWE

Vol. 142, No. 19 — September 17, 2008

Registration

SOR/2008-248 September 4, 2008

SPECIAL ECONOMIC MEASURES ACT

Special Economic Measures (Zimbabwe) Regulations

P.C. 2008-1588 September 4, 2008

Whereas the Governor in Council is of the opinion that the situation in Zimbabwe

constitutes a grave breach of international peace and security that has resulted or is likely to result in a serious international crisis;

Therefore, Her Excellency the Governor General in Council, on the recommendation of the Minister of Foreign Affairs, pursuant to subsections 4(1) to (3) of the *Special Economic Measures Act* ([see footnote a](#)), hereby makes the annexed *Special Economic Measures (Zimbabwe) Regulations*.

SPECIAL ECONOMIC MEASURES (ZIMBABWE) REGULATIONS

INTERPRETATION

Definitions	1. The following definitions apply in these Regulations.
“arms and related materials” « <i>armes et matériel connexe</i> »	“arms and related materials” means any type of weapons, ammunition, military vehicle or military or paramilitary equipment, and includes their spare parts.
“designated person” « <i>personne désignée</i> »	“designated person” means a person whose name is listed in the schedule in accordance with section 2.
“Minister” « <i>ministre</i> »	“Minister” means the Minister of Foreign Affairs.
“technical assistance” « <i>aide technique</i> »	“technical assistance” means any form of assistance and includes instruction, training, consulting services, technical advice and the transferring or communicating of know-how or technical data.
“Zimbabwe” « <i>Zimbabwe</i> »	“Zimbabwe” includes (a) any political subdivision of Zimbabwe; (b) the government, and any department, of Zimbabwe or of a political subdivision of Zimbabwe; and (c) any agency of Zimbabwe or of a political subdivision of Zimbabwe.

LIST

Designated person	2. A person whose name is listed in the schedule is a person in respect of whom the Governor in Council, on the recommendation of the Minister, is satisfied that there are reasonable grounds to believe is
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- (a) a former or current senior official of the Government of Zimbabwe, the Zimbabwe African National Union — Patriotic Front or a successor to either of the foregoing;
- (b) an associate or family member of a person set out in paragraph (a);
- (c) an entity owned or controlled by, or acting on behalf of a person set out in paragraph (a) or (b);
- (d) an entity owned or controlled by, or acting on behalf of the Government of Zimbabwe, the Zimbabwe African Nation Union — Patriotic Front or a successor to either of the foregoing;
- (e) a person engaged in activities that seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe; or
- (f) a senior official of an entity referred to paragraph (e).

PROHIBITIONS

Export

3. Subject to section 13, no person in Canada and no Canadian outside Canada shall export, sell, supply or ship arms and related material, wherever situated, to Zimbabwe or to any person in Zimbabwe.

Carriage of arms and related material

4. Subject to section 13, no owner or master of a Canadian vessel, within the meaning of section 2 of the *Canada Shipping Act, 2001*, and no operator of an aircraft registered in Canada shall carry, cause to be carried or permit to be carried, arms and related materials, wherever situated, destined for Zimbabwe or any person in Zimbabwe.

Services

5. Subject to section 13, no person in Canada and no Canadian outside Canada shall provide any person in Zimbabwe with technical or financial assistance, technical or financial services or brokerage or other services related to the supply, sale, transfer, manufacture or use of arms and related materials.

Assets freeze

6. No person in Canada and no Canadian outside Canada shall

- (a) deal, directly or indirectly, in any property of a designated person, including funds derived or generated from property that is owned or controlled, directly or indirectly, by that person;
- (b) enter into or facilitate, directly or indirectly, any financial transaction related to a dealing referred to in paragraph (a);

(c) provide any financial or other related service in respect of the property referred to in paragraph (a); or (d) make any property or any financial or other related service available, directly or indirectly, to or for the benefit of a designated person.

Landing
Canada

in 7. No person shall land in Canada, or fly over Canada, an aircraft that is registered in Zimbabwe, except if landing in Canada is necessary to safeguard human life.

Assistance
committing
prohibited act

in 8. No person in Canada and no Canadian outside Canada shall do anything that causes, assists or promotes or is intended to cause, assist or promote any act or thing prohibited by sections 3 to 7.

DUTY TO DETERMINE

Determination

9. Each of the following entities must determine on a continuing basis whether it is in possession or control of property owned or controlled by or on behalf of a designated person:

(a) authorized foreign banks, as defined in section 2 of the *Bank Act*, in respect of their business in Canada or banks to which that Act applies;

(b) cooperative credit societies, savings and credit unions and caisses populaires regulated by a provincial Act and associations regulated by the *Cooperative Credit Associations Act*;

(c) foreign companies, as defined in subsection 2(1) of the *Insurance Companies Act*, in respect of their insurance business in Canada;

(d) companies, provincial companies and societies, as those terms are defined in subsection 2(1) of the *Insurance Companies Act*;

(e) fraternal benefit societies regulated by a provincial Act in respect of their insurance activities and insurance companies and other entities engaged in the business of insuring risks that are regulated by a provincial Act;

(f) companies to which the *Trust and Loan Companies Act* applies;

(g) trust companies regulated by a provincial Act;

(h) loan companies regulated by a provincial Act; and

(i) entities authorized under provincial legislation to engage in the business of dealing in securities or to provide portfolio

management or investment counselling services.

DISCLOSURE

Report

10. (1) Every person in Canada and every Canadian outside Canada shall disclose without delay to the Commissioner of the Royal Canadian Mounted Police

(a) the existence of property in their possession or control that they have reason to believe is owned or controlled, directly or indirectly, by a designated person or by an entity owned or controlled by a designated person; and
(b) information about a transaction or proposed transaction in respect of property referred to in paragraph (a).

Immunity

(2) No person contravenes subsection (1) by disclosing in good faith under that subsection.

APPLICATION TO NO LONGER BE A DESIGNATED PERSON

Application

11. (1) A designated person may apply in writing to the Minister to request to have their name removed from the schedule.

Decision

(2) On receipt of a written application, the Minister shall decide whether there are reasonable grounds to recommend to the Governor in Council that the applicant's name be removed from the schedule.

Presumption

(3) If the Minister does not make a decision on the application within 60 days after the day on which the application is received, the Minister is deemed to have decided to recommend that the applicant remain a designated person.

