Country Report: Biometrics and Digital Identity in Zimbabwe

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Executive Summary

This report focuses on Zimbabwe and is part of a multi-region research aimed to identify and compare the state of biometrics and digital identity threats, usage, and impact in Africa, the Balkans, Central Asia, Latin America and the Caribbean, and South and Southeast Asia.

This paper is focused on the use of biometric technologies in Zimbabwe, and the rollout of identification (ID) in the country along with prospects on the use of digital ID. The main findings of this desk research are that a significant portion of Zimbabwe's population is still without birth certificates due to a combination of factors, which range from the country's liberation struggle to, more recently, the COVID-19 pandemic. The lack of access to birth certificates has a knock-on effect since individuals need birth certificates to apply for national ID.

The lack of ID in turn leads to exclusion from accessing public and private sector services, which require some form of national identification. The use of biometrics is also examined in relation to elections and enjoyment of socio-economic rights. Although Zimbabwe does not have any digital ID, this research reflects on some of the current factors, which may hinder the effective rollout of digital ID in the future.

The report concludes with key recommendations on reforms to the country's civil registration system and changes needed to the regulation of biometric technologies in Zimbabwe.

Key Findings

This report details the following findings:

- Zimbabwe does not have a foundational digital ID in place as of June 2023. There is no publicly available information to indicate that the government is working towards the introduction of a digital ID system.
- The use of biometric technologies is on the rise in Zimbabwe, with the establishment of a biometric database for the storage and processing of biometric data relating to

the issuance of birth certificates, and national ID. This is accompanied with the following challenges:

- ❖ The government lacks the discipline to use collected biometric data only for the purposes they were originally collected for. This poses a real risk of using existing biometric databases for other purposes, such as law enforcement.
- ❖ The government's appetite for surveillance is a cause for concern, while the country's laws are not adequate to prevent mass, indiscriminate biometric-based surveillance.

- The rollout of digital ID in Zimbabwe will be slowed down mainly by the same issues as in case of country's non-digital, biometric IDs. These include:
  - ❖ Insufficient levels of civil registration in Zimbabwe present a significant barrier to obtaining a digital ID, as the challenges of getting a birth certificate will hinder individuals from applying for such identification.
  - ❖ Zimbabwe's legal and policy framework as it relates to birth certificates and ID is outdated and needs to be revised to bring it in compliance with the 2013 Constitution, as well as advancements in ID technologies.
  - ❖ Zimbabwe still faces infrastructure problems, such as electricity loadshedding, which may make it a challenge to power digital ID equipment and verify digital IDs, especially in rural areas.

Key Recommendations

- **The Government of Zimbabwe is urged to focus on:**

  Civil Registration Reforms: Enhance the rate of civil registration through a combination of legal reforms and decentralization to increase access to identification documentation, such as birth certificate.

  Impact Assessments Relating to Biometric Technologies: Conduct privacy assessments prior to the adoption of biometric technologies.

The findings in this report serve as a call to action for the government of Zimbabwe to avoid rolling out a digital ID system prior to addressing civil registration, legal and infrastructural challenges in the country.

Introduction

Biometric technologies have emerged as a powerful tool for identity verification and authentication, with many governments and organizations around the world implementing biometric identification systems. In Zimbabwe, the government has rolled out a biometric national identification system, which citizens rely on to access a host of public and private services.

The implementation of biometric identification systems has the potential to address many challenges faced by Zimbabwe, including identity theft, fraud, and inefficient service delivery. However, the adoption of such systems also raises significant questions around privacy, data protection, inclusion, and equity of access. These issues are particularly salient in the Zimbabwean context, where there is a need to balance the benefits of technological innovation with the need to protect rights and interests of citizens, especially those who are marginalized or excluded from digital services.

This report explores the implementation of biometric identification systems in Zimbabwe, focusing on the opportunities and challenges presented by this technology. It examines the history and context of identification process and use of biometrics in Zimbabwe, and the prospects for digital ID in the country. Ultimately, the report seeks to contribute to a deeper understanding of the potential of biometric identification systems to promote socio-economic, cultural, and political development and improve the lives of citizens in Zimbabwe, while also highlighting the need for careful attention to issues of privacy, equity, and inclusion.

Methodology

Table 1: Research Topic and Research Questions (by MISA Zimbabwe)

Research Topic	Biometrics and Digital ID (BDI) in Zimbabwe
Research Questions	What are the BDI developments in Zimbabwe from 2020 to date? What are the core challenges impeding the adoption of digital ID in Zimbabwe?

This report is the result of desk research examining Zimbabwean laws regulating the issuance of birth certificates and ID, as well as use of biometric technologies and digital ID in the country. Additionally, this research includes a review of primary sources reflecting on the relationship between elections and ID systems as enablers to the enjoyment of fundamental rights. Zimbabwe was selected as a focus country to illustrate the barriers to digital ID adoption in a context where civil registration is a core barrier to individuals' ability to obtain identification documentation.

