



Zimbabwe
HUMAN RIGHTS
N G O F o r u m

POLITICAL VIOLENCE REPORT

October 2008

10 December 2008

A report by the Zimbabwe Human Rights NGO Forum

OVERVIEW

The month of October saw a wave of dissent as civic organisations such as the *Zimbabwe National Students' Union (ZINASU)*, *Women of Zimbabwe Arise (WOZA)* and *Men of Zimbabwe Arise (MOZA)*, *Restoration of Human Rights Zimbabwe (ROHR)* and the *Women's Coalition of Zimbabwe*, took to the streets to protest against the deteriorating political and humanitarian situation in Zimbabwe as well as the seemingly unending political impasse between the main political parties. As has become synonymous with demonstrations in Zimbabwe, the protestors were met with unrelenting force by the ZRP. This report chronicles how the different groups were prevented from freely exercising their constitutional rights to freedom of expression, association and assembly.

More than 500 members of ZINASU from across the country staged a demonstration at the Parliament of Zimbabwe on 14 October 2008 demanding immediate action on the deteriorating education sector. The students marched from the offices of the *Zimbabwe Human Rights Association (Zimrights)* towards the Parliament to hand over their petition to the legislators who had resumed sitting on that day. The students were however met by armed police officers who tried to prevent them from delivering the petition. In the ensuing melee five students were arrested while the police assaulted several others.

Two days after the student protest, hundreds of members of *WOZA and MOZA* took to the streets of Bulawayo in a peaceful demonstration to call for immediate access to food aid for Zimbabweans to stave off hunger and possible starvation. Nine members, including the two WOZA leaders Jenni Williams and Magodonga Mahlangu, were arrested. The two leaders were detained for three weeks at Mlondolozhi Female Prison while the other seven members were released without charge on the day of arrest.

On 27 October 2008 anti-riot police in Harare also descended on hundreds of women who were peacefully protesting under the auspices of the *Women's Coalition*, over the delayed conclusion of the power-sharing talks between Zimbabwe's major political parties. At least 42 women were arrested and over 100 were beaten in the city as they were walking to the Rainbow Towers in Harare, which was the venue of the talks. The talks had been rescheduled to 27 October after a failed attempt to end the political impasse in Swaziland a week earlier. The arrested women were released later that evening after paying admission of guilt fines.

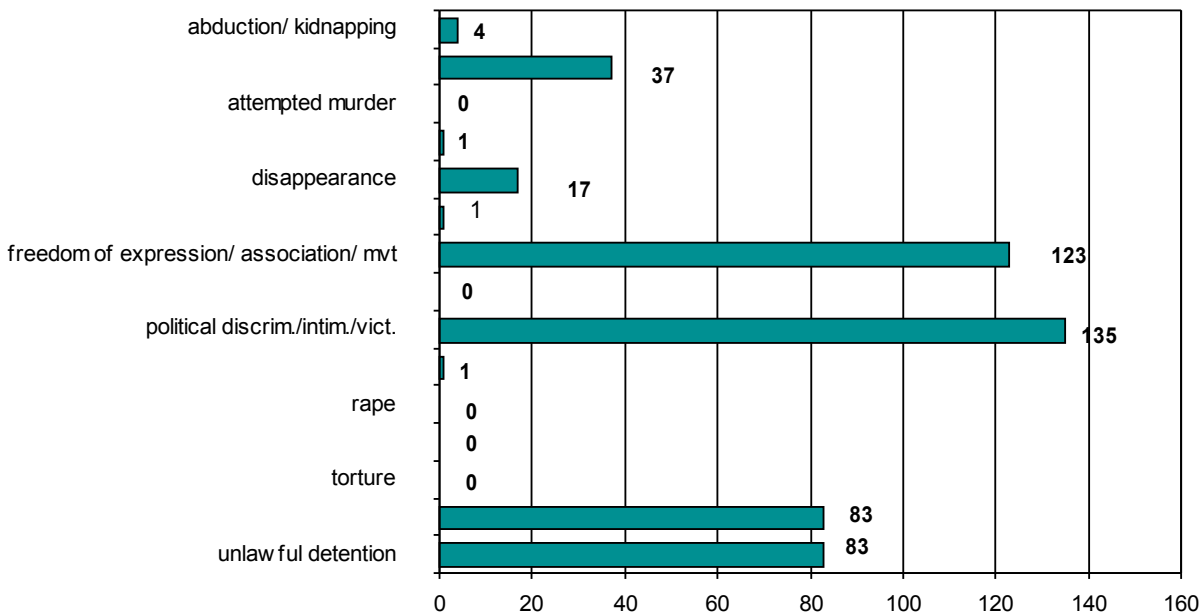
On the following day, another organization, *Restoration of Human Rights Zimbabwe (ROHR)* also took to the streets of Harare to express the same sentiments. Seven protestors were reportedly arrested and 23 others injured after riot police violently dispersed the protestors.

