



Organised Violence & Torture Report

MAY 2017

By the Zimbabwe Human Rights NGO Forum

ACRONYMS

CBD	Central Business District
CIO	Central Intelligence Organisation
GALZ	Gays and Lesbians of Zimbabwe
MDC-T	Movement for Democratic Change – Tsvangirai
MDP	Malicious Damage of Property
NAVUZ	National Vendors’ Union of Zimbabwe
NCA	National Constitutional Assembly
PDF	People’s Democratic Party
RDZ	Renewal Democrats of Zimbabwe
OVT	Organized Violence and Torture
UNCAT	UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment
UPR	Universal Periodic Review
UYO	Unemployed Youth Organisation
ZANU PF	Zimbabwe African National Union – Patriotic Front
ZimPF	Zimbabwe People First
ZINERA	Zimbabwe National Electoral Reform Agenda
ZRP	Zimbabwe Republic Police

Introduction

The intra and inter- party violence trend has persisted during the month of May. The culture of political intolerance is embedded in Zimbabwe's politics. ZANU PF supporters were the main culprits behind political intolerance. Reports of ZANU-PF supporters attacking opposition party members appear to be increasing, as members of the People's Democratic Party (PDP), Renewal Democrats of Zimbabwe (RDZ) and the Movement for Democratic Change-Tsvangirai (MDC-T) reportedly encountered political skirmishes with ZANU-PF supporters. Members of the MDC-T supporters constituted the majority of the victims as they were attacked during the door-to-door voter-registration campaign for the party.

Cases of harassment and intimidation are also on the rise. Villagers in most parts of the country reported that they are persistently reminded of consequences of not voting ZANU-PF in the impending 2018 elections. Harassment and or intimidation impacts on a range of rights such as the right to freedom of expression, association and assembly and also the right to participate in public life. Harassment and or intimidation was widely used by ZANU-PF during the 2013 harmonized elections where citizens were constantly reminded of the 2008 violence if they fail to vote ZANU –PF.¹

The Forum also documented other violations relating to economic, social and cultural rights. The right to education continues to be violated by school authorities that turn children away over non-payment of school fees and levies. As schools opened for the second term, several government schools in Harare and Bulawayo sent children home over non- payment of fees violating children's right to education and the Ministry of Primary and Secondary Education policy that prohibits school heads from sending away children and withholding examination results over non-payment of fees. Further during the month, the Ministry of Primary and Secondary Education announced that it was planning to close over 40 schools in Matabeleland South province citing low enrolment levels and a lack of teachers. If the Ministry goes ahead with this plan, this will most likely result in children traveling long

¹ The 2008 elections witnessed the worst violence in the history of Zimbabwe's elections characterised by murders, extra-judicial killings, torture, rape, abductions, disappearances, death threats and displacements being extremely prevalent.

distances to schools. Under international human rights law, the government has an obligation to make education physically accessible to all children. This move will also be a direct violation of Section 19 (1) read together with Section 81(2) of the Constitution, which stipulates, “The State must adopt policies and measures to ensure that in matters relating to children, the best interests of the children concerned are paramount”.²

Moreover, public hospitals and clinics continue to experience severe shortages of essential drugs. Villagers with opposition party links continue to be denied access to any state-funded assistance that comes into the rural areas such as food aid.

Summary of Violations

In May 2017, **40** new victims of Organized Violence and Torture (OVT) were reported and documented from across the country. The ZRP and ZANU-PF supporters were the main perpetrators of violence. A case of intraparty violence involving ZANU-PF supporters was also documented during the month. The violence broke at the ZANU-PF Bulawayo provincial headquarters, Davis Hall on the 21st of May after a group of ZANU-PF supporters opposed to the National Commissar Savior Kasukuwere disrupted a Provincial Co-ordinating Committee (PCC) that was being chaired by the Provincial leader, Dennis Ndlovu. This led to a violent confrontation between the two factions resulting in the stabbing of the district youth chairperson, Magura Charumbira, by youths from a rival faction who claimed that he was supporting an anti Kasukuwere campaign. The Chairperson of the Youth League Anna Mokgohloa was also severely assaulted.

Following reported cases of police and army brutality in Chiadzwa, diamond fields on the 16th of May, the Forum went on a verification mission to Marange and visited 16 villages namely Chipindirwe, Mupada, Betera, Muchena, Mafunde, Chapeyama, Namano, Farikai, Tonhorai, Mutsago, Tenda, Muteeri, Namano Mashukashuka, Ben and Chiadzwa. A total of 16 villagers (eight males and eight Females) were interviewed. Documented violations were in the form of assault, violation of freedom of movement and residence, torture, and arbitrary detention. It is important to note that human rights violations in Chiadzwa diamond fields

² See the Constitution of Zimbabwe Amendment (No. 20) Act 2013

have been taking place over many years. This is because the security systems present in Chiadzwa created enclaves, which they run on private rules. It is no wonder the communities' rights are persistently trampled upon.