Notice

(4) The Minister shall give notice without delay to the applicant of any decision made or deemed to have been made.

New application

(5) If there has been a material change in circumstances since the last application was submitted, a person may make another application under subsection (1).

APPLICATION FOR A CERTIFICATE

Mistaken
identity

12. (1) A person claiming not to be a designated person may apply to the Minister in writing for a certificate stating that they are not the person who has been designated under section 2.

Certificate—
time frame

(2) If it is established that the person is not a designated person, the Minister shall issue a certificate to the applicant within 15 days after the day on which the application is received.

EXCEPTIONS

Exceptions

13. (1) Sections 3 to 5 do not apply with respect to

(a) supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training;

(b) supplies of protective clothing and equipment, including flak jackets and military helmets, for the personal use of United Nations or African Union personnel, representatives of the media and humanitarian and development workers and associated personnel;

(c) firearms and related ammunition and accessories in respect of which a temporary export permit has been granted under the *Export and Import Permit Act* prior to the coming into force of this paragraph; and

(d) a member of the Canadian Forces who is in or travels to Zimbabwe in the performance of official duties, including providing security to Canadian embassy staff, providing humanitarian assistance, or engaging in other activities authorized by the Chief of the Defence Staff.

Financial
support

(2) Section 6 does not apply with respect to financial or other support provided by the Government of Canada in connection with internationally or regionally mandated or sanctioned negotiations for a political settlement in Zimbabwe.

APPLICATION PRIOR TO PUBLICATION

Application

14. For the purpose of paragraph 11(2)(a) of the *Statutory Instruments Act*, these Regulations apply according to their terms before they are published in the *Canada Gazette*.

COMING INTO FORCE

Registration **15.** These Regulations come into force on the day on which they are registered.

SCHEDULE

(Sections 1 and 2 and subsections 11(1) and (3) and 12(1))

1. Robert Gabriel Mugabe (date of birth: February 21, 1924)
2. Joseph Msika (date of birth: December 6, 1923)
3. Joyce Mujuru (date of birth: April 15, 1955)
4. Flora Buka (date of birth: February 25, 1968)
5. Aeneas Soko Chigwedere (date of birth: November 25, 1939)
6. Chenhamo Chakezha Chimutengwende (date of birth: August 28, 1943)
7. Patrick Anthony Chinamasa (date of birth: January 25, 1947)
8. Edward Chindori-Chininga (date of birth: March 14, 1955)
9. Tongesai Shadreck Chipanga (date of birth: October 10, 1946)
10. Ignatius Morgan Chiminya Chombo (date of birth: August 1, 1952)
11. Nicholas Goche (date of birth: August 1, 1946)
12. Rugare Aleck Ngidi Gumbo (date of birth: March 8, 1940)
13. Tichaona Joseph Benjamin Jokonya (date of birth: December 27, 1938)
14. Christopher Tichaona Kuruneri (date of birth: April 4, 1949)
15. Joseph Mtakwese Made (date of birth: November 21, 1954)
16. Elliot Tapfumanei Manyika (date of birth: July 30, 1955)
17. Amos Bernard Muvenga Midzi (date of birth: July 4, 1952)
18. Emmerson Dambudzo Mnangagwa (date of birth: September 15, 1946)
19. Kembo Campbell Dugishi Mohadi (date of birth: November 15, 1949)

20. Jonathan Nathaniel Moyo (date of birth: January 12, 1957)
21. July Gabarari Moyo (date of birth: May 7, 1950)
22. Obert Moses Mpofu (date of birth: October 12, 1951)
23. Olivia Nyembezi Muchena (date of birth: August 18, 1946)
24. Oppah Chamu Zvipange Muchinguri (date of birth: December 14, 1958)
25. Stan Isaak Goreraivo Mudenge (date of birth: December 17, 1941)
26. Samuel Creighton Mumbengegwi (date of birth: October 23, 1942)
27. Simbarashe Simbanenduku Mumbengegwi (date of birth: July 20, 1945)
28. Herbert Muchemwa Murerwa (date of birth: July 31, 1941)
29. Christopher Chindoti Mushohwe (date of birth: February 6, 1954)
30. Didymus Noel Edwin Mutasa (date of birth: July 27, 1935)
31. Munacho Thomas Alvar Mutezo (date of birth: February 14, 1954)
32. Ambrose Mutinhiri (date of birth: February 22, 1944)
33. Sikhanyiso Duke Ndlovu (date of birth: May 4, 1937)
34. Sylvester Robert Nguni (date of birth: August 4, 1955)
35. Francis Dunstan Chenayimoyo Nhema (date of birth: April 17, 1959)
36. Michael Reuben Nyambuya (date of birth: July 23, 1955)
37. Sithembiso Gile Gladys Nyoni (date of birth: September 20, 1949)
38. David Pagwese Parirenyatwa (date of birth: August 2, 1950)
39. Sydney Tigere Sekeramayi (date of birth: March 30, 1944)
40. Webster Kotiwani Shamu (date of birth: June 6, 1945)
41. Samuel Udenge

42. David Chapfika (date of birth: April 7, 1957)
43. George Charamba (date of birth: April 4, 1963)
44. Phineas Chihota (date of birth: November 23, 1950)
45. Abigail Damasane (date of birth: May 27, 1952)
46. Lazarus Dokora
47. Aguy Georgias
48. Saviour Kasukuwere (date of birth: October 23, 1970)
49. Andrew Langa (date of birth: January 13, 1965)
50. Jaison Max Kokerai Machaya (date of birth: June 13, 1952)
51. Shuvai Ben Mahofa (date of birth: April 4, 1941)
52. Titus Hatlani Maluleke
53. Reuben Marumahoko (date of birth: April 4, 1948)
54. Joel Biggie Matiza (date of birth: August 17, 1960)
55. Bright Matonga (date of birth: circa 1969)
56. Obert Matshalaga (date of birth: April 21, 1951)
57. Melusi Mike Matshiya
58. Partson Mbiriri
59. Tobaiwa Tonneth Mudede (date of birth: December 22, 1942)
60. Edwin Muguti (date of birth: May 2, 1964)
61. Tracey Mutinhiri
62. Kenneth Kaparadza Mutiwekuziva (date of birth: May 27, 1948)
63. Walter Mzembi