Despite repeated promises by the parties to the Global Political Agreement to respect and honour their obligations for a society free of violence, fear and intimidation, repression and the lack of tolerance for civic activity remains a major stumbling block to attaining political stability in Zimbabwe. As was the case prior to the 27 June 2008 Presidential Election Run-off, disruptions of MDC rallies and meetings continue, with reports of politicization of food aid also being received.

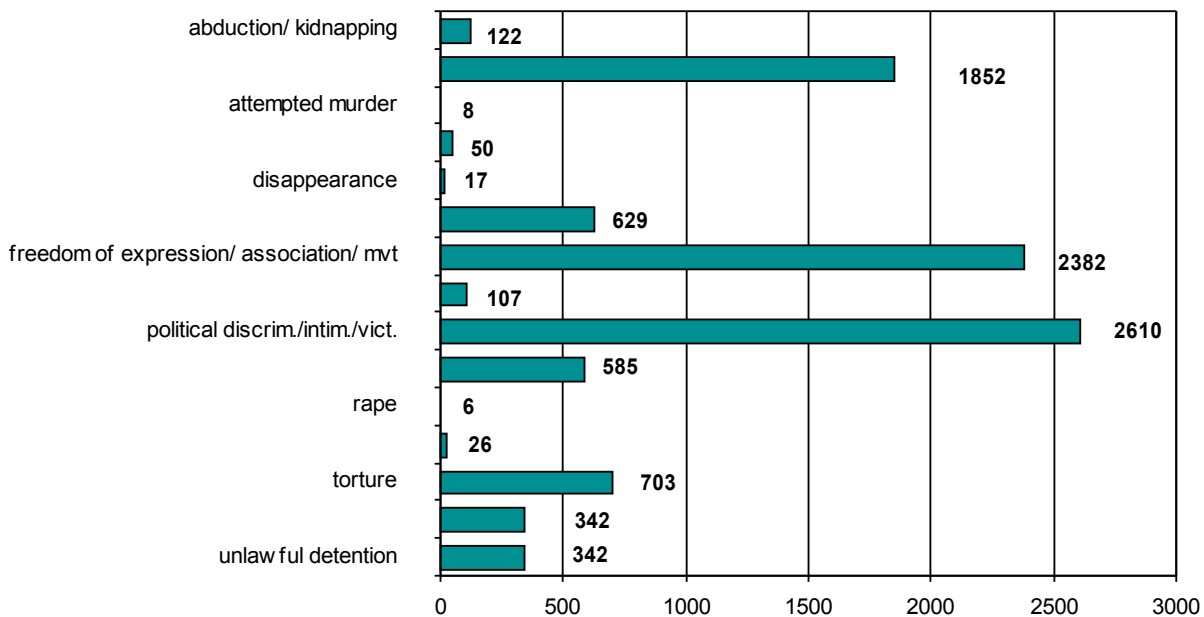
This report documents the reported disruption of an MDC meeting in Buhera South Constituency by war veterans and members of the army as well as the barring of MDC officials from distributing food aid by war veterans. Further, the report documents 123 violations of the freedom of assembly, association and expression, a sharp increase from the figures recorded in August and September 2008 respectively. It should be noted however, that this figure is undoubtedly lower than the actual number of violations as some cases were not reported to the Forum, its members, or partners. Despite the power-sharing Agreement signed by ZANU PF and the two MDC formations on 15 September 2008 where the parties agreed to “promote practices of tolerance, respect, non-violence and dialogue as a means of resolving political differences”, there were 135 reports of political discrimination, intimidation and victimization in the month compared with 96 in September.