The table below summarises cases of OVT for May.

NB: The following notes should be put into consideration when reading these cases:

- *Human rights violations contained in this report are derived from statements made to the Forum's Public Interest Unit, its member and partner organisations.*
- *The identities of victims whose names have not been published in the press and are not public officials are protected. This is done in order to protect the victim from further violence, intimidation and possible reprisals.*
- *The Report cannot be considered as the exhaustive record of all incidents of politically-motivated violence in Zimbabwe in the period under review. Nevertheless, every incident reported to the Forum directly or through its members is meticulously documented and included in the report.*

TABLE 1: Reported Incidents of OVT May 2017

Date	Violation	Violation Narration	Number of victims	Perpetrator
04 May	Torture & abduction	A man who had reported a case of torture by the Harare Central Homicide Squad was abducted at Avondale Shops in Harare. The victim had previously been arrested on suspicion of armed robbery; he was severely tortured and taken to court where he was found not guilty. He then reported his case of torture at the Police General Headquarters, which led to his abduction. The victim was tortured and dumped in the city after two (2) days.	1	ZRP
05 May	Torture	Two (2) men were assaulted by members of the army on allegations of illegally mining diamonds in Chiadzwa. Dogs were also set on them.	2	ZNA
06 May	Assault	Tatenda Chiwanza was assaulted by four (4) ZANU-PF youths along Angwa street in Harare while coming from a Zimbabwe National Electoral Reform Agenda (ZINERA) rally in Chitungwiza. Tatenda was putting on his MDC-T t-shirt	1	ZANU-PF supporters

09 May	Torture	A villager, who lives close to the Chiadzwa diamond fields, was assaulted by members of the army, who accused him of panning for diamonds.	1	ZNA
11 May	Assault & theft	ZANU-PF supporters assaulted Wisdom Kakorera at Nyamutamba Hotel in Chitungwiza. This happened at a meeting convened by the Chitungwiza Residents Trust (Chitrest) to discuss the suspension of councilors by Minister Kasukuwere. A scuffle then occurred between ZANU PF supporters and other members of Chitrest. One Ladicious Manhongo who accused the victim of recording the scuffle approached Kakokera. He then dragged him to the crowd where about 60 ZANU-PF supporters assaulted him. The perpetrators took away his Samsung Galaxy phone and \$68. The matter was reported at St Mary's police station.	1	ZANU-PF supporters
12 May	Assault	ZANU-PF supporters assaulted two (2) women, who were distributing civic education material at the venue of an MDC-T rally at Shauro Business Centre in Mberengwa.	2	ZANU-PF supporters
12 May	Torture & arbitrary arrest	Two (2) vendors, who sell their wares along Mandela street in Harare, were arrested and severely assaulted by members of the police on allegations of assaulting a police officer near harvest house on 10 May 2017.	2	ZRP
13 May	Assault	Allan Tivapasi an MDC-T ward official, who was participating in a door-to-door campaign for his party, was severely assaulted by local ZANU-PF supporters at Chiroti Business Centre in Hurungwe.	1	ZANU-PF supporters
16 May	Torture	A vendor, who trades near Harvest House, was severely assaulted by the police. The police officers grabbed him from his stall and accused him of causing havoc in Harare. He was assaulted both in the truck and at the Harare Central Police Station. .	1	ZRP
16 May	Assault	An RDZ supporter was attacked by ZANU-PF youths at Deverwi Township in Headlands Makoni district. The perpetrators accused him of supporting the RDZ party.	1	ZANU-PF supporters
16 May	Torture, harassment, arbitrary detention and violation of freedom of movement	Following the verification visit at Chiadzwa diamond fields, the following victims reported that they were subjected to torture, harassment and detention and had their freedom of movement violated by members of the ZRP and ZNA: Tirivanhu Tarutira, Kudakwashe Musaugomunei, Maud Basera, Retina Nhaka, Lydia Mushunje, Margaret Manjeese, Esnath	16	ZRP & ZNA

