



Organised Violence & Torture Report
NOVEMBER 2018

By the Zimbabwe Human Rights NGO Forum

ACRONYMS

CBD	Central Business District
CIO	Central Intelligence Organisation
MDC-A	Movement for Democratic Change – Alliance
OVT	Organized Violence and Torture
ZANU PF	Zimbabwe African National Union – Patriotic Front
ZESN	Zimbabwe Election Support Network
ZNA	Zimbabwe National Army
ZRP	Zimbabwe Republic Police

Introduction

The month of November marked the first anniversary following the coup that resulted in the ouster of former President Robert Mugabe who ruled the country for 37 years. One year after the end of Mugabe's rule, Zimbabweans continue to suffer from an interlink of socio-economic and political challenges. The economy is in a never ending downward spiral characterized by inflation, acute shortages of foreign currency that have resulted in shortages of fuel, essential drugs and an increase in the cost basic commodities. The US\$8 billion 2019 national budget presented under the theme Austerity for Prosperity failed to resuscitate hopes for a better Zimbabwe. The Minister of Finance, Honourable Mthuli Ncube, increased the duty on petrol by 6.5 cents and diesel by 7 cents which will likely result in further price increases.

November also witnessed the holding of the first National Assembly by-election in Mutoko North and the second Local Authority by-election in Chegutu East after the 30th of July harmonized elections. According to the Zimbabwe Election Support Network (ZESN), in spite of incidents of partisan distribution of food aid, destruction of campaign materials and hate speech during the pre-election period, the two by-elections were held in a peaceful and calm political environment. ZANU-PF won in the two by-elections.

The Commission of Inquiry established in terms of the Commissions of Inquiry Act [Chapter 10:07] to investigate the 1st of August 2018 post-election violence continued with public hearings in Harare. Members of the Zimbabwe National Army (ZNA), Zimbabwe Republic Police (ZRP), CSOs, medical practitioners, vendors, ballistics expert and MDC Alliance leaders, among others, testified before the Commission. The public hearings were concluded on the 27th of November 2018. The Executive Summary of the Commission's report was presented to the President Mnangagwa on the 29th of November. The final report is due by 19th of December 2018.

Summary of Violations

In the period 1 - 30 November 2018, **35** new victims of Organized Violence and Torture were documented from separate incidents that occurred around the country. Some victims suffered multiple violations. ZANU-PF supporters, ZRP and ZNA were equally responsible for the violations perpetrated during the month. The Mutoko North by- elections were characterized by the partisan involvement of traditional leaders in the distribution of food aid. Some village heads were reportedly party agents for ZANU PF in contravention of the Traditional Leaders Act and Section 281 of the Constitution, which clearly states that, “*Traditional leaders must not be members of any political party or further the interest of any political party*”.

The table below summarizes cases of OVT for November 2018.

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 November 2018

Date	Violation	Violation Narration	Number of victims	Perpetrator
03 Nov	Harassment & intimidation	One ZANU PF supporter while addressing a ZANU PF rally held on 3 November 2018 in Dandara Village, Mutoko North Ward 6, reportedly said “Nzvimbo ino nyangwe zvikadii haitongwe neMDC” (come what may, this area will never be governed by th MDC). The constituency was also declared a ‘no go area for the opposition at some ZANU-PF rallies.	Unknown	ZANU PF supporters
03 Nov	Harassment & intimidation	At a ZANU PF rally held in Botsanzira Village, those who would vote for the MDC Alliance were cautioned that they risked losing their lives. It was also reported that those seen participating in activities of the MDC Alliance would not get any benefits from government programmes. At the same rally, it was reported that a speaker warned that blood would be spilt if people were to vote for the opposition which was blamed for the suffering that people are currently facing.	Unknown	ZANU PF supporters
03 Nov	Assault, Violation of freedom of the media & arbitrary arrest	The Forum received a report that ZRP officers reportedly arrested Philemon Jambaya, a freelance journalist on 29 October for taking videos of clashes between vendors and Harare Municipality at Copacabana bus terminus in Harare. Jambaya was accused of being a phone dealer despite producing his press card.	1	ZRP
10 Nov	Attempted Abduction	Nelson Chamisa (MDC Alliance leader) was reportedly involved in an abduction attempt following an altercation with CIO agents, which resulted in 6 cars following him to Marondera. In Mabvuku, the cars allegedly blocked Chamisa's convoy and tried to pull him out of his vehicle. The perpetrators attempted to abduct one of the security men who blocked them but he jumped out of the car as they attempted to drive off with him. Chamisa had previously taken down number plates of suspicious vehicles tailing him, which were reported at Avondale Police Station as well as Harare Central Police Station. There was no action taken by the police.	1	Suspected State agents
13 Nov	Arbitrary arrest & detention	Gweru Municipal Police reportedly raided and arrested vendors at Kudzanayi Bust terminus. They raided everyone found in possession of basic	Unknown	Gweru Municipal Police