The Human Rights Forum is concerned at the heavy handedness in which state security agents, especially members of the ZRP, have dispersed peaceful demonstrations. The Human Rights Forum also remains concerned about the continued involvement of members of the ZNA in civilian activities such as food distribution and the dispersion of MDC members attending rallies. The Human Rights Forum urges the authorities to stop criminalizing peaceful protest activities and implores the police to desist from the gratuitous use of force against peaceful demonstrators. Some of the violations being committed by the security forces such as torture are considered international crimes, which are not pardonable under any circumstances and carry individual liability and compliance with “orders from above” is no defence. Furthermore, the Human Rights Forum reiterates the point that the state should immediately halt the ongoing violence and attacks on protestors that are being perpetrated under the guise of maintaining public order. No amount of beatings or intimidation will distract from the issues that Zimbabweans are protesting. Rather, the authorities should channel resources being used in these violent and meaningless “public order maintenance” activities to address the humanitarian and health crisis gripping the country at an alarmingly increasing rate.

TOTALS: 1 October to 31 October 2008



Cumulative Totals: 1 January –31 October 2008



The graphs should be read along with the table depicting the monthly totals of violations for October 2008 on page 10.

Key Abbreviations

AIPPA – Access to Information and Protection of Privacy Act

CIO – Central Intelligence Organisation

MDC – Movement for Democratic Change

MP – Member of Parliament

NCA – National Constitutional Assembly

OVT – Organised Violence and Torture

POSA – Public Order and Security Act

PTUZ – Progressive Teachers Union of Zimbabwe

ROHR- Restoration of Human Rights Zimbabwe

UMP – Uzumba Maramba Pfungwe

WOZA – Women of Zimbabwe Arise

ZANU PF – Zimbabwe African National Union Patriotic Front

ZCTU – Zimbabwe Congress of Trade Unions

ZNA – Zimbabwe National Army

ZPS – Zimbabwe Prison Service

ZRP – Zimbabwe Republic Police

ZNLWVA – Zimbabwe National Liberation War Veterans Association

ZIMTA – Zimbabwe Teachers Association

ZINASU – Zimbabwe National Students Union

ZUPCO – Zimbabwe United Passenger Company

Sources: The information contained in this report is derived from statements made to the Public Interest Unit of the Zimbabwe Human Rights NGO Forum, its members and statements taken by a network of human rights activists and newspaper reports,

Notes to the tables:

Torture:

All cases of torture fall under the definition of torture according to the general definition given in the United Nations Convention against Torture and Other Forms of Cruel, Inhuman and Degrading Treatment and Punishment.

The four elements of torture are:

- 1 **Severe** pain and suffering, whether physical or mental
- 2 **Intentionally** inflicted
- 3 With a **purpose**
- 4 By a state official or another individual acting with the **acquiescence of the state**.

Those individuals referred to in point # 4 as state officials include the ZRP, ZNA,

Unlawful arrest and detention:

Arrest by the Zimbabwe Republic Police (ZRP) with no reasonable suspicion that an offence has been committed. Detention thereafter for a period exceeding 48 hours without access to redress through the courts or subsequent release without charge.

Abduction/kidnapping:

A kidnapping by a member(s) of an organised group that is not the ZRP, ZNLWVA, ZNA, ZPS and the ZNLWVA (as a reserve force of the ZNA).

Disappearance:

Kidnapped persons whose whereabouts remained unknown at the time of reporting.

Property related

These are incidents in which property rights have been violated. This includes arson, property damage and destruction and theft.

Cases of Political Violence

Note: 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 retributory attacks.