64. Abedinico Ncube (date of birth: October 13, 1954)
65. Hubert Magadzire Nyanhongo
66. Tinos Rusere (date of birth: May 10, 1945)
67. Morris Sakabuya
68. Isaiah Masvayamwando Shumba (date of birth: January 3, 1949)
69. Mishek Sibanda
70. Timothy Stamps (date of birth: October 15, 1936)
71. Patrick Zhuwao (date of birth: May 23, 1967)
72. Cold Comfort Farm Trust Co-Operative
73. Jongwe Printing and Publishing Company
74. ZIDCO Holdings
75. Zimbabwe Defence Industries Pvt Ltd.
76. Michael Chakanaka Bimha
77. Joseph Chinotimba
78. Miriai Chiremba
79. Pirirayi Deketeke
80. Tshinga Judge Dube (date of birth: July 3, 1941)
81. Gideon Gono (date of birth: November 29, 1959)
82. Munyaradzi Kereke
83. Tafataona P. Mahoso
84. Kenneth Vhundukai Manyonda (date of birth: August 10, 1934)
85. Justin Mutasa

86. Herbert Nkala
87. Brig. Gen. Douglas Nyikayaramba
88. Jabulani Sibanda (date of birth: December 31, 1970)
89. Fred Zindi
90. Fortune Zefanaya Charumbira (date of birth: June 10, 1962)
91. Alice Chimbudzi
92. Victoria Chitepo (date of birth: March 27, 1928)
93. Dumiso Dabengwa (date of birth: December 6, 1939)
94. Sobuza Gula-Ndebele (date of birth: August 12, 1954)
95. Richard Hove (date of birth: September 23, 1939)
96. Munyaradzi Huni
97. Kumbirai Kangai (date of birth: February 17, 1938)
98. Thenjiwe Lesabe (date of birth: January 5, 1933)
99. Edna Madzongwe (date of birth: July 11, 1943)
100. Joshua Malinga (date of birth: April 28, 1944)
101. Fidelian Maphosa
102. Dzikamai Mavhaire
103. Gilbert Moyo
104. Headman Moyo
105. Musa Moyo
106. Simon Khaya Moyo (date of birth: October 1, 1945)
107. Leo Mugabe (date of birth: August 28, 1962)

108. Sabina Mugabe (date of birth: October 14, 1934)
109. Solomon Tapfumaneyi Ruzambo Mujuru (date of birth: May 1, 1949)
110. Tsitsi Muzenda
111. Naison Ndlovu (date of birth: October 22, 1930)
112. Richard Ndlovu (date of birth: June 26, 1942)
113. John Landa Nkomo (date of birth: August 22, 1934)
114. George Nyathi
115. Bharat Patel
116. Khantibhal Patel (date of birth: October 28, 1928)
117. Selina M. Pote
118. Stanley Sakupwanya (date of birth: circa 1945)
119. Eunice Sandi
120. Tendai Savanhu (date of birth: March 21, 1968)
121. Nathan Marwirakuwa Shamuyarira (date of birth: September 29, 1928)
122. Absolom Sikhosana
123. Solomon Chirume Tawengwa (date of birth: June 15, 1940)
124. Jabulani Tshawe
125. Charles Utete (date of birth: October 30, 1938)
126. Vitalis Zvinavashe (date of birth: September 27, 1943)
127. Abu Basutu
128. Happyton Bonyongwe (date of birth: November 6, 1960)
129. Wayne Bvudzijena

130. Augustine Chihuri (date of birth: March 10, 1953)
131. Constantine Chiwenga (date of birth: August 25, 1956)
132. Thomsen Jangara
133. Musarahana Mabunda
134. Barbara Mandizha (date of birth: October 24, 1959)
135. Godwin Matanga (date of birth: February 5, 1962)
136. Innocent Matibiri (date of birth: October 9, 1968)
137. Bothwell Mugariri
138. Munyaradzi Musariri
139. Elisha Muzonzini (date of birth: June 24, 1957)
140. Perence Shiri (date of birth: November 1, 1955)
141. Levy Sibanda
142. Phillip Valentine Sibanda (date of birth: August 25, 1956)
143. Innocent Tonderai Matibiri
144. Edmore Veterai
145. Paradzai Zimondi (date of birth: March 4, 1947)
146. George Chiweshe (date of birth: June 4, 1953)
147. Joyce Kazembe
148. Lovemore Sekeramayi
149. Abina Chapfika (date of birth: August 23, 1961)
150. Monica Chinamasa (date of birth: 1950)
151. Gamuchirai Chinamasa (date of birth: November 11, 1991)

152. Jocelyn Chiwenga
153. Ever Chombo (date of birth: September 20, 1956)
154. Marian Chombo (date of birth: August 11, 1960)
155. Hellin Mushanyuri Gono (date of birth: May 6, 1962)
156. Natasha Muchinguri (date of birth: 1994)
157. Tanya Muchinguri (date of birth: 1989)
158. Grace Mugabe (date of birth: July 23, 1965)
159. Rose Jaele Ndlovu (date of birth: September 27, 1939)
160. Georgina Ngwenya Nkomo (date of birth: August 4, 1966)
161. Louise S. Nkomo/aka Louise Sehulle Nhema (date of birth: August 25, 1964)
162. Peter Baka Nyoni (date of birth: January 10, 1950)
163. Tsitsi Chihruai Sekeramayi (date of birth: 1944)
164. Tinaye Elisha Chigudu (date of birth: August 13, 1942)
165. Willard Chiwewe (date of birth: March 19, 1949)
166. Josaya Dunira Hungwe (date of birth: November 7, 1935)
167. Ray Joseph Kaukonde (date of birth: March 4, 1963)
168. David John Mafa
169. Sekesai Makwavarara
170. Ephraim Sango Masawi
171. Angeline Masuku (date of birth: October 14, 1936)
172. Cain Ginyilitshe Ndabazekhaya Mathema (date of birth: January 28, 1948)
173. Thokozile Mathuthu

174. Rido Mpofo
175. Cephas George Msipa (date of birth: July 7, 1931)
176. Nelson Tapera Crispin Samkange
177. Cesar Zvayi
178. Rudo Grace Charamba (date of birth: June 20, 1964)
179. Ijeoma Dabengwa (date of birth: October 27, 1971)
180. Ruth Chipu Murerwa (date of birth: July 27, 1947)
181. Beauty Lily Zhuwao (date of birth: January 10, 1965)
-
-

REGULATORY IMPACT ANALYSIS STATEMENT

(This statement is not part of the Regulations and of the Order.)