		commodities. The collected goods were reportedly surrendered at Hwahwa Prison and the 8 vendors arrested for importing goods in violation of SI 122 of 2017, were taken to Gweru Central Police Station where they were detained. They appeared in court on 14 November and charged with public order offences and released on \$50 bail each.		
14 Nov	Politicization of food aid	Justin Mushonga, ZANU PF development Chairperson for ward 11, Chiwundura Constituency, Midlands allegedly told the residents that the community poultry project of 20 000 chicks was sponsored by the Zimbabwe Defence Forces (ZDF) and would only benefit ZANU PF members only. He further told them that they could go and report anywhere they like. He also declared that he would not work with Levysen Chiminya who is the MDC-A Member of Parliament in the constituency. Chiminya approached the Zimbabwe Council of Churches (ZCC) for interventions.	Unknown	ZANU PF Supporters
15 Nov	Assault	The Forum received a report from Ngonidzashe Tinarwo, from Kwekwe who claims to have been bedridden for 3 months after ZANU PF activists assaulted him during elections. The victim was injured all over the body after being hit with machetes several times for voting for the opposition party. No police report was made.	1	ZANU PF Supporters
17 Nov	Harassment & intimidation	Mabel Chinomona allegedly addressed community members in ward 4 Mutoko saying they will lose their property if they do not vote for ZANU PF to replace her vacant seat after she was elevated to Speaker of Senate. She also said all MDC supporters would be left out in food distribution programs.	Unknown	ZANU PF Supporters
17 Nov	Politicization of Food Aid	Martin Munzara village head of ward 3 in Nyanga North and Village Secretary Farisai Chari, and other ZANU PF activists who are in the village committee, Gift Chanzenza, Patrick Sagandira and Dzuda Kudzanai allegedly screened MDC supporters namely Daniel Nyambuwa, Joseph Urombo, Wengai Urombo, Nader's Chisero, Florence Nyamhengura, Febby Dusu, Shelter Nyamukapa, Ronas Fore, John Teta, Winnie Urombo, Rudo Chanzenza, Spiwe Masize, Fungai Urombo, Christopher Samungure, Douglas Saurombo, Easter Kauwe, Darlington Samungure, Monica Seti, Michael Urombo, Susan Karaganda, Barbra Njani and Joseph Chanzenza from the social welfare beneficiary list for not supporting ZANU PF. The victims have since stopped receiving aid.	22	ZANU PF supporters
19 Nov	Torture	ZNA officers from 4.2 Brigade at Mupandawana growth, Nyika point allegedly severely assaulted	1	ZNA

		Stanley Manguma (an MDC- A supporter) for wearing party regalia. He sustained a broken nose and multiple other injuries. Manguma was admitted at Gutu, Mission Hospital. He received legal representation from ZLHR. He was later forced to move to South Africa after allegedly receiving death threats from Tinos Kurambwi (Commanding Officer) at 4.2 battalion.		
22 Nov	Violation of freedom of the media & assault	Two police officers allegedly assaulted and harassed Nyasha Mukapiko (a freelance Open Parliament journalist) for covering clashes in parliament in Harare before announcement of the national budget by the Finance Minister. The police officers reportedly grabbed Nyasha's phone and deleted the footage.	1	ZRP
25 Nov	Abduction	Elliot Piki (Retired Lieutenant in the ZNA and former ZANU PF member) was allegedly abducted by suspected State agents as a way of deterring him from testifying in the 01 August Motlanthe Commission hearings. His wife, Sibongile Sarukatu filed a missing persons report (habeas corpus) which she later withdrew after Piki resurfaced in Rushinga, Mount Darwin on 27 November.	1	Suspected State Agents

Nature of violations

Violations during the month of November were mostly politicization of food aid, abductions, torture, violation of freedom of the media, arbitrary arrest and detention and harassment and intimidation. The highest number of violations were as a result of politicization of food aid. Food aid was used as a political tool by village heads during the Mutoko North by-elections. The violations are summarized in Figure 1 below.

