



## **Escalation of Political Violence in Zimbabwe- Updates on the Violence in Mbare, Insiza and Matobo**

**2 November 2022**

The Zimbabwe Human Rights NGO Forum (the Forum), which exists primarily to respond to and alleviate instances of organised violence and torture in Zimbabwe, has noted an escalation in cases of politically motivated violence from mid-September to date. The cases range from arbitrary arrests, malicious damage to property, arson, threats/harassment/intimidation as well as assault and torture. The escalation in incidents of politically motivated human rights violations in Mbare, Matobo and Insiza districts points to a deepening political crisis in the country as the nation trudges closer to the 2023 general elections. Below is a brief update report on the cases recorded in the respective areas.

### **Summary of recorded cases of OVT**

The table below demonstrates the distribution of political violence in Mbare, Matobo and Insiza districts between 15 September and 30 October 2022.

<b>Violation</b>	<b>Area</b>	<b>Alleged Perpetrator(s)</b>	<b>Number of cases</b>
<b>Assault/ Torture</b>	Matobo Ward 2	ZANU PF members	35
	Mbare		2
	Insiza Ward 4	ZANU PF Members	4
<b>Arbitrary arrests</b>	Mbare	Only CCC members were arrested	7
<b>Threats</b>	Mbare	CCC member	1
<b>Malicious damage to property</b>	Matobo Ward 2	ZANU PF members	8
<b>Kidnapping</b>	Matobo Ward 2	ZANU PF members	1
<b>Extrajudicial killing</b>	Mbare	ZANU PF members	1
<b>Theft</b>	Matobo Ward 2	ZANU PF members	2
<b>Total</b>			<b>60</b>

### **1. Mbare (Matapi and Magaba Areas)**

Mbare, one of the oldest townships in Harare, is known for being a lucrative commercial centre where thousands of traders sell their wares, ranging from fruits, vegetables and second-hand clothing. For years, the area has been a constant battleground between the ruling party

Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the opposition<sup>1</sup> with fierce clashes between space barons from both ZANU-PF and Citizens Coalition for Change parties over the collection of revenue from vending stalls in the Mupedzanhamo, Siyaso, Matapi and Magaba areas. Mbare is presently an opposition political party stronghold, with Member of Parliament Chamisa Starman (of the then Movement for Democratic Change – Alliance) being the elected parliamentary representative from July 2018.

On 30 September 2022, Last Chinodya, a youth member of the opposition political party Citizens Coalition for Change (CCC), was arrested at his place of employment after the complainant, Tonderai Rusere, a ZANU-PF member, filed a police report at Mbare Matapi Police Station that Chinodya had threatened to kill him if he continued campaigning for the ruling party in Mbare.

On 4 October 2022, Tapiwa Chibaya and Phanex Zikumu were arrested at the Mbare Magistrates Court where they had gone to stand in solidarity with Last Chinodya. The duo was jointly charged with Last Chinodya for assault allegedly committed against a ZANU-PF member in June 2022. The Forum believes that the charges levelled against the accused persons are a political ploy to derail the opposition party ahead of the 2023 harmonised elections.

In addition, tensions between CCC and ZANU-PF youths over control of vending space at the Mupedzanhamo market where space barons illegally charge vendors a daily fee of US\$5 per stall, reached boiling point between 8 to 10 October 2022. The clashes over the control of vending stalls at Mupedzanhamo resulted in one fatality, arson, and malicious damage to property. Allegations are that ZANU-PF youths were attempting to forcibly evict CCC-aligned vendors from the area. Vendors' stalls were razed while two police officers on patrol were injured, and the police vehicle was stoned. Despite both ZANU-PF and CCC youths being implicated in the violence, police only detained CCC youths whom ZANU-PF members allegedly apprehended. The Forum represented Brian Tongowasha, Marshall Marova, Nellish Watosvorwa, Bramwell Marime, Tendai Musauki, Robert Madira and Tinotenda Gwechekweche who were randomly picked and handed over to the police by ZANU-PF members on allegations of murdering their colleague.

According to the warned and cautioned statements, the 7 accused persons were charged with public violence but were then charged with murder and resisting arrest on the detention book. The accused persons were, however, made answerable to the charge of public violence. Brian Tongowasha was slapped with two more counts of assault and extortion and jointly charged with Marshall Marova on the charge of extortion. On 9 October 2022, Lizzy Gwatidzo was also arrested at Matapi Police Station. She had gone there to visit her son, Brian Tongowasha, the first accused person. She, too, was charged with public violence.

## **2. Matabeleland South**

Matobo ward 2 and Insiza ward 4 saw a considerable increase in political activity in the run-up to the by-elections conducted on 22 October 2022. Frederick Siwela from ZANU-PF, Ms

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<sup>1</sup> Initially the Movement for Democratic Change – Tsvangirai (MDC-T) and now the Citizens Coalition for Change (CCC) led by Nelson Chamisa.