Issue and objectives

Zimbabwe has been in serious decline for a decade; however, events since March 2008, including a marked escalation in human rights violations and violence directed at the political opposition, a stolen election, the denial of a peaceful democratic transition and a worsening humanitarian situation have taken the crisis to a new level.

The *Special Economic Measures (Zimbabwe) Regulations* impose targeted economic sanctions against Zimbabwe in response to the gravity of the crisis in Zimbabwe in order to send a strong message that ZANU-PF cannot act in this undemocratic manner with impunity and to encourage Robert Mugabe and ZANU-PF to negotiate with the opposition to reach a resolution to the crisis reflecting the will of the electorate. As such, Canada joins like-minded states in implementing measures holding the Government of Zimbabwe accountable for its actions while minimizing harm to the Zimbabwean people.

Description and rationale

The Regulations consist of measures imposed pursuant to section 4 of the *Special Economic Measures Act* (SEMA). In the opinion of the Governor in Council, the situation in Zimbabwe constitutes a grave breach of international peace and security that has

resulted or is likely to result in a serious international crisis.

The measures implemented by the Regulations consist of:

- a ban on the export of arms and related material to Zimbabwe;
- a prohibition on the transport of arms and related material to Zimbabwe aboard a Canadian vessel or aircraft;
- a prohibition on the provision of technical or financial assistance or services relating to arms and related material, including the provision, transfer or communication of technical data, to Zimbabwe or any person in Zimbabwe;
- a requirement on any person in Canada and Canadian outside of Canada to freeze the assets of listed Zimbabwean persons and entities;
- a prohibition on Zimbabwean aircraft from flying over or landing in Canada.

Under the Regulations, the Governor in Council may approve and list on a schedule to the Regulations the names of persons there are reasonable grounds to believe are connected with the Government of Zimbabwe. The Regulations provide a review mechanism to remove names from the schedule upon receipt of an application from a designated person.

The measures implemented by the Regulations add to a series of measures that Canada already has against Zimbabwe, including:

- a policy ban on the export of military goods
- travel restrictions in Canada on senior Zimbabwean officials, and their families
- a call for Canadian companies to voluntarily divest from Zimbabwe.

A separate order made pursuant to subsection 4(4) of the *Special Economic Measures Act* authorizes the Minister of Foreign Affairs to issue to any person in Canada and any Canadian outside Canada a permit to carry out a specified activity or transaction, or any class of activity or transaction, that is restricted or prohibited pursuant to the Regulations.

In the absence of the UN Security Council Resolution calling for sanctions, the *Special Economic Measures Act* is the appropriate legislative authority for the implementation of these measures. The adoption of the Regulations demonstrates that Canada abhors the stealing of the election, the prevention of a peaceful transition to a democratically elected government and the deteriorating human rights and humanitarian situation in Zimbabwe. The targeted sanctions are designed to limit the impact on the Zimbabwean public who are already suffering as a result of the economic and humanitarian situation to target those in positions of power in Zimbabwe.

The Regulations are not anticipated to harm the currently minimal Canadian trade with Zimbabwe. Exports to Zimbabwe were valued at \$5 million in 2007 and imports at \$3.1

million.

There are no new costs associated with imposing targeted sanctions against Zimbabwe.

Consultation

Foreign Affairs and International Trade Canada drafted the Regulations in collaboration with the Department of Justice, the Department of Finance, the Office of the Superintendent of Financial Institutions, the Royal Canadian Mounted Police, the Canada Border Services Agency, the Canadian International Development Agency, Transport Canada, the Canadian Security Intelligence Service, the Department of National Defence, and the Treasury Board Secretariat.

Implementation, enforcement and service standards

Compliance is ensured by the Royal Canadian Mounted Police and the Canada Border Services Agency. Every person who contravenes provisions of the Regulations is liable, upon conviction, to the punishments set out in section 8 of the *Special Economic Measures Act* (a fine not exceeding \$25,000 and/or a maximum of one year imprisonment for summary offences, or a maximum of five years imprisonment for indictable offences).

Contacts

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Department	of	Foreign	Affairs	and	International	Trade
125			Sussex			Drive
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K1A						0G2
Telephone:						613-944-6585
Fax:						613-944-7432
Email:	Lisa.Stadelbauer@international.gc.ca					

Carolyn						Knobel
Deputy						Director
United Nations,	Human	Rights	and	Economic	Law	Division
Department	of	Foreign	Affairs	and	International	Trade
125			Sussex			Drive
Ottawa,						Ontario
K1A						0G2
Telephone:						613-944-1599
Fax:						613-992-2467

Email: Carolyn.Knobel@international.gc.ca

Sabine Nölke
Director
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Department of Foreign Affairs and International Trade
125 Sussex Drive
Ottawa, Ontario
K1A 0G2
Telephone: 613-992-6296
Fax: 613-992-2467
Email: Sabine.Nolke@international.gc.ca

[Footnote](#) a

S.C. 1992, c. 17

List of Designated Persons

Special Economic Measures (Zimbabwe) Regulations

[PDF Version](#)* (60 KB)

The following is an administrative list of designated persons in the Schedule pursuant to section 2 of the *Special Economic Measures (Zimbabwe) Regulations*, which provides:

(2) A person whose name is listed in the schedule is a person in respect of whom the Governor in Council, on the recommendation of the Minister, is satisfied that there are reasonable grounds to believe is:

- g. a former or current senior official of the Government of Zimbabwe, the Zimbabwe African National Union - Patriotic Front or a successor to either of the foregoing;
- h. an associate or family member of a person set out in paragraph (a);
- i. an entity owned or controlled by, or acting on behalf of a person set out in paragraph (a) or (b);
- j. an entity owned or controlled by, or acting on behalf of the Government of Zimbabwe, the Zimbabwe African Nation Union - Patriotic Front or a successor to either of the foregoing;

- k. a person engaged in activities that seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe; or
- l. a senior official of an entity referred to paragraph (e).