The purpose of this report is to record the nature of the politically motivated violence and intimidation that continues to prevail in the country. The Monthly Political Violence Reports are primarily based on victims' accounts, accompanied by medical evidence where possible, obtained from member organisations of the Forum and other partner organisations. Use is also made of press reports.

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 Human Rights Forum directly or through its members is meticulously documented and included in the reports. Care is also taken to record the incidents in the language in which they were reported to the Forum.

The situation prevailing in the country is such that it has not been possible to verify all of these accounts. The Human Rights Forum has done what it can to verify the reports, and is satisfied that the vast majority of them are substantially true. It is also not possible to rule out whether a victim's account is exaggerated or contains inaccuracies.

All reports derived from the press are denoted with the symbol Σ

BULAWAYO

Bulawayo Central

16 October 2008

Hundreds of members of WOZA and MOZA took to the streets of Bulawayo, marching for several blocks to Mhlahlandela Government Complex to declare a national disaster and demand immediate food aid for all Zimbabweans. Nine members including the two WOZA leaders Magodonga Mahlangu and Jenni Williams were arrested. Seven of the arrested were released without charge on the same day. However, Williams and Mahlangu were only released on bail on 6 November 2008 after having their bail hearing postponed twice and having bail denied once. They were held in squalid conditions at Mlondolozhi Female Prison. They were charged for allegedly disturbing the peace, security or order of the public under Section 13(1)a of the Criminal Law (Codification and Reform) Act.

HARARE Epworth

The Zimbabwean

30 October 2008

Σ. It is reported that at least 20 MDC supporters in Epworth were assaulted by suspected ZANU PF youths on allegations that they were MDC supporters. Five of the victims were reportedly hospitalised and one reported missing after ZANU PF youths and militia wreaked havoc in the area after the deadlock between ZANU PF and MDC remained unbroken after talks. The ZANU PF youths allegedly set up two torture bases in Epworth and moved around the area assaulting known and suspected MDC supporters. The bases were allegedly set up in Ward 4 at Reuben Shopping Centre and at Maulani. Those leading the attacks were reportedly identified as ZANU PF Youth Chairman for Epworth Zimbabwe, Garakara, Chikandiwa and Makangira.

Harare Central

6 October 2008

The male victim reports that he was arrested and detained for allegedly planning an anti-government demonstration. He was standing outside Harvest House, where the MDC Harare offices are located when he was arrested. He was only released on 10 October 2008 after his lawyer intervened.

14 October 2008

More than 500 students from across the country staged a demonstration at the Parliament of Zimbabwe on 14 October 2008. The disgruntled students demanded an immediate redress to the current crisis in the education sector. They marched from the offices of ZimRights towards Parliament and handed over a petition to legislators who had resumed sitting on the day. The students were met at the Parliament by armed policemen who denied them access to the legislators. President of ZINASU Clever Bere and the Legal and Social Welfare Secretary, Courage Ngwarai defied the police and handed over the petition leading to their arrest outside Parliament. Another truckload of policemen with dogs arrived soon after and five more students were arrested and others injured. Among those who were seriously injured was the Gender and Human Rights Secretary, Privilege Mutanga who sustained head injuries and a swollen arm. Obert Masaraura a ZINASU General Councillor from Midlands State University, also sustained serious head injuries and had to be hospitalised. Four other students also reported that the police assaulted them during the demonstration.

27 October 2008

Riot police in Harare, descended on hundreds of women who were peacefully protesting over the delayed conclusion of the power sharing talks between Zimbabwe's three major political parties. At least 47 women were arrested and more than 100 were beaten in the city as they were walking to the Rainbow Towers, the venue of the talks. The *Women's Coalition of Zimbabwe (WCoZ)* had mobilized nearly 1000 women who were tear-gassed and badly beaten as they regrouped at a spot near the Rainbow Towers where the talks were to be held. National Coordinator of the WCoZ, Netsai Mushonga was amongst those arrested. The police released the 47 women around 19:00hrs that evening having charged them with "gathering without police permission" and they were made to pay fines worth ZW\$20 each.