Research Limitations

This research was limited by the following:

- **Assumptions in sources**: this report relied on publicly accessible material, with the reviewed studies and reports containing the assumptions and bias of respective authors in their individual and professional capacities.

Glossary

Biometrics	A measurable physical characteristic or personal behavioral trait used to recognize the identity, or verify the claimed identity, of an applicant. This report details the collection of biometrics in Zimbabwe, namely fingerprints.[1]
Civil Registration	The act of recording and documenting vital events in a person's life (including birth, marriage, divorce, adoption, death and cause of

[1] NIST, 'Glossary – Biometrics,' https://csrc.nist.gov/glossary/term/biometrics, accessed 3 February 2023.

	death). Civil registration is a fundamental function of national governments. Birth registration establishes an individual's legal identity at birth. A legal identity, name, nationality, and proof of age are important human rights. They enable individuals to be included in various government, social and private services, and include the right to vote, etc.[2]
Digital Identity (ID)	Digital ID allows for unique and secure identification and authentication of a person's identity, which grants access to a range of online services… A Digital ID platform can help create and automate identification systems through: (a) Biometrics: the use of electronically captured facial features, iris patterns or fingerprints to authenticate a person's identity, (b) Digital databases: replacing paper files with electronic records of identity data, which reduces costs and increases efficiency, as well as safeguards information against disasters, (c) Digital credentials: once identity information is captured and verified, governments can issue their citizens digital tokens that help keeping track of health records, financial information and social benefits, (d) Mobile, online and offline applications: provide access to health, education, banking and a range of social services through digital authentication.[3]
National Biometric Database	A government-approved project in Zimbabwe to produce e-passports, national identity cards and birth certificates.[4]

[2] World Bank, 'Global Civil Registration and Vital Statistics,' https://www.worldbank.org/en/topic/health/brief/global-civil-registration-and-vital-statistics, accessed 24 April 2023.
[3] World Bank Group, 'Brief on Digital Identity,' https://thedocs.worldbank.org/en/doc/413731434485267151-0190022015/render/BriefonDigitalIdentity.pdf, accessed 24 April 2023.
[4] Biometric Update, 'Zimbabwe contracts for biometric passports production,' https://www.biometricupdate.com/202106/zimbabwe-contracts-for-biometric-passports-production, accessed 24 April 2023.

History of Zimbabwe's Identity Systems

Even though it has been four decades since Zimbabwe gained independence from British colonialism, the modern identity system is still heavily influenced by its colonial past.[5] Pre-independence, various ID systems were used to facilitate taxation, curb the movement of the majority Black population and control access to services. Post-independence, the ID system is closely linked to the concept of citizenship and is a determining factor of who can vote in local and national elections.

Since 1976, the issuance of national IDs has been a statutory requirement outlined in and regulated by the National Registration Act (NRA, 1976).[6] The NRA provides for the registration of all persons in Zimbabwe who are 18 years and above. It also specifies the requirements for obtaining a national identity card and procedures for updating personal information. The NRA also established the Registrar General's Office, a government agency responsible for maintaining records of births, deaths, and marriages in Zimbabwe and processing identity documents. The agency is under the Ministry of Home Affairs and Cultural Heritage and is headed by the Registrar General.[7]

Table 1: National Registrar's Main Functions

Zimbabwe: National Registrar

- This office is responsible for managing the Central Registry. The National Registrar's main functions include:
  - ❖ Registering births, deaths, and marriages that occur in Zimbabwe.
  - ❖ Issuing birth, death, and marriage certificates to individuals who apply for them.
  - ❖ Maintaining records of births, deaths, and marriages and providing copies of these records to individuals or organizations that require them.
  - ❖ Managing national identification system and issuing national identity cards to eligible citizens and residents of Zimbabwe.
  - ❖ Enforcing laws related to registration of births, deaths, and marriages, as well as national identification.

[5] Manby, B, 'Report on Citizenship Law: Zimbabwe,' https://cadmus.eui.eu/bitstream/handle/1814/60436/RSCAS_GLOBALCIT_CR_2019_01.pdf?sequence=1, accessed 2 April 2023.
[6] National Registration Act (Chapter 10:17) amended through Acts 36/1976; 41/1978; 17/1979; 1/1984; 14/1994; and 22/2001, https://media.zimlii.org/files/legislation/akn-zw-act-1976-36-eng-2016-12-31.pdf, accessed 2 April 2023.
[7] Official Government of Zimbabwe Web Portal, http://www.zim.gov.zw/index.php/en/my-government/provinces/harare/228-sectors/358-births,-marriages-deaths, accessed 2 April 2023.

