

Foreign Judgment Enforcement: Zimbabwean High Court holds that a Confirmed Mareva Injunction is a Final Judgment

In the Zimbabwe High Court decision of *Ser and Another v Yong and Another* (92 of 2026; HC/SUM 1957/2025) [2026] ZWHHC 137 (8 April 2026), the applicant obtained a freezing (Mareva) injunction from a foreign court in Singapore against assets linked to the respondents and then sought to have that order registered and enforced in Zimbabwe. The respondents resisted enforcement, arguing that the order should not be recognised because it was interlocutory in nature and because a relevant foreign defendant had not been joined to the original proceedings. The dispute therefore arose in the context of an attempt to extend the effect of a foreign asset-preservation order into Zimbabwe against parties and assets within its jurisdiction.

In the words of Wamambo J,

“In the present case, the judgment of the 19th of December 2025 is a product of detailed submissions by the parties on the merits of the injunction and is final and definitive in as far as that subject matter relates to the parties herein, who were the protagonists in the Singapore High Court. Whilst the order of 21 July was a temporary injunction, which was the subject of either confirmation or discharge, it has since been confirmed by the judgment of 19 December 2025, and has thus become what is commonly known as a final injunction as it no longer has any return date and is no longer in jeopardy of cancellation at the instance of the respondents as it was prior to 19 December 2025.”

In the final analysis, the High Court held that a confirmed Mareva (freezing) injunction issued by a foreign court can be registered and enforced in Zimbabwe, even where a foreign defendant was not joined to the proceedings, provided the order has attained sufficient finality and certainty. The Court rejected technical objections based on non-joinder and instead adopted a functional approach, treating the confirmed injunction as capable of recognition because it created binding and enforceable obligations rather than merely provisional relief. In doing so, the Court signalled a more flexible approach to the finality requirement, distinguishing earlier strict authority that excluded interim orders, and

emphasised that the decisive question is whether the foreign order is sufficiently final in effect and enforceable in the issuing jurisdiction, rather than its formal label as “interim.