27 October 2008

Several men believed to be plain clothed police officers forcibly took Fidelis Chiramba and 11 others from their homes in Banket and Chinhoyi respectively. They were detained at several police stations in Harare and repeatedly shuttled around in several police stations such as Avondale, Rhodesville, Braeside, Mabelreign, Harare Central and Highlands. When lawyers tried to locate the accused to provide legal services, they failed to find them at any of these police stations. As a result the lawyers were not able to verify the circumstances surrounding the arrest of all the accused persons. An urgent *habeas corpus* application was filed at the High Court to compel the police to produce the accused persons. The police, represented by Superintendent Nyabasa and Superintendent Nzombe, denied that they had ever detained the accused. The judge postponed the matter and asked the lawyers to bring further information showing the detention numbers of the accused at the various police stations. On 11 November the case resumed at the High Court, where it was declared that the arrest was unlawful and the court ordered the police to cause the accused to appear before a magistrate by 16:00hrs on the same day, or alternatively if they had been discharged by the state, the police could reopen the case by issuing summons. The police have since defied this court order. Since they were denied access to their clients the lawyers were only able to ascertain the charges against the accused from the detention books at the police stations. The charges were, allegedly, violating section 24 of the Criminal Law (Codification and Reform) Act Number 23 of 2004 i.e. training insurgents, bandits, saboteurs and terrorists.

27 October 2007

26 men and women were reportedly hospitalised and seven arrested after more than 200 Restoration Of Human Rights Zimbabwe (ROHR) members reportedly participated in demonstrations in Harare. Suspected ZANU PF operatives also reportedly abducted four people. The four are Moses Mutasa from Hatfield, Tinei Tinarwo from Glen Norah, Ncube from Dzivarasekwa and Adam Muchiriri from Hatfield. The protesters peacefully marched in the streets heading towards the Harare International Conference Centre (HICC), the venue for the SADC meeting to push for an end to the impasse between the political rivals in Zimbabwe. The peaceful protest was violently crushed by the ZRP. Police in full riot gear fired teargas into the public causing stampedes and confusion in the crowded city.

MANICALAND

Buhera South

The Standard

11 October 2008

Σ. Armed soldiers and war veterans reportedly disrupted an MDC meeting organized to update the party structures on the talks between ZANU PF and the MDC formations. The soldiers allegedly arrived in Chabata village in Buhera South where the meeting was being held and ordered everyone to disperse, claiming that the gathering was illegal. MDC Provincial Spokesperson for Manicaland, Pishai Muchauraya alleged that one Colonel Morgan Mzilikazi was leading the soldiers. The soldiers however allegedly sped off in a Mitsubishi truck after the crowd became agitated and threatened to attack them.

The Standard

21 October 2008

Σ. It is reported that war veterans clad in ZANU PF t-shirts barred the MDC from distributing food to villagers in Manicaland. They reportedly alleged that the assistance was not sanctioned by the Government and accused the party of wanting to gain political mileage out of the desperation of starving villagers. The perpetrators reportedly ordered the villagers to disperse or risk being arrested.

MASHONALAND WEST

Hurungwe East

The Zimbabwean

15 October 2008

Σ. It is reported that the ZANU PF MP for Magunje, Frank Ndambakuwa dismissed 25 of his farm labourers from his Ian Crocker farm accusing them of voting for the MDC during the 29 March 2008 harmonised elections.

MIDLANDS

Gokwe

The Zimbabwean

30 October 2007

Σ. It is reported that the offices of the *Progressive Teachers Union of Zimbabwe (PTUZ)* in Gokwe were forced to close by alleged state security agents, on charges of causing “confusion and disharmony” in the area. Moses Mhaka, the Gokwe office coordinator, was reportedly threatened with death if he continued operations.

Gokwe-Kana

The Zimbabwean

29 October 2008

Σ. Richard Gwenhamo Councillor from the MDC-T in Gokwe-Kana constituency fled his rural home after ZANU PF militia, led by a traditional chief, raided his homestead. The victim, noted that a group of about 15 ZANU PF youths led by Chief George Musala and former ZANU PF Councillor, Siozane Zhou stole several chickens and some property from his homestead while he was attending a funeral at a nearby village. The raid came two days after he had clashed with ZANU PF supporters over the politicization of food aid at the distribution point of Musala Business Centre where MDC supporters were being denied food aid.