Since 2013, access to national ID cards and other state-issued documents is a constitutional right for every Zimbabwean citizen.[8] The Zimbabwean Constitution sets out three distinct but equal classes of citizens, namely, citizens by birth, by descent and by registration.[9] The Constitution unequivocally states that these three types of citizens are "equally entitled to the rights, privileges and benefits of citizenship."[10] This means that, unlike in the past, citizens by descent can, for example, vote and participate in Zimbabwean democratic processes in the same way as citizens by birth.

Citizenship in Zimbabwe is also regulated by the Citizenship of Zimbabwe Act, 1984. This Act provides for the acquisition, loss, and renunciation of citizenship in Zimbabwe. It sets out criteria for determining who is considered a citizen of Zimbabwe and specifies the requirements for registering a birth for citizenship purposes.[11]

The Zimbabwe national ID card is issued upon application to citizens above the age of 16. The ID card contains an individual's biometric data in the form of the individual's facial image and fingerprints captured during the registration process. The ID number itself is a unique 11/12-character alphanumeric number and one alphabet character assigned upon registration at birth and included in a birth certificate issued in terms of the Births and Deaths Registration Act (Chapter 5:02). When applying for their first identity document, an applicant must produce a copy of their birth certificate and usually their father's ID document and then pay a statutory application fee.

The ID card application process requires that an applicant have a birth certificate, as well as one of their parents' (or guardians') ID cards.[12] Without these two documents it is difficult, if not impossible, to apply for a national ID card. Birth certificates are the

[8] Constitution of Zimbabwe, 2013 sec 35(3), https://www.constituteproject.org/constitution/Zimbabwe_2013.pdf, accessed 2 April 2023.
[9] Constitution of Zimbabwe, 2013 sec 35(1), https://www.constituteproject.org/constitution/Zimbabwe_2013.pdf, accessed 2 April 2023.
[10] Constitution of Zimbabwe, 2013 sec 35(2), https://www.constituteproject.org/constitution/Zimbabwe_2013.pdf, accessed 2 April 2023.
[11] Citizenship of Zimbabwe Act (Chapter 4:01), https://media.zimlii.org/files/legislation/akn-zw-act-1984-23-eng-2016-12-31.pdf, accessed 2 April 2023.
[12] National Registration Act sec 6, https://media.zimlii.org/files/legislation/akn-zw-act-1976-36-eng-2016-12-31.pdf, accessed 2 April 2023.

foundation of Zimbabwe's ID system and are regulated by the Births and Deaths Registration Act.[13]

The Births and Deaths Registration Act makes it compulsory to register births, still births and deaths within 42 days of the event's occurrence.[14] It is the responsibility of the parents to register the birth of their child and, when doing so, they must produce and submit a copy of their own ID card. In the absence of a newborn's parents, for example due to death, an adult responsible for that baby may register the birth and apply for a birth certificate. The Registrar General has the discretion to make regulations, which determine the form and manner of giving notice of a birth.[15]

The birth registration process is somewhat complicated in practice. When a child is born in a maternity home or health institution, that institution issues the mother with a birth record. The birth record affirms the child's sex, place and time of birth, and the mother's identity. The mother then presents this birth record together with her ID to the Registrar when applying for a birth certificate. If the child is born in wedlock, then the Registrar will also require a copy of the couple's marriage certificate and a copy of the father's ID card.

Additionally, both parents must physically appear at the Registrar's office to apply for the birth certificate. If a child is born out of wedlock, the child can be registered in the mother's name only, unless the father is physically present at registration and has agreed to the inclusion of his name on the birth certificate. A man's consent to being listed as the father on the birth certificate is still prioritized and this leads to a protracted process in instances when the man withholds such consent.

Birth certificates are comparatively more important than the national ID card because birth certificates are a prerequisite to accessing healthcare, including mandatory immunizations, and education.[16] A birth certificate is also required when applying for an ID

[13] This is the primary legislation that governs birth registration in Zimbabwe, with subsidiary regulations establishing the procedures for obtaining birth certificates.
[14] Births and Deaths Registration Act (Chapter 5:02) sec 10, https://www.law.co.zw/download/births-and-deaths-registration-act/, accessed 2 April 2023.
[15] Births and Deaths Registration Act sec 26 (2)(c) , https://www.law.co.zw/download/births-and-deaths-registration-act/, accessed 2 April 2023.
[16] Research & Advocacy Unit, 'A Right or a Privilege: Access to Identity and Citizenship in Zimbabwe,' https://citizenshiprightsafrica.org/wp-content/uploads/2016/07/Dube_Zim_Right-or-privilege-Citizenship-Identity-2008.pdf, accessed 11 April 2023.

document and a passport. There is no other document that can replace a birth certificate, whereas if someone cannot produce an ID document, they can use a valid passport or driver's license card instead.

Results: Biometric Technologies in Zimbabwe

National Documents

The main use of biometrics in Zimbabwe is for identity verification purposes. Since the enactment of the National Registration Act in 1976, ID cards contain the ID holder's facial image. National passports and driving licenses have also included the holder's facial image. These documents evolved to include the person's signature and thumb print.