For download:

- Names of individuals ([Excel format](#) (54.5 KB) or [.txt format](#) (20.4 KB)) (updated 2008-09-04)
- Names of entities ([Excel format](#) (17.0 KB) or [.txt format](#) (1.88 KB)) (updated 2008-09-04)

-
1. Robert Gabriel MUGABE, date of birth: 21/02/1924
President
 2. Joseph MSIKA, date of birth: 06/12/1923
Vice-President
 3. Joyce MUJURU, date of birth: 15/04/1955
Vice-President
 4. Flora BUKA, also known among other names as Flora BHUKA, date of birth: 25/02/1968
Minister of State for Special Affairs in the President's Office responsible for Land and Resettlement Programmes
 5. Aeneas Soko CHIGWEDERE, date of birth: 25/11/1939
Minister of Education, Sports and Culture
 6. Chenhamo Chakezha CHIMUTENGWENDE, date of birth: 28/08/1943
Minister of State for Public and Interactive Affairs
 7. Patrick Anthony CHINAMASA, date of birth: 25/01/1947
Minister of Justice, Legal and Parliamentary Affairs
 8. Edward CHINDORI-CHININGA, date of birth: 14/03/1955
Formerly Minister of Mines and Mining Development
 9. Tongesai Shadreck CHIPANGA, date of birth: 10/10/1946
Formerly Deputy Minister of Home Affairs
 10. Ignatius Morgan Chiminya CHOMBO, date of birth: 01/08/1952
Minister of Local Government, Public Works and Urban Development, ZANU-PF Politburo Member, Secretary of the Politburo Committee on Lands and Resettlement
 11. Nicholas GOCHE, date of birth: 01/08/1946
Minister of Public Services, Labour and Social Welfare, and ZANU-PF Politburo Secretary for National Security
 12. Rugare Aleck Ngidi GUMBO, date of birth: 08/03/1940
Minister of Agriculture (formerly Minister of Economic Development); ZANU-PF Politburo Deputy Secretary for Administration

13. Tichaona Joseph Benjamin JOKONYA, date of birth: 27/12/1938
Minister of Information and Publicity
14. Christopher Tichaona KURUNERI, date of birth: 04/04/1949
Formerly Minister of Finance and Economic Development
15. Joseph Mtakwese MADE, date of birth: 21/11/1954
Minister of State for Agricultural Engineering and Mechanisation; formerly
Minister of Agriculture and Rural Development
16. Elliot Tapfumanei MANYIKA, date of birth: 30/07/1955
Minister without Portfolio; ZANU-PF Politburo Secretary for
Commissariat
17. Amos Bernard Muvenga MIDZI, date of birth: 04/07/1952
Minister of Mines and Mining Development
18. Emmerson Dambudzo MNANGAGWA, date of birth: 15/09/1946
Minister of Rural Housing and Social Amenities; ZANU-PF Politburo
Secretary for Legal Affairs
19. Kembo Campbell Dugishi MOHADI, date of birth: 15/11/1949
Minister of Home Affairs; ZANU-PF Politburo Deputy Secretary for Legal
Affairs
20. Jonathan Nathaniel MOYO, date of birth: 12/01/1957
Formerly Minister of Information and Publicity
21. July Gabarari MOYO, date of birth: 07/05/1950
Formerly Minister of Energy and Power Development; formerly Minister
of Public Service, Labour and Social Welfare
22. Obert Moses MPOFU, date of birth: 12/10/1951
Minister of Industry and International Trade; ZANU-PF Politburo Deputy
Secretary for National Security
23. Olivia Nyembezi MUCHENA, date of birth: 18/08/1946
Minister of State for Science and Technology Development; ZANU-PF
Politburo Secretary for Science and Technology
24. Oppah Chamu Zvipange MUCHINGURI, date of birth: 14/12/1958
Minister of Women's Affairs, Gender and Community Development;
ZANU-PF Politburo Secretary for Women's Affairs
25. Stan Isaak Goreraivo MUDENGE, date of birth: 17/12/1941
Minister of Higher and Tertiary Education; ZANU-PF Politburo Deputy
Secretary for External Affairs
26. Samuel Creighton MUMBENGEWI, date of birth: 23/10/1942
Minister of Finance; formerly Minister of Indigenization and
Empowerment
27. Simbarashe Simbanenduku MUMBENGEWI, date of birth: 20/07/1945
Minister of Foreign Affairs
28. Herbert Muchemwa MURERWA, date of birth: 31/07/1941
Formerly Minister of Finance and ZANU-PF Politburo Deputy Secretary
for Education

29. Christopher Chindoti MUSHOHWE, date of birth: 06/02/1954
Minister of Transport and Communication
30. Didymus Noel Edwin MUTASA, date of birth: 27/07/1935
Minister of State for National Security, Lands, Land Reform and Resettlement; ZANU-PF Politburo Secretary for Administration
31. Munacho Thomas Alvar MUTEZO, date of birth: 14/02/1954
Minister of Water Resources and Infrastructural Development
32. Ambrose MUTINHIRI, date of birth: 22/02/1944
Minister of Youth Development, Gender and Employment Creation
33. Sikhanyiso Duke NDLOVU, date of birth: 04/05/1937
Minister of Information and Publicity; ZANU-PF Politburo Secretary for Education; formerly Deputy Minister of Higher and Tertiary Education
34. Sylvester Robert NGUNI, date of birth: 04/08/1955
Minister of Economic Development; formerly Deputy Minister of Agriculture
35. Francis Dunstan Chenayimoyo NHEMA, date of birth: 17/04/1959
Minister of Environment and Tourism
36. Michael Reuben NYAMBUYA, date of birth: 23/07/1955
Minister of Energy and Power Development
37. Sithembiso Gile Gladys NYONI, date of birth: 20/09/1949
Minister of Small and Medium Enterprise Development; ZANU-PF Politburo Deputy Secretary for Indigenization and Empowerment
38. David Pagwese PARIENYATWA, date of birth: 02/08/1950
Minister of Health and Child Welfare; ZANU-PF Politburo Deputy Secretary for Health and Child Welfare
39. Sydney Tigere SEKERAMAYI, date of birth: 30/03/1944
Minister of Defence; ZANU-PF Politburo Secretary for Health and Child Welfare
40. Webster Kotiwani SHAMU, date of birth: 06/06/1945
Minister of State for Policy Implementation; Member of ZANU-PF Politburo
41. Samuel UDENGE
Minister of State for State Enterprises, Anti-Monopolies and Anti-Corruption; formerly Deputy Minister of Economic Development
42. David CHAPFIKA, date of birth: 07/04/1957
Deputy Minister of Agriculture
43. George CHARAMBA, date of birth: 04/04/1963
Permanent Secretary, Department for Information and Publicity
44. Phineas CHIHOTA, date of birth: 23/11/1950
Deputy Minister of Industry and International Trade
45. Abigail DAMASANE, date of birth: 27/05/1952
Deputy Minister of Women's Affairs, Gender and Community Development