Figure 1: Violations for November 2018

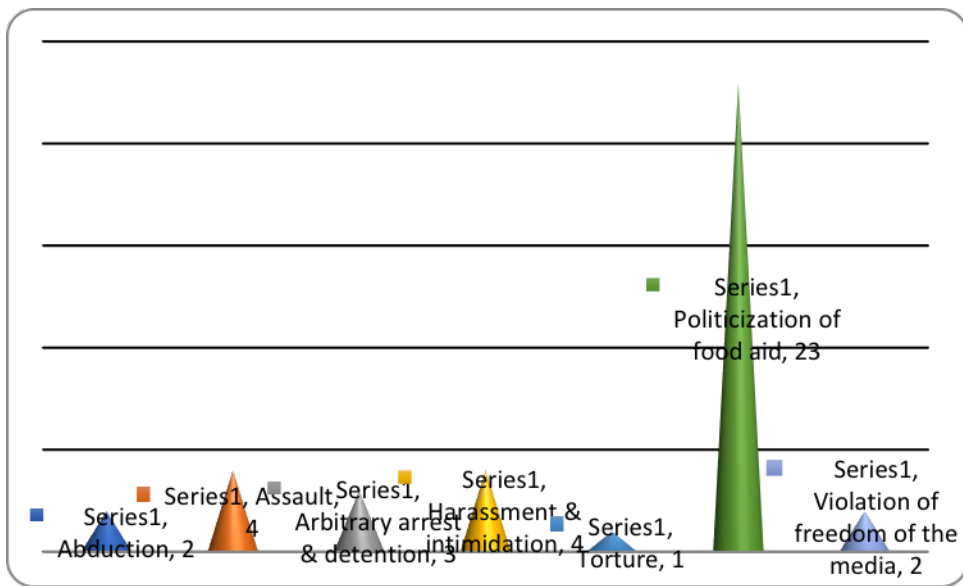
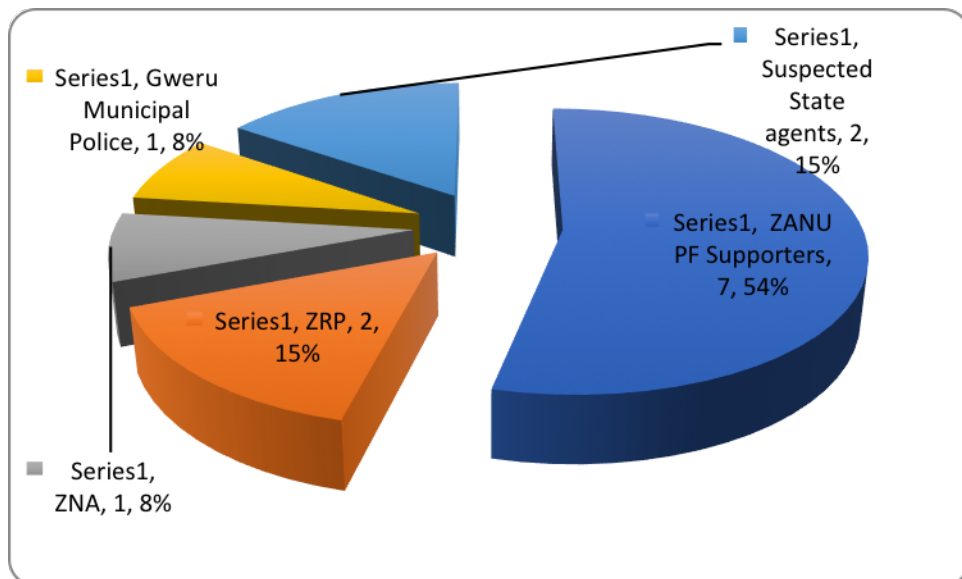


FIGURE 2: Distribution of Perpetrators by Violator Institution 30 November 2018



ZANU-PF were the main perpetrators of violence, accounting for 54% of the violence, followed by ZRP and suspected State agents, who both accounted for 15% of the violence. The Gweru Municipal police and the ZNA both accounted for 8% of the violations that were documented for the month of November 2018.

Conclusion

Although there is a marked decrease in cases of overt human rights violations, impunity remains entrenched in the politics of Zimbabwe, as perpetrators of violence are rarely made accountable. Victims of violence are often vulnerable as the police arrest them to shield the perpetrators. This behaviour discourages victims from speaking out for fear of reprisals. It is with this in mind that the Forum urges the Government of Zimbabwe to take a stand against the arbitrary deprivation of life; respect the findings of the Montlanthe Commission of Inquiry and bring to account those responsible for the 1st of August 2018 human rights violations.

Member organisations of the Zimbabwe Human Rights NGO Forum

- Amnesty International-Zimbabwe
- Catholic Commission for Justice and Peace in Zimbabwe
- Civic Education Network Trust
- Counseling Services Unit
- Gays and Lesbians of Zimbabwe
- Justice for Children
- Legal Resources Foundation
- Media Institute of Southern Africa-Zimbabwe
- Media Monitors
- Research and Advocacy Unit
- Transparency International-Zimbabwe
- VERITAS
- Women of Zimbabwe Arise
- Zimbabwe Association for Crime Prevention and Rehabilitation of the Offender
- Zimbabwe Association of Doctors for Human Rights
- Zimbabwe Civic Education Trust
- Zimbabwe Human Rights Association
- Zimbabwe Lawyers for Human Rights
- Zimbabwe Peace Project
- Zimbabwe Women Lawyers Association

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