The biometric data collected and processed as part of the issuance of national documents, such as the national ID card, passport, and driver's license, was initially stored in centralized, document-based databases. In 1996, the government initiated a digitization program, which led to the digitization of the country's civil registry data and archives. Since then, data collected during the ID application process is stored in digital formats.[17] Digitization also helped to ensure that civil registry records were accessible from the several Registrar General offices located in mostly urban centers around the country.

Between 1996 to date, the government has made some changes to the format of the national ID card and passport respectively. Previously, the national ID card was made from aluminium and contained holder's facial image, their name, date of birth, place of birth, village of origin and unique ID number. The ID number is a "11- or 12-character alphanumeric number containing one alphabet character and the rest of the characters being numbers."[18] This ID also contained information on the holder's citizenship status. This aluminium ID card was not machine-readable.

[17] Ngwenya, N - Research ICT Africa, 'Digital Identity in Zimbabwe,' https://researchictafrica.net/wp/wp-content/uploads/2021/11/Zimbabwe_31.10.21.pdf, accessed 11 April 2023.
[18] GitHub, 'Zimbabwe National ID Format,' https://github.com/Umlamulankunzi/Zim_ID_Codes, accessed 11 April 2023.

In 2010, Zimbabwe introduced a plastic national ID card,[19] which captured the information contained in the aluminium ID with the addition of the holder's thumb print and signature. The plastic ID security features include a hologram, watermark, invisible personal information coded on the photo, UV fluorescence, and iridescent ink. The ID card also has machine-readable code and number different from the unique ID number. Aluminium national ID cards remain valid, but lost or damaged national ID cards are replaced with the plastic ID card.

Zimbabwe's passport contains the holder's name, date of birth, place of birth, facial image, fingerprint, national ID number and a unique passport number. In December 2021, government launched a biometric passport, which is also sometimes referred to as an e-passport.[20] This updated passport contains all the information as the old passport, the main difference is that the e-passport contains a machine-readable electronic chip that helps in authentication as it has the fingerprint, photo, and signature of the passport holder.

The driver's license has not changed in its format – it is still printed on aluminium and contains the holder's facial image, ID number, signature, and unique license number. The license is not machine-readable and does not contain any digital security features like national ID card or passport.

Biometric Voter Registration

Apart from using biometrics in national IDs, passports, and driver's licenses, Zimbabwe has used biometric technologies for other purposes, such as voter registration and weeding out ghost workers from the civil servant payroll. In October 2017, the Zimbabwe Electoral Commission (ZEC) launched a national Biometric Voter Registration (BVR) exercise in preparation for the 2018 national harmonized elections.[21] The BVR exercise was primarily conducted to reconstitute the national voter's roll by using biometric data to verify the

[19] Share, F, 'RG's Office rolls out mobile reg •Nationwide programme to run for 3 months •Metal IDs to be phased out,' https://www.herald.co.zw/rgs-office-rolls-out-mobile-reg%e2%80%a2-nationwide-programme-to-run-for-3-months-%e2%80%a2-metal-ids-to-be-phased-out/, accessed 11 April 2023.
[20] VOA, 'Zimbabwe Introduces Electronic Passports Amid Huge Backlog of Travel Documents,'https://www.voazimbabwe.com/a/zimbabwe-electronic-passports/6354553.html, accessed 11 April 2023.
[21] UNDP, 'Biometric voter registration ongoing in Zimbabwe – EC-UNDP JTF,' https://www.ec-undp-electoralassistance.org/en/biometric-voter-registration-ongoing-in-zimbabwe/, accessed 11 April 2023.

identity of registering voters. Voter registration involved capturing of each voter's name, facial image, fingerprints, ID number, birth information, and contact information including proof of residence.[22]

The acquisition of BVR equipment was initially supposed to be financed by the United Nations Development Programme (UNDP)[23] due to, among other things, Zimbabwe's lack of funds to finance the exercise. The Zimbabwe government later took over the acquisition process – a move which civil society stakeholders suspected was meant to give the government greater control over the selection of vendors to supply the BVR equipment.[24]

ZEC made it clear that biometric voter registration did not mean that the actual voting process would also be electronic, but voting would rather be based on the casting of paper ballots.[25] According to reports, 4.87 million people or 67.5% of Zimbabwe's eligible voting population had registered via the BVR exercise by January 2018.[26] Zimbabwe has also conducted BVR exercises in preparation for the country's upcoming harmonized elections scheduled for August 23, 2023.[27]

Biometric Registration of Civil Servants

The government of Zimbabwe has also used biometric technologies to audit and verify the identity of civil servants for purposes of removing ghost workers from the government payroll.[28] This program was conducted by the government through its Public Service Commission (PSC) with the support of the World Bank (WB). This was also a biometric registration exercise in which the biometric features of active civil servants were captured and used to enroll them in a civil service register.