Monthly totals of human rights violations from 1 January 2008 – 30 September 2008

Table 1

	January	Febru	March	April	May	June	July	August	Sept	Oct	Total
Abduction/ kidnapping	3	11	3	31	26	37	5	1	1	4	122
Assault	56	45	270	550	435	281	66	19	93	37	1852
Attempted murder	0	0	0	4	1	1	2	0	0	0	8
Death threats	1	0	5	17	9	12	3	0	2	1	50
Disappeara nce	0	0	0	0	0	0	0	0	0	17	17
Displacement	0	0	0	412	160	55	0	0	1	1	629
Freedom of expr/ass/mvt	94	410	108	712	600	182	35	20	98	123	2382
Murder	0	0	0	10	14	60	19	4	0	0	107
Political Discrim/ intim/vict	67	410	287	783	466	277	70	19	96	135	2610
Property related	1	0	8	280	195	82	11	4	3	1	585
Rape	0	0	0	0	0	6	0	0	0	0	6
School closure	0	0	0	11	5	10	0	0	0	0	26
Torture	2	10	24	560	58	35	6	4	4	0	703
Unlawful arrest	56	42	19	26	18	44	5	5	44	83	342
Unlawful detention	56	42	19	26	18	44	5	5	44	83	342

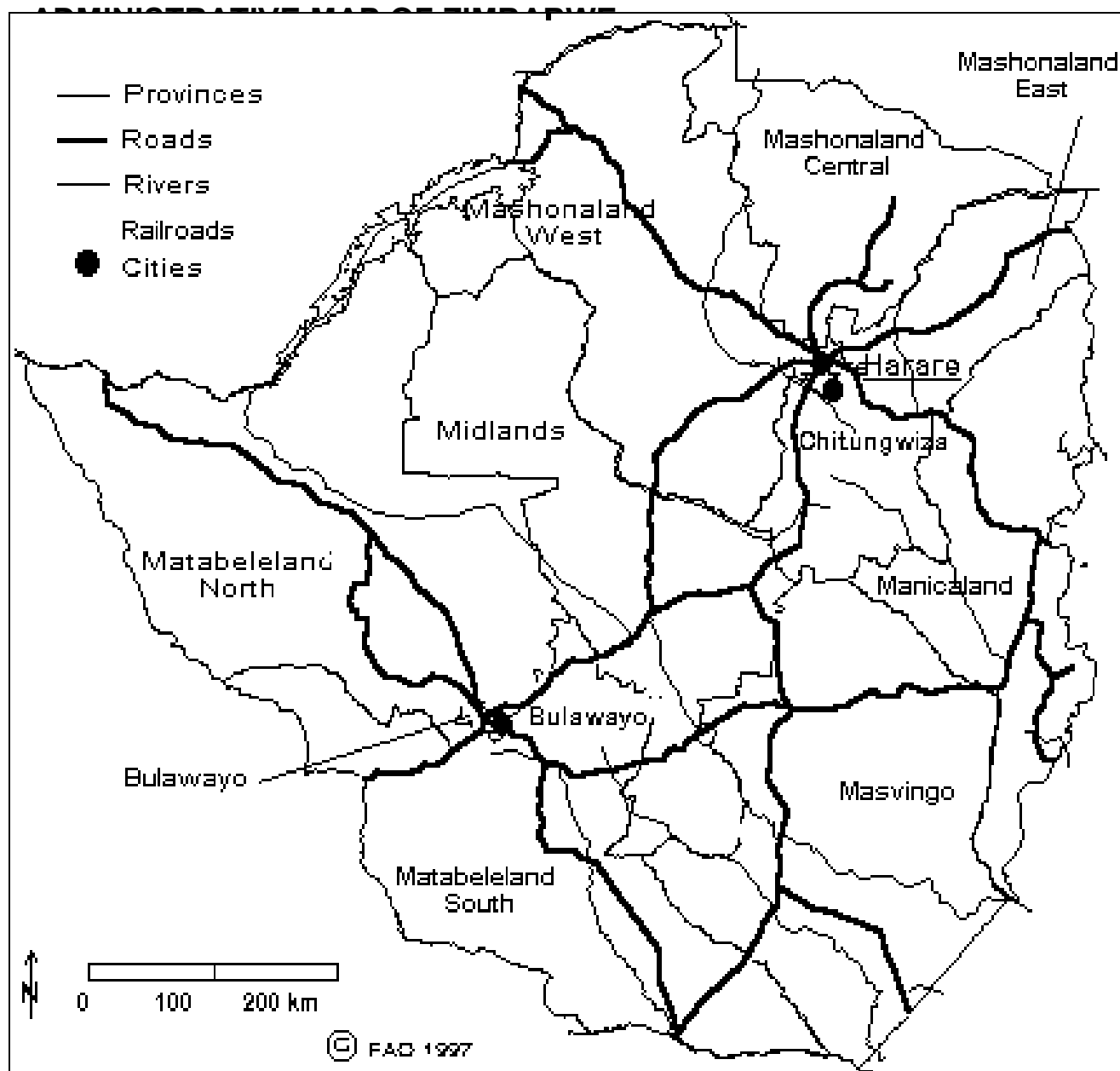
Monthly Totals	336	970	743	3422	2005	1126	227	81	385	485	9781
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	MAIN EVENTS 2008
January	
22	MDC 'Freedom March' is banned by the police.
23	Morgan Tsvangirai is picked up by the police from his home in the early hours of the morning and detained.
	MDC members are assaulted and arrested as they marched towards Glamis Stadium for a rally.
25	Members of <i>Restoration of Human Rights Zimbabwe</i> are arrested and detained following a peaceful demonstration.
February	
13	Student leaders are arrested and assaulted for demonstrating in Harare and Bulawayo.
	The MDC (Tsvangirai faction) Mabvuku Parliamentary candidate is arrested outside the party's headquarters allegedly for planning a demonstration.
19	Nine members of the <i>Progressive Teachers Union</i> of Zimbabwe are abducted and assaulted by suspected ZANU PF supporters before being handed over to the police.