46. Lazarus DOKORA
Deputy Minister of Higher and Tertiary Education
47. Aguy GEORGIAS
Senator; Deputy Minister of Economic Development
48. Saviour KASUKUWERE, date of birth: 23/10/1970
Deputy Minister of Youth Development and Employment Creation;
ZANU-PF Politburo Deputy-Secretary for Youth Affairs
49. Andrew LANGA, date of birth: 13/01/1965
Deputy Minister of Environment and Tourism
50. Jaison Max Kokerai MACHAYA, date of birth: 13/06/1952
Formerly Deputy Minister of Mines and Mining Development
51. Shuvai Ben MAHOFA, date of birth: 04/04/1941
Formerly Deputy Minister of Youth Development, Gender and
Employment Creation
52. Titus MALULEKE
Hatlani
Deputy Minister of Education, Sport and Culture
53. Reuben MARUMAHOKO, date of birth: 04/04/1948
Deputy Minister of Foreign Affairs; formerly Deputy Minister of Home
Affairs
54. Joel Biggie MATIZA, date of birth: 17/08/1960
Deputy Minister of Rural Housing and Social Amenities
55. Bright MATONGA, date of birth: circa 1969
Deputy Minister of Information and Publicity
56. Obert MATSHALAGA, date of birth: 21/04/1951
Deputy Minister of Home Affairs; formerly Deputy Minister of Foreign
Affairs
57. Melusi MATSHIYA
Mike
Permanent Secretary, Ministry of Home Affairs
58. Partson MBIRIRI
Permanent Secretary, Ministry of Local Government, Public Works and
Urban Development
59. Tobaiwa Tonneth MUDEDE, date of birth: 22/12/1942
Registrar General
60. Edwin MUGUTI, date of birth: 02/05/1964
Deputy Minister of Health and Child Welfare
61. Tracey MUTINHIRI
Deputy Minister of Indigenization and Empowerment
62. Kenneth Kaparadza MUTIWEKUZIVA, date of birth: 27/05/1948
Deputy Minister of Small and Medium Enterprise Development
63. Walter MZEMBI
Deputy Minister of Water Resources and Infrastructural Development
64. Abedinico NCUBE, date of birth: 13/10/1954
Deputy Minister of Public Service, Labour and Social Welfare

65. Hubert Magadzire NYANHONGO
Deputy Minister of Transport and Communications
66. Tinos RUSERE, date of birth: 10/05/1945
Deputy Minister of Mines and Mining Development
67. Morris SAKABUYA
Deputy Minister of Local Government, Public Works and Urban Development
68. Isaiah Masvayamwando SHUMBA, date of birth: 03/01/1949
Deputy Minister of Education, Sports and Culture
69. Mishek SIBANDA
Chief Secretary to the President and Cabinet
70. Timothy STAMPS, date of birth: 15/10/1936
Health Advisor, Office of the President
71. Patrick ZHUWAO, date of birth: 23/05/1967
Deputy Minister of Science and Technology; nephew of Robert MUGABE (President)
72. Cold Comfort Farm Trust Co-Operative
Address: 7 Cowie Road, Tynwald, Harare, Zimbabwe
Other information: Owner: Didymus MUTASA (Grace MUGABE also implicated).
73. Jongwe Printing and Publishing Company
Address: 14 Austin Road, Coventry Road, Workington, PO Box 5988, Harare, Zimbabwe
Other information: Editorial-writing branch of the ZANU-PF.
74. ZIDCO Holdings
Address: PO Box 1275, Harare, Zimbabwe
Other information: Financial holding company for the ZANU-PF.
75. Zimbabwe Defence Industries Pvt Ltd
Address: 10th Floor, Trustee House, 55 Samora Machel Avenue, PO Box 6597, Harare, Zimbabwe
Other information: Directors include Leo MUGABE and Solomon MUJURU.
76. Michael Chakanaka BIMHA
Chairman, Air Zimbabwe
77. Joseph CHINOTIMBA
Deputy Chairman, Zimbabwe National Liberation War Veterans Association
78. Miriai CHIREMBA
Chief, Financial Intelligence Unit, Reserve Bank of Zimbabwe
79. Pirirayi DEKETEKE
Chairman, Broadcasting Authority of Zimbabwe
80. Tshinga Judge DUBE, date of birth: 03/07/1941
CEO, Zimbabwe Defence Industries

81. Gideon GONO, date of birth: 29/11/1959
Governor, Reserve Bank of Zimbabwe
82. Munyaradzi KEREKE
Chief Counselor, Reserve Bank of Zimbabwe
83. Tafataona P. MAHOSO
Chair, Media Information Commission
84. Kenneth Vhundukai MANYONDA, date of birth: 10/08/1934
Vice Chairman, Air Zimbabwe
85. Justin MUTASA
Chairman, Zimbabwe Broadcasting Holdings; CEO, Zimbabwe Newspapers Group
86. Herbert NKALA
Chairman, Zimbabwe Newspapers Ltd.
87. Douglas NYIKAYARAMBA
Chairman, National Railways of Zimbabwe
88. Jabulani SIBANDA, date of birth: 31/12/1970
Formerly National Chairman, Zimbabwe National Liberation War Veterans Association
89. Fred ZINDI
Chair, Postal and Telecommunications Regulatory Authority of Zimbabwe
90. Fortune Zefanaya CHARUMBIRA, date of birth: 10/06/1962
President of the Council of Chiefs; formerly Deputy Minister of Local Government, Member of Parliament and ZANU-PF Central Committee Member
91. Alice CHIMBUDZI
ZANU-PF Politburo Committee Member
92. Victoria CHITEPO, date of birth: 27/03/1928
ZANU-PF Politburo Committee Member
93. Dumiso DABENGWA, date of birth: 06/12/1939
ZANU-PF Politburo Committee Member
94. Sobuza GULA-NDEBELE, date of birth: 12/08/1954
Attorney-General
95. Richard HOVE, date of birth: 23/09/1939
ZANU-PF Politburo Secretary for Economic Affairs
96. Munyaradzi HUNI
Journalist for state newspaper "The Herald"
97. Kumbirai KANGAI, date of birth: 17/02/1938
ZANU-PF Politburo Secretary for External Affairs
98. Thenjiwe LESABE, date of birth: 05/01/1933
ZANU-PF Politburo Member
99. Edna MADZONGWE, date of birth: 11/07/1943
President of the Senate; ZANU-PF Politburo Deputy Secretary for Production and Labour