[22] ZEC, 'How to register as a voter,' https://www.zec.org.zw/how-to-register-as-a-voter/, accessed 11 April 2023.
[23] UNDP, 'Procurement Notices,' https://procurement-notices.undp.org/view_notice.cfm?notice_id=34702, accessed 11 April 2023.
[24] The NewsDay, 'Opposition parties mull nationwide demos over BVR kits,' https://www.newsday.co.zw/2017/02/22/opposition-parties-mull-nationwide-demos-bvr-kits, accessed 11 April 2023.
[25] The Herald, '2018: Biometric voting ruled out,' https://www.herald.co.zw/2018-biometric-voting-ruled-out/, accessed 11 April 2023.
[26] Ibid, n. 20.
[27] BBC, 'Zimbabwe elections 2023: What you need to know,' https://www.bbc.com/news/world-africa-65775996, accessed 25 June 2023.
[28] The Herald, 'Biometrics to weed out ghost workers,' https://www.herald.co.zw/biometrics-to-weed-out-ghost-workers/, accessed 11 April 2023.

The biometric registration was broken up into three stages namely, (1) biometric registration of civil servants, (2) interfacing of captured data with the national biometric registration data, and (3) validation of data and a process of integrity checks. In December 2020, the government announced that the process had resulted in the flushing out of about 10,000 ghost workers that were not "biometric compliant," meaning their information could not be matched to any other biometric data from the civil registry or other national biometric databases.[29]

National Biometric Database

In May 2021, the government announced that the "Cabinet considered and approved the proposed engagement of a private partner in the implementation of a National Biometric Database for the production of e-passports, national identity cards and birth certificates."[30] In the same announcement, government stated that the unnamed partner would help government to clear a passport production backlog, which stretched back to March 2019 and involved an estimated 225,000 passports.[31]

Government stated that it was working to migrate all civil registry data to this biometric database by December 2021.[32] Given that this National Biometric Database will be used to produce documents issued by the Registrar General, it will most likely be under control of the Ministry of Home Affairs and Cultural Heritage.

The announcement of the National Biometric Database followed the launch of the National Data Centre in February 2021. The construction of the National Data Centre reportedly began in 2018, and the government expected the data center to be used "to centralize and digitize government services."[33] Speaking about the National Data Centre in 2019, then Deputy Minister of ICT stated that the Centre would be useful in consolidating services,

[29] Zimbabwe, N, 'Govt Dumps 10 000 Ghost Workers,' https://www.newzimbabwe.com/govt-dumps-10-000-ghost-workers, accessed 11 April 2023.
[30] The Herald, 'Passports: Good news for Diasporans,' https://www.herald.co.zw/passports-good-news-for-diasporans/, accessed 11 April 2023.
[31] NewZimbabwe, 'Govt Engages Partner To Produce 4 Million e-Passports A Year,' https://www.newzimbabwe.com/govt-engages-partner-to-produce-4-million-e-passports-a-year/. , accessed 11 April 2023.
[32] Ibid, n. 21.
[33] DCD, 'National Data Center in Zimbabwe opens,' https://www.datacenterdynamics.com/en/news/national-data-center-zimbabwe-opens/, accessed 12 April 2023.

applications, and infrastructure to provide efficient electronic services among government departments, between government and citizens and between businesses and government.[34] These statements indicate that the National Data Centre would lean more towards the introduction and implementation of e-government processes. There is no publicly available information on the extent and type of biometric information, which may be processed as part of those e-government activities.

Surveillance and Use of Biometric Technologies

In 2021, Japan donated USD 3.6 million worth of cybersecurity equipment to Zimbabwe's police force for use in the fight against cybercrime.[35] This was in fulfilment of Japan's 2018 pledge to assist national and regional policing efforts against cybercrime in southern Africa. According to a statement from the Japanese Embassy, the cybersecurity equipment is developed by Japanese firm NEC Corporation and includes, 'digital forensic tools, face recognition systems and an information sharing platform.' The equipment will be used by the ZRP in collaboration with regional police forces with the aim of facilitating '...investigations of crimes committed through the use of electronic devices, detection of criminals entering the country, and increased collaboration between the police forces of the region.'[36]

[34] TechZim, 'Zim Government National Data Centre Project Nearing Completion,' https://www.techzim.co.zw/2019/02/zim-government-national-data-centre-project-nearing-completion/, accessed 12 April 2023.
[35] The Standard and Newsday, 'Japan donates cyber equipment to police,' https://www.newsday.co.zw/local-news/article/18221/japan-donates-cyber-equipment-to-police, accessed 12 April 2023.
[36] Japanese Embassy in Zimbabwe, 'Japan to provide cybersecurity equipment to assist Zimbabwe Republic Police and regional police forces in tackling cyber- and transnational,' https://www.zw.emb-japan.go.jp/files/000419144.pdf, accessed 12 April 2023.