24	The MDC (Tsvangirai) Parliamentary candidate for Mhondoro/Ngezi is detained at Mubaira Police Station for 34 hours on allegations that his campaign team had used abusive language during a campaign session.
March	
8	WOZA demonstrates on International Women's' Day. Three members are assaulted and fifty are injured in the assaults by anti-riot police.
10	Seven women are assaulted in Epworth while coming from an MDC rally. Two of them are stripped of their party regalia leaving them half naked.
29	Voting in the Harmonised General, House of Assembly, Senate and Local Government elections takes place.

April 13	MDC claims that that 10 of its supporters had died as a result of political violence.
18	Zimbabwe celebrates Independence Day. The main celebrations take place at Gwanzura Stadium in Harare.
19	Zimbabwe Election Commission starts the recount of the harmonised election votes in 23 constituencies.
May 2	Official Presidential Election results are announced.
13	Tonderai Ndira an MDC activist is abducted from his home in Mabvuku by suspected state agents.
22	The body of Tonderai Ndira is discovered in a Harare morgue.
28	MDC Offices at Jerera Growth Point in Masvingo are set on fire by armed men killing two people.
June 4	Social Welfare Minister orders international aid groups to suspend operations
12	Tendai Biti is arrested and charged with treason and communicating falsehoods prejudicial to the state.
22	Tsvangirai pulls out of 27 June Presidential Run Off citing violence against his supporters.
27	The Presidential Run Off takes place.
29	Election results are announced and Robert Mugabe is declared winner and sworn in for a sixth term as President.