100. Joshua MALINGA, date of birth: 28/04/1944
ZANU-PF Politburo Deputy Secretary for the Disabled and Disadvantaged
101. Fidelian MAPHOSA
ZANU-PF Politburo Committee member
102. Dzikamai MAVHAIRE
ZANU-PF Politburo Member; Deputy Secretary of the Politburo
Committee on Lands and Resettlement
103. Gilbert MOYO
Directed ZANU-PF militias.
104. Headman MOYO
ZANU-PF Provincial Chairman, Mataberland North
105. Musa MOYO
ZANU-PF Politburo Committee Member
106. Simon Khaya MOYO, date of birth: 01/10/1945
Formerly ZANU-PF Politburo Deputy Secretary for Legal Affairs;
Zimbabwe Ambassador to South Africa
107. Leo MUGABE, date of birth: 28/08/1962
Member of Parliament; Nephew of Robert Mugabe (President)
108. Sabina MUGABE, date of birth: 14/10/1934
ZANU-PF Politburo Senior Committee Member
109. Solomon Tapfumaneyi Ruzambo MUJURU, date of birth:
01/05/1949
ZANU-PF Politburo Senior Committee Member; formerly Commander,
Zimbabwe Defence Forces
110. Tsitsi MUZENDA
ZANU-PF Politburo Senior Committee Member
111. Naison NDLOVU, date of birth: 22/10/1930
ZANU-PF Politburo Secretary for Production and Labour
112. Richard NDLOVU, date of birth: 26/06/1942
ZANU-PF Politburo Deputy Secretary for the Commissariat
113. John Landa NKOMO, date of birth: 22/08/1934
Speaker of Parliament and Chairman of ZANU-PF
114. George NYATHI
ZANU-PF Politburo Deputy Secretary of Science and Technology
115. Bharat PATEL, also known among other names as Bharatkumar
PATEL, date of birth: 16/04/1952
Address: 25 Firsgrove Road, Ridgeview, Belvedere, Harare, Zimbabwe
Public Prosecutor
116. Khantibhal PATEL, date of birth: 28/10/1928
ZANU-PF Politburo Deputy Secretary for Finance
117. Selina M. POTE
ZANU-PF Politburo Deputy Secretary for Gender and Culture

118. Stanley SAKUPWANYA, date of birth: circa 1945
ZANU-PF Politburo Secretary for the Disabled and Disadvantaged
119. Eunice SANDI
ZANU-PF Politburo Deputy Secretary for Home Affairs
120. Tendai SAVANHU, date of birth: 21/03/1968
ZANU-PF Politburo Deputy Secretary of Transport and Social Welfare
121. Nathan Marwirakuwa SHAMUYARIRA, date of birth: 29/09/1928
ZANU-PF Politburo Secretary for Information and Publicity
122. Absolom SIKHOSANA
ZANU-PF Politburo Secretary for Youth Affairs
123. Solomon Chirume TAWENGWA, date of birth: 15/06/1940
ZANU-PF Politburo Deputy Secretary for Finance
124. Jabulani TSHAWWE
ZANU-PF Provincial Chairman, Bulawayo
125. Charles UTETE, date of birth: 30/10/1938
Chairman of the Presidential Land Review Committee; Chairman,
Industrial Development Corporation
126. Vitalis ZVINAVASHE, date of birth: 27/09/1943
Member of the ZANU-PF Politburo, Secretary of the Politburo Committee
on Indigenization and Empowerment
127. Abu BASUTU
Air Force General; Matebeleland South
128. Happyton BONYONGWE, date of birth: 06/11/1960
Director-General, Central Intelligence Organisation
129. Wayne BVUDZIJENA
Assistant Police Commissioner
130. Augustine CHIHURI, date of birth: 10/03/1953
Police Commissioner
131. Constantine CHIWENGA, date of birth: 25/08/1956
Lt. Gen.; Commander Zimbabwe Defence Forces
132. Thomsen JANGARA
Assistant to Police Prefect, Chief Police Commissioner based in
Southerton, responsible for Harare South
133. Musarahana MABUNDA
Assistant Police Commissioner
134. Barbara MANDIZHA, date of birth: 24/10/1959
Deputy Police Commissioner
135. Godwin MATANGA, date of birth: 05/02/1962
Deputy Police Commissioner
136. Innocent MATIBIRI, date of birth: 09/10/1968
Deputy Police Commissioner
137. Bothwell MUGARIRI
Senior Assistant Police Commissioner

138. Munyaradzi MUSARIRI
Assistant Police Commissioner
139. Elisha MUZONZINI, date of birth: 24/06/1957
Brigadier; formerly Director-General, Central Intelligence Organisation
140. Perence SHIRI, date of birth: 01/11/1955
Air Marshal, Air Force
141. Levy SIBANDA
Deputy Police Commissioner
142. Phillip Valentine SIBANDA, date of birth: 25/08/1956
Commander; Zimbabwe National Army
143. Innocent Tonderai MATIBIRI
Assistant Director General of the Police; Relative of Robert MUGABE (President)
144. Edmore VETERAI
Senior Assistant Police Commissioner, Officer Commanding Harare
145. Paradzai ZIMONDI, date of birth: 04/03/1947
Prisons Director
146. George CHIWESHE, date of birth: 04/06/1953
Chairman, Zimbabwe Electoral Commission
147. Joyce KAZEMBE
Deputy Chair, Zimbabwe Electoral Commission
148. Lovemore SEKERAMAYI
Chief Election Officer, Zimbabwe Electoral Commission
149. Abina CHAPFIKA, date of birth: 23/08/1961
Spouse of David CHAPFIKA (Minister of Agriculture)
150. Monica CHINAMASA, date of birth: 1950
Spouse of Patrick Anthony CHINAMASA (Minister of Justice)
151. Gamuchirai CHINAMASA, date of birth: 11/11/1991
Child of Patrick Anthony CHINAMASA (Minister of Justice)
152. Jocelyn CHIWENGA
Spouse of Lt. Gen. Constantine CHIWENGA (Commander Zimbabwe Defence Forces)
153. Ever CHOMBO, date of birth: 20/09/1956
Spouse of Ignatius CHOMBO (Minister of Local Government, Public Works, and Urban Development)
154. Marian CHOMBO, date of birth: 11/08/1960
Spouse of Ignatius CHOMBO (Minister of Local Government, Public Works, and Urban Development)
155. Hellin Mushanyuri GONO, date of birth: 06/05/1962
Spouse of Gideon GONO (Governor, Reserve Bank of Zimbabwe)
156. Natasha MUCHINGURI, date of birth: 1994
Child of Oppah Chamu Zvipange MUCHINGURI (Minister of Women's Affairs)