Analysis: Digital ID in Zimbabwe

There have been reports of trials of digital ID programs in Zimbabwe, but the country does not currently have a foundational digital ID program. Some of the reported trials include a welfare-based digital ID system for cash transfers. It is reported that this trial was rolled out in Rushinga District by the Zimbabwean Ministry of Labor and Social Welfare working in collaboration with World Food Programme (WFP) and United Nations Children's Fund (UNICEF).[37] Information about this pilot program is anecdotal, as there is no publicly available information on its extent or duration.

Civil Registration: Hurdle to Zimbabwean ID Programs

A significant portion of Zimbabwe's child population does not have birth certificates. This is due to several political and natural factors. Zimbabwe's liberation struggle ended in the late 1970s. Soon after independence, the Gukurahundi genocide left an estimated 20,000–40,000 people dead in the country's Midlands and Matabeleland regions.[38] Births, which took place during the liberation war and during the Gukurahundi years, were sometimes not registered. Both incidents also led to a spike in the number of orphans and survivors who have no way to access birth certificates or ID cards for themselves or for their own offspring.

In a similar way, epidemics, such as the HIV/AIDS crisis in the early 1990s[39] and COVID-19 epidemic, have also left several orphaned survivors who do not have birth certificates. Most children born between April 2020 to September 2021 were not registered and are now

[37] Chair, C. & Majama, K, 'Digital IDs in Zimbabwe: A Case Study,' https://digitalid.theengineroom.org/assets/pdfs/%5bEnglish%5d%20Zimbabwe%20Case%20Study%20-%20DigitalID%20-%20The%20Engine%20Room.pdf, accessed 11 April 2023.
[38] Isheanesu Gusha, 'Memories of Gukurahundi massacre and the challenge of reconciliation,' http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1017-04992019000100010, accessed 11 April 2023.
[39] Daniel T. Halperin et al., 'A Surprising Prevention Success: Why Did the HIV Epidemic Decline in Zimbabwe?' https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3035617/, accessed 12 April 2023.

technically and legally invisible to the State, resulting in limited or no access to key social services such as health, social protection, and welfare.[40]

Survivors of the liberation struggle, Gukurahundi and epidemics who have now given birth to children of their own face challenges in getting birth certificates for those children since a parents' ID is required to register a birth and process child's birth certificate. This results in generations of undocumented people.

Apart from the historical factors discussed above, Zimbabwe's birth registration rates remain low in modern times with only 49% of the population being registered. In rural areas this figure drops to 40%, whereas in urban setting is stands at 69%.[41] Across the country, unregistered children are almost inevitably the children of the poor and excluded.[42] This is because parents with higher levels of income are able, for example, to afford private healthcare and not public hospitals, which are often out of medication and other essential basics such as running water or electricity. The high cost of healthcare has led to an increase in home births. It is estimated that around 32% of children born at home are registered.[43]

Birth Certificates and Socio-Economic Rights in Zimbabwe

A name and nationality are every child's right enshrined in the Convention on the Rights of the Child (CRC)[44] and other international treaties. Registering children at birth is the first step in securing their recognition before the law, safeguarding their rights, and ensuring that any violation of these rights is remedied. Birth certificates are proof of registration and the first form of legal identity and are often required to access health care or education.

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[40] UNICEF, 'Strengthening Zimbabwe's Civil Registration System,' https://www.unicef.org/zimbabwe/media/7001/file/Strengthening%20Zimbabwe%E2%80%99s%20Civil%20Registration%20System.pdf, accessed 12 April 2023.
[41] UNICEF, 'Multiple Indicator Cluster Survey,' https://www.unicef.org/zimbabwe/media/2536/file/Zimbabwe%202019%20MICS%20Survey%20Findings%20Report-31012020_English.pdf, page 238, accessed 12 April 2023.
[42] Ibid, n. 39.
[43] World Bank, 'The State of Identification Systems In Africa,' https://openknowledge.worldbank.org/server/api/core/bitstreams/5f0f3977-838c-5ce3-af9d-5b6d6efb5910/content, accessed 12 April 2023.
[44] OHCHR, 'Convention on the Rights of the Child,' https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child, accessed 12 April 2023.

Having legal identification can also be one form of protection from entering into marriage or the labor market, or being conscripted into the armed forces, before the legal age. Birth registration and certification is also legal proof of one's place of birth and family ties and is necessary to obtain a national ID or passport. In adulthood, birth certificates may be required to obtain social assistance or a job in the formal sector, buy or inherit property and vote.[45]

Challenges obtaining birth certificates in Zimbabwe have a significant impact on a child's access to socio-economic rights. Birth certificates serve as a legal proof of person's identity, age, and citizenship.

Without a birth certificate, it may be difficult for a child to enroll in school or receive healthcare services. In some cases, children may be denied basic rights and services altogether, such as access to food assistance programs or vaccinations. Lack of a birth certificate can also affect employment opportunities, as many employers require proof of identity and age before hiring.