July 17	King Muteta a police officer in Mudzi North is allegedly severely assaulted by ZANU PF youths and war veterans and dies on 25 July 2008 due to injuries sustained in the attack.
21	A Memorandum of Understanding (MOU) to begin interparty talks is signed by ZANU PF and the two MDC formations.
August 11	Zimbabwe celebrates Heroes Day followed by the Defence Forces day the following day.
25	Lovemore Moyo, MDC National Chairperson, is elected the 1st Speaker of Parliament from an opposition party since Independence in 1980
26	The first session of the seventh Parliament of Zimbabwe is opened by President Mugabe.
September 15	The leaders of the three main political parties sign a power - sharing deal agreeing on the framework for power sharing. Robert Mugabe remains President, Morgan Tsvangirai becomes the Prime Minister and Arthur Mutambara becomes the Deputy Prime Minister.
18	The parties hold talks regarding the allocation of ministries but fail to reach an agreement.
19	The President leaves for a trip to New York for the 63 rd Session of the the United Nations General Assembly before swearing in the Prime Minister, Morgan Tsvangirai.
25	The President delivers his statement at the 63 rd Session of the UN General Assembly. He reiterates that his party, ZANU PF, would abide by the spirit and letter of the power – sharing Agreement.

October	
14	ZINASU members march to Parliament to deliver a petition to legislators expressing concern over the deteriorating standards of education. Five students are arrested and several injured when anti-riot police violently disperse the crowd.
16	Nine WOZA members including Jenni Williams and Magodonga Mahlangu are arrested during a peaceful march in Bulawayo in which the protestors were calling for the access to food aid for all Zimbabweans.
20	SADC Troika meeting on Zimbabwe scheduled for Mbabane in Swaziland fails to take place after the Zimbabwe Registrar General's Office refuses to issue Morgan Tsvangirai a new passport.
27	An emergency SADC Summit to save Zimbabwe's Power Sharing Agreement is held. The rival parties fail to reach an agreement.
27	More than 40 women are arrested and several others injured after anti-riot police break up a peaceful protest organised by the Women's Coalition calling for a speedy conclusion to the the power-sharing talks between ZANU PF and the two MDC formations.
28	ROHR takes to the streets to protest against the delay in the conclusion of the peace talks between ZANU PF and the two MDC formations. Seven protestors are reportedly arrested while 23 are injured when police violently break up the gathering.



The Zimbabwe Human Rights NGO Forum (also known as the “Human Rights Forum”) is a coalition comprising 16 member organisations. It has been in existence since January 1998 when non-Governmental organisations working in the field of human rights joined together to provide legal and psychosocial assistance to the victims of the Food Riots of January 1998.

The Human Rights Forum has now expanded its objectives to assist victims of organised violence, using the following definition:

“Organised violence” means the inter-human infliction of significant avoidable pain and suffering by an organised group according to a declared or implied strategy and/or system of ideas and attitudes. It comprises any violent action, which is unacceptable by general human standards, and relates to the victims’ mental and physical well-being.”

The Human Rights Forum operates a Research and Documentation Unit and offers legal services to assist victims of organised violence and torture claim compensation from perpetrators through its Public Interest Unit.

Member organisations of the Human Rights Forum are:

- Amnesty International (Zimbabwe) (AI (Z))
- Catholic Commission for Justice and Peace (CCJP)
- Gays and Lesbians of Zimbabwe (GALZ)
- Legal Resources Foundation (LRF)
- Media Institute of Southern Africa (MISA)
- Media Monitoring Project of Zimbabwe (MMPZ)
- Nonviolent Action and Strategies for Social Change (NOVASC)
- Transparency International (Zimbabwe) (TI (Z))
- Women of Zimbabwe Arise (WOZA)
- Zimbabwe Association for Crime Prevention and the Rehabilitation of the Offender (ZACRO)
- Zimbabwe Association of Doctors for Human Rights (ZADHR)
- Zimbabwe Civic Education Trust (ZIMCET)
- Zimbabwe Human Rights Association (ZimRights)
- Zimbabwe Lawyers for Human Rights (ZLHR)

- Zimbabwe Peace Project (ZPP)
- Zimbabwe Women Lawyers Association (ZWLA)

The Human Rights Forum can be contacted through any member organisation or through:

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