157. Tanya MUCHINGURI, date of birth: 1989
Child of Oppah Chamu Zvipange MUCHINGURI (Minister of Women's Affairs)
158. Grace MUGABE, date of birth: 23/07/1965
Spouse of Robert MUGABE (President)
159. Rose Jaele NDLOVU, date of birth: 27/09/1939
Spouse of Sikhanyiso NDLOVU (Minister of Information and Publicity)
160. Georgina Ngwenya NKOMO, date of birth: 4/08/1966
Spouse of John NKOMO (Speaker of Parliament and Chairman of ZANU-PF)
161. Louise S. NKOMO, also known among other names as Louise Sehulle NHEMA, date of birth: 25/08/1964
Spouse of Francis NHEMA (Minister of Environment and Tourism)
162. Peter Baka NYONI, date of birth: 10/01/1950
Spouse of Sithembiso NYONI (Minister of Small and Medium Enterprise Development)
163. Tsitsi Chihruai SEKERAMAYI, date of birth: 1944
Spouse of Sydney SEKERAMAYI (Minister of Defence)
164. Tinaye Elisha CHIGUDU, date of birth: 13/08/1942
Provincial Governor, Manicaland
165. Willard CHIWEWE, date of birth: 19/03/1949
Provincial Governor, Masvingo
166. Josaya Dunira HUNGWE, date of birth: 07/11/1935
Formerly Provincial Governor, Masvingo
167. Ray Joseph KAUKONDE, date of birth: 04/03/1963
Provincial Governor, Mashonaland East
168. David John MAFA
ZANU-PF Provincial Chairman, Mashonaland West
169. Sekesai MAKWAVARARA
Acting Mayor of Harare; Member of ZANU-PF Politburo
170. Ephraim Sango MASAWI
Governor, Mashonaland Central and ZANU-PF Politburo Deputy Secretary for Information and Publicity
171. Angeline MASUKU, date of birth: 14/10/1936
Provincial Governor, Matabeleland South and ZANU-PF Politburo Secretary for Gender and Culture
172. Cain Ginyilitshe Ndabazekhaya MATHEMA, date of birth: 28/01/1948
Provincial Governor, Bulawayo Metropolitan
173. Thokozile MATHUTHU
Provincial Governor, Matabeleland North and ZANU-PF Politburo Secretary for Transport and Welfare

174. Rido MPOFU ZANU-PF
Provincial Chairman, Mataberland South
175. Cephas George MSIPA, date of birth: 07/07/1931
Provincial Governor, Midlands
176. Nelson Tapera Crispin SAMKANGE
Provincial Governor, Mashonaland West
177. Cesar ZVAYI
178. Rudo Grace CHARAMBA, date of birth: 20/06/1964
179. Ijeoma DABENGWA, date of birth: 27/10/1971
180. Ruth Chipso MURERWA, date of birth: 27/07/1947
181. Beauty Lily ZHUWAO, date of birth: 10/01/1965

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Registration

SOR/2008-249 September 4, 2008

SPECIAL ECONOMIC MEASURES ACT

Special Economic Measures (Zimbabwe) Permit Authorization Order

P.C. 2008-1589 September 4, 2008

Her Excellency the Governor General in Council, on the recommendation of the Minister of Foreign Affairs, pursuant to subsection 4(4) of the *Special Economic Measures Act* ([see footnote a](#)), hereby authorizes the Minister of Foreign Affairs to issue to any person in Canada or any Canadian outside Canada a permit to carry out a specified activity or transaction, or any class of activity or transaction, that is restricted or prohibited pursuant to the *Special Economic Measures (Zimbabwe) Regulations*.

N.B. The Regulatory Impact Analysis Statement for this Order appears following SOR/2008-248, [Special Economic Measures \(Zimbabwe\) Regulations](#).

[Footnote a](#)

S.C. 1992, c. 17

Certificates and Permits

Canadian regulations imposing sanctions generally include mechanisms for issuing certificates and permits to authorize specified activities or transactions that are otherwise prohibited and for other purposes. The requirements for such certificates and permits are set out in the terms of the regulations.

To submit an application, or for more about information about this process and other certificate provisions under the regulations, please contact:

Department of Foreign Affairs and International Trade

Economic Law Section (JLHB)

125 Sussex Drive

Ottawa, Ontario

Canada K1A 0G2

Tel: (613) 995-1108

Fax: (613) 992-2467

Email: sanctions@international.gc.ca

To obtain a permit pursuant to the *Export and Import Permits Act* related to the *Export Control List*, the *Import Control List*, or the *Area Control List*, please refer to the web site of the [Export and Import Controls Bureau](#) or contact:

Export Controls Division (TIE)

Tel: (613) 996-2387

Fax: (613) 996-9933

Email: ECL?@international.gc.ca

Disclosure and Reporting Requirements

There are various disclosure and reporting requirements pursuant to regulations made under the *United Nations Act* and the *Special Economic Measures Act*, specifically in relation to provisions that freeze the financial assets of targeted individuals and entities. The obligations of persons in Canada (individuals and

entities), and Canadians abroad, under these provisions are set out in the terms of the regulations.

GlobalPhilanthropy.ca was created by Mark Blumberg, a lawyer at Blumberg Segal LLP in Toronto, Ontario. If you have legal questions about non-profit organizations or charities in Canada he can be contacted at mark@blumbergs.ca or at 416-361-1982 x. 237. To find out more about legal services that Blumbergs provides to Canadian charities and non-profits please visit the Blumbergs' Non-Profit and Charities page at http://www.blumbergs.ca/non_profit.php or <http://www.globalphilanthropy.ca>

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