	& residents	Chikwira, Esther Sigauke, Lucia Finhai, Givemore Nyangani, Taurai Choga, Kudzai Muchingami, Ephraim Mukada, Mortis Nyangani, Collen Tarugarira and Devotion Muchingami		
17 May	Torture	A woman and her boyfriend were assaulted by police officers in Kuwadzana Harare. They were found sitting in their commuter omnibus at 2330hrs. The woman was accused of prostitution and was assaulted and detained at Warren Park police station.	2	ZRP
19 May	MDP & assault	Alice Ncube an MDC-T ward official and her 12-year old daughter, sustained burns when their homestead was burnt by suspected ZANU-PF youths in Mberengwa.	2	ZANU-PF supporters
21 May	Torture	A villager, who was suspected of illegal diamond mining, was severely assaulted by police officers in Chiadzwa.	1	ZRP
21 May	Assault	The ZANU-PF District Youth Chairperson Magura Charumbira and the Youth League Chairperson Anna Mokgohloa were respectively stabbed and severely assaulted during an intra-party violence that erupted at Davies Hall in Bulawayo ahead of the ZANU PF Provincial Coordinating Committee (PCC) meeting.	2	ZANU-PF supporters
23 May	Assault	Three (3) RDZ supporters were attacked by ZANU-PF youths at Dowero Business Centre in Makoni district. They were found putting up posters for their party's rally in the area.	3	ZANU-PF supporters
28 May	Assault	Unknown men traveling in an unmarked white twin-cab truck in Mabvuku attacked a PDP official. The victim was returning from attending a PDP party rally; his car had PDP posters pasted on the doors.	1	Unknown

Nature of violations

Violations during the month of May were mostly torture; assault; violation of freedom of movement and residence; malicious destruction of property; arbitrary arrest and detention (MDP). The nature of the violations, the number of the victims and the perpetrator category are shown in Table 2 below.

TABLE 2: Violations from January – May 2017

Nature of violation	No of victims	Perpetrator category
Abduction	1	ZRP
Assault	61	Municipal police, ZANU-PF supporters, and unknown
Arbitrary arrest & detention	23	ZRP
Forced consumption	1	Unknown
Harassment & intimidation	18	ZANU-PF Supporters
MDP	17	ZRP
Theft	4	ZANU-PF supporters
Torture	75	ZRP & ZNA
Violation of the right to equality and non-discrimination	1	Unknown
Violation of freedom of assembly & association	9	ZANU-PF supporters
Violation of freedom from arbitrary eviction	16	ZRP
Violation of freedom of movement & residence	19	ZRP, ZNA