In addition, lack of a birth certificate can make it challenging for individuals to participate fully in society and exercise their rights as citizens. They may be unable to vote, access government services, or even open a bank account. These limitations can perpetuate cycles of poverty and exclusion, particularly for marginalized communities. In this way, the lack of birth certificates can have a far-reaching impact on an individual's ability to access socio-economic rights, and addressing this issue is critical to promoting equity and social justice.

Biometrics and Elections in Zimbabwe

The introduction of election management technologies was expected, in part, to guarantee the credibility of electoral processes. However, the use of BVR in Zimbabwe shows that this is not always the case.[46] BVR has been controversial since its introduction, with the Zimbabwe government's choice of a Chinese supplier giving rise to fears of surveillance and

[45] Ibid, n. 40.
[46] Mude. T, 'Digital Technologies and Election Management in Zimbabwe,' https://www.jstor.org/stable/48682671, accessed 12 April 2023.

government collusion to influence the voter registration process in traditional opposition strongholds.[47]

After the conclusion of the BVR process, 250,000 ghost voters found in the 2018 voters roll, while the Zimbabwe Election Support Network Observation (ZESN) report highlighted the existence of 77,814 statistically improbable voter details in the same voter register.[48] These irregularities show that the use of BVR is not a quick solution to fixing voter rigging in Zimbabwe, but the adoption of BVR may be useful in sanitizing the government's vote rigging tendencies.

The biometric data collected as part of the BVR process requires the creation and maintenance of a biometric database. There are privacy concerns related to the processing and storage of this biometric data. These concerns are not unfounded, because in the past the ZEC has shared voters' personal information with the country's ruling party – Zimbabwe African National Union – Patriotic Front (ZANU-PF).

Illustratively, just before Zimbabwe's last general election held on July 31, 2018, registered voters who use the Econet network received targeted SMS from the ZANU-PF. Econet is Zimbabwe's largest provider of telecommunications services.[49] Each SMS included the recipient's name and constituency and asked the recipient to vote for ZANU-PF's parliamentary candidate in that constituency, as well as ZANU-PF's presidential candidate. The Econet subscribers who received these targeted SMSs were individuals who had recently registered to vote during the biometric voter registration, which was held in the months leading up to the elections.

One recipient of these targeted messages filed an application in the High Court of Zimbabwe in July 2018, arguing, among other things, that the electoral commission's sharing of his

[47] VOA Zimbabwe, 'Chinese Company Wins $4 Million ZEC Biometric Voter Registration Tender,' https://www.voazimbabwe.com/a/zimbabwe-electoral-commission/3887026.html, accessed 11 June 2023. See also: The Economist, 'China is helping Zimbabwe to build a surveillance state,' https://www.economist.com/middle-east-and-africa/2022/12/15/china-is-helping-zimbabwe-to-build-a-surveillance-state, accessed 25 June 2023.
[48] ZESN Observation Report, 'Report on the 30 July 2018 Harmonised Election,' https://www.veritaszim.net/sites/veritas_d/files/ZESN-Report-on-the-30-July-2018-Harmonised-Election.pdf, accessed 12 April 2023.
[49] ECONET, https://www.econet.co.zw/, accessed 23 June 2023.

contact details with the ruling party was an infringement of his right to privacy. However, the court reserved judgement indefinitely and is yet to hand it down as of June 2023.[50]

Zimbabwe is scheduled to hold harmonized national elections in 2023, with registered voters reporting their receipt of personalized and targeted SMSs prompting them to vote for ZANU-PF.[51] The voters targeted with these SMSs claim not to be ZANU-PF supporters and all reported evidence so far points to ZEC sharing voters' personal contact information with the ruling party without consent.

This repeated non-consensual sharing of voter information is reminiscent of the government's willingness to share biometric information with a Chinese supplier of facial recognition equipment that Zimbabwe had tried to acquire in 2018. The government of Zimbabwe almost entered into an agreement with Chinese government-backed technology firm, Cloudwalk Technologies. Under that deal, Cloudwalk Technologies would supply Zimbabwe with facial recognition equipment. In return, Zimbabwe would pay the agreed price, i.e., sending biometric data to China for use in training its facial recognition algorithms.[52]

It is reported that this deal fell apart due to failure to agree on the final cost of the project. Zimbabwe tried to use Cloudwalk Technologies' request for Zimbabwean biometric data as a bargaining chip to lower the cost of the agreement, but Cloudwalk refused. Zimbabwe is reported to have then considered alternative suppliers like Hikvision,[53] but the author of this report has not been able to confirm whether a deal to source facial recognition technologies was then finalized. The Cloudwalk Technologies negotiations indicate that the government is willing to transfer citizens biometric data for the right price.

The use of biometric technologies for law enforcement raises questions about the likelihood of government repurposing other databases, such as the civil registry database for law

[50] Bulawayo24 News, 'Zanu-PF, Econet dragged to court over SMS,' https://bulawayo24.com/index-id-news-sc-national-byo-140387.html, accessed 12 May 2023.
[51] Pindula, 'ZEC Criticised For Sharing Voters' Phone Numbers With ZANU PF,' https://news.pindula.co.zw/2023/04/04/zec-criticised-for-sharing-voters-phone-numbers-with-zanu-pf/, accessed 12 April 2023.
[52] Privacy International, 'Huawei and Surveillance in Zimbabwe,' https://privacyinternational.org/long-read/4692/huawei-and-surveillance-zimbabwe, accessed 15 May 2023.
[53] S Prasso, 'China's Digital Silk Road Is Looking More Like an Iron Curtain,' https://www.capitalmarketsinafrica.com/chinas-digital-silk-road-is-looking-more-like-an-iron-curtain/, accessed 12 April 2023.

enforcement matters. This is highly possible given the government's disregard for the rule of law and its appetite for surveillance. The existing Cyber and Data Protection Law is not yet enforced in a way that would prevent mission creep or repurposing of databases which were created for non-law enforcement issues.[54]

Conclusion and Recommendations

Currently, Zimbabwe does not have a foundational digital ID in place. There is no publicly available information to indicate that the government is working towards the introduction of a digital ID system. The rollout of digital ID in Zimbabwe will be slowed down mainly by the same issues as in case of rollout of country's non-digital, biometric IDs.

This conclusion is underpinned by various realities:

- Firstly, insufficient levels of civil registration in Zimbabwe present a significant barrier to obtaining a digital ID, as the challenges of getting a birth certificate will hinder individuals from applying for such identification.
- Secondly, Zimbabwe's legal and policy framework as it relates to birth certificates and ID is outdated and needs to be revised to bring it into line with the 2013 Constitution, as well as advancements in ID technologies.
- Lastly, Zimbabwe still faces infrastructure problems, which may make it a challenge to verify digital IDs and access services using digital ID, especially in areas, which are outside the country's urban areas. Zimbabwe is prone to electricity loadshedding, which may affect the availability of internet connectivity and electricity to power the equipment needed to read digital ID.

Rolling out digital ID before these issues are sorted out is likely to lead to the exclusion of indigent populations. It is estimated that in 2019 about 42% of Zimbabweans lived in extreme poverty, or on less than USD 29.80 per month.[55] This is because people earning

[54] Cyber and Data Protection Act (chapter 12:07), https://www.veritaszim.net/node/5522, accessed 11 May 2023. See also: The Data Protection Act [Chapter 11:22], https://www.veritaszim.net/sites/veritas_d/files/Data%20Protection%20Act%205%20of%202021.pdf, accessed 11 May 2023.

[55] Zimbabwe economic update overcoming economic challenges, natural disasters, and the pandemic: social and economic impacts https://documents1.worldbank.org/curated/en/563161623257944434/pdf/Overcoming-Economic-Challenges-Natural-Disasters-and-the-Pandemic-Social-and-Economic-Impacts.pdf.

lower incomes are more likely to lack national documentation, such as birth certificates and national ID. This is problematic because access to socio-economic rights and opportunities, such as education, healthcare and gainful employment relies on some form of legal identification.

The use of biometric technologies is on the rise in Zimbabwe, with the establishment of a biometric database for the storage and processing of biometric data relating to the issuance of birth certificates, and national ID. However, there are indications that government lacks the discipline to use collected biometric data only for the purposes they were originally collected for. This poses a real risk of using existing biometric databases for other purposes, such as law enforcement. The government's appetite for surveillance is also a cause for concern, given that the country's laws are not adequate to prevent mass, indiscriminate biometric surveillance.

Recommendations

Civil Registration Reforms

The Government of Zimbabwe should enhance the rate of civil registrations through a combination of legal reforms and decentralization as a way of promoting the accessibility of the Registrar General's office. The current birth certificate application procedures are cumbersome for single parents who intend to apply for their children's birth certificates. The law is also very rigid on the registration of birth certificates for orphans who do not have guardians. This should be changed to introduce other ways in which undocumented orphans can be assisted to get documents in the form of birth certificates and IDs.

Further, the Registrar General's offices are usually located in urban and semi-urban centers, which compels residents of rural areas to commute to those centers to get assistance. The lack of funds to travel to urban areas is a hurdle to access. The Registrar General must decentralize their operations and make use of local community centers to help facilitate easier access.

Impact Assessments and Laws Relating to Biometric Technologies

The Government of Zimbabwe should conduct privacy impact assessments before it adopts the use of any biometric technologies. This will be helpful in determining how each biometric technology will impact the right to privacy and enjoyment of other fundamental rights.

Additionally, there is need to ensure that laws and policies are in place to guard against the repurposing of biometric databases, which are created using biometric technologies. Furthermore, it is necessary to put in place adequate security for biometric databases given the sensitivity of biometric data.

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