FIGURE 1: Violations from January – May 2017

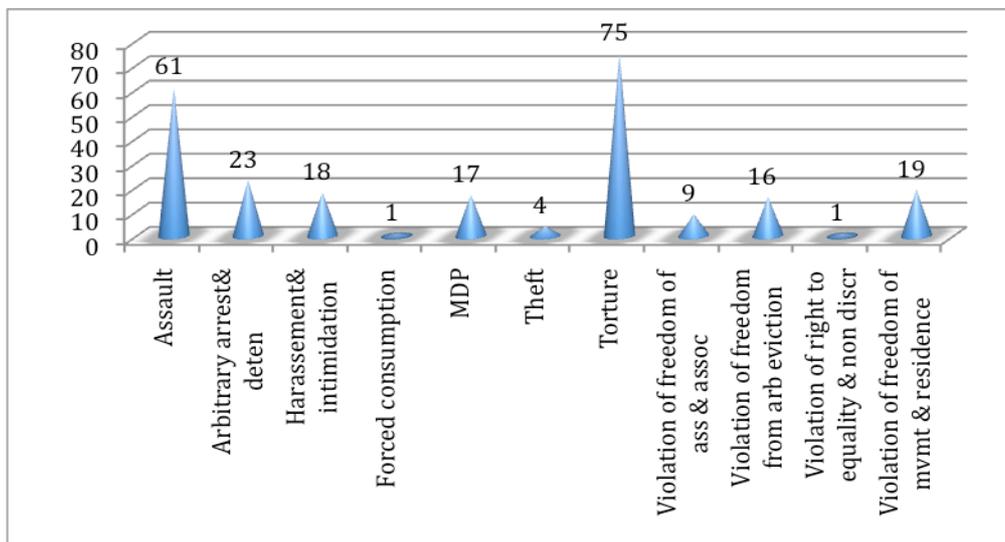
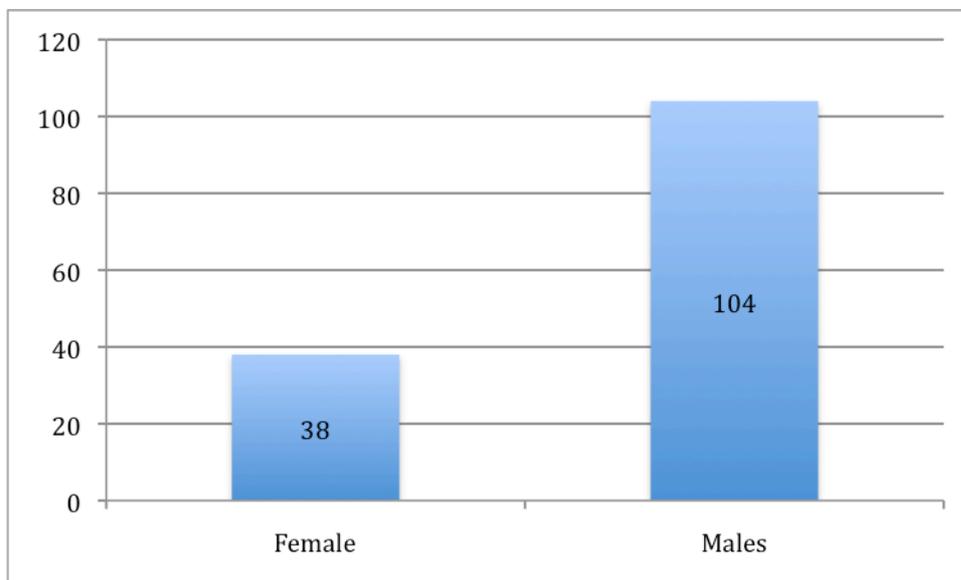
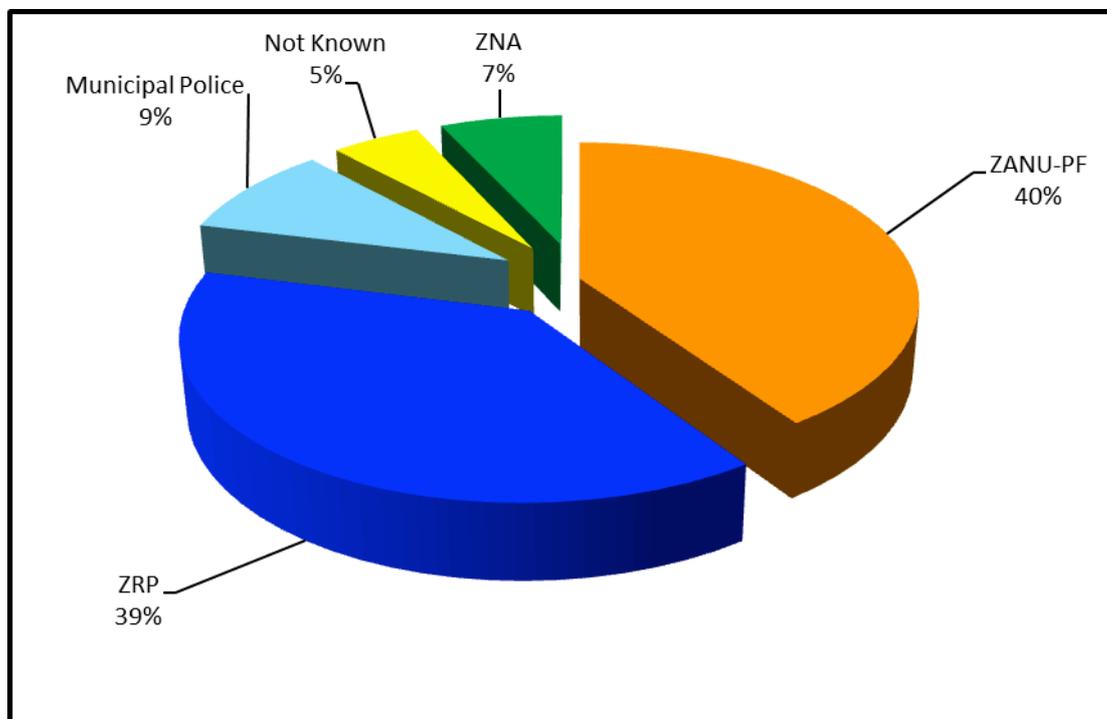


FIGURE 2: Distribution of victims by Gender I January to 31 May 2017



Of the 142 cases of OVT that were documented from January to May, 104 of the victims were males while 38 were of victims. However, this does not imply that males are more susceptible to violence than their female counterparts, but this might mean more males reported their cases more than females.

FIGURE 3: Distribution of Perpetrators by Violator Institution 1 January to 31 May 2017



ZANU-PF were the main perpetrators of violence, accounting for 40% of the violence, followed by ZRP, which accounted for 39% of the violence, the Harare Municipal police 9%, ZNA 7%, and unknown 5%.

Conclusion

The continued violation of human rights is partly exacerbated by the government’s disregard of constitutionalism and the rule of law reflected in the lack of progress in the alignment of domestic laws with the Constitution. According to VERITAS, “some 74 existing Acts of Parliament remain unaligned with the Constitution and many new laws, which the Constitution says must be enacted, have not appeared on the statute book.”³ The government must therefore urgently prioritize the alignment of laws. Further there is need for law

³ See the VERITAS website on the list of laws that need to be aligned with the Constitution <http://veritaszim.net/node/2053>

enforcement agents to be professional in the discharge of their duties. Perpetrators of violence must be brought to book irrespective of their political party affiliation as a way of ensuring peace and tolerance of divergent views.