Sindiso Ngwenya from the CCC and Mr Liberty Chirongo from ZAPU were contesting for the vacant Matobo District Ward 2 council seat following the death of ZANU-PF councillor Tom Moyo. Daniel Dube from ZANU-PF and Augustine Gumede from CCC were vying for the Insiza District Ward 4 council seat, which fell vacant following the death of ZANU-PF councillor Lawrence Maphosa. With the increased political activity, the two wards were engulfed in interparty political party violence between ZANU PF members and CCC members. A total of 50 violations were documented ranging from sexual assault, assault and torture, arbitrary arrests and harassment/ threats and intimidation.

#### **(a) Matobo Ward 2**

On Sunday, 16 October 2022, politically motivated violence erupted in Matobo Ward 2, in which CCC members were also assaulted while mobilising for support for the by-elections.

While they were undergoing training, they received a report that several vehicles had blocked the road at a bridge leading to the Mlotswa family and people were being harassed. Member of Parliament from Nkulumane Constituency in Bulawayo, Kucaca Ivumile Phulu was also present. He led a group of people to the bridge to find out what was happening. The team was met with violence and assaulted, including the MP. A gun was pointed at the MP before he was assaulted<sup>2</sup>. The victims, who include the MP, claimed over 15 vehicles were blocking the road, led by one vehicle which was branded ZANU-PF Mashonaland Central. A mobile phone belonging to Nonhlahla Mlotswa was smashed to the ground while she was thrown under the bridge and assaulted. The group proceeded to the Ncube's homestead where they destroyed windows on houses. They went to the shops and looted from Mrs Ncube's shop, assaulted people at the shopping centre, and punctured about three vehicles and several bicycles. The windscreens on the vehicles were also smashed. About nine elderly women who were mobilising for support were stripped of their blouses and left with bras, or bare-breasted. An image of the women clad in their bras has since gone viral on various social media platforms.

On 17 August 2022, ZRP Spokesperson Assistant Commissioner Paul Nyathi, issued a statement indicating that the ZRP was now seized with reports of the violent skirmishes that had occurred in Matobo, with both ZANU-PF and CCC members pointing fingers at each other for the violent assaults.

Also on 17 August 2022, ZANU-PF information director Tafadzwa Mugwadi made a tweet insulting the women who had been beaten by ZANU PF members and stripped of their upper clothing. In the tweet, he called them "legendary strippers who faint at Parliament and can fake everything."<sup>3</sup>

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<sup>2</sup> Advocate Phulu suffered a gratuitous attack including being beaten all over the body with stones, logs, fists and kicks. This is as per the report compiled by the Forum Lawyer in Matobo who managed to attend to the victims.

<sup>3</sup> Tafadzwa Mugwadi was referring to an incident where there was a scuffle in Parliament during a Budget Presentation on 22 November 2018. This resulted in two female opposition Legislators fainting. The scuffle was as a result of some MPs of the then Movement for Democratic Change -Alliance refusing to stand up to President Emmerson Mnangagwa. They were accused of disrespect and forcibly removed from the building by ZRP. As a result, some MPs were injured whilst some fainted. <https://www.voanews.com/a/scuffle-as-opposition-mps-removed-from-zimbabwe-s-parliament/4669607.html>

The Forum facilitated the provision of medical assistance to about 20 victims. Rescue teams could not access some areas that were still under siege by the ZANU-PF youths. The exercise is still ongoing as some victims are yet to come forward for medical assistance as they are still in fear for their lives.

#### **(b) Insiza, Ward 4**

On 17 October 2022, the Forum received a distress call that violence like what had occurred in Matobo the previous day was now occurring in Insiza. The same group of ZANU-PF supporters was instigating the violence that took place in Matobo Ward 2. Thirty people were severely assaulted, and eight were left in dire need of emergency medical attention due to the severity of their injuries. Three vehicles were destroyed; tyres were deflated, and sand poured into the car engines, preventing victims from fleeing as the cars were immobile. Bulawayo Metropolitan MP Jasmine Toffa and other CCC supporters who were at Augustine Gumede's homestead were severely assaulted, indiscriminately all over their bodies by using stones, logs, switches, and sjamboks. Two of the suspected ZANU-PF activists had pistols that they pointed at their victims, threatening to shoot them for "selling out" the country. The suspected ZANU-PF functionaries also damaged Augustine Gumede's furniture inside the house.

A total of 4 violations were documented, including the assault of Honourable Toffa who sustained injuries on her face, left hand, cuffs, thighs, backside and back. Both her hands were fractured.

### **3. Mberengwa**

The Midlands district of Mberengwa is a well-known ZANU-PF stronghold that recently came under the spotlight after video footage went viral of ZANU-PF supporter, Abton 'Bhito' Mashayanyika calling for the killing of Nelson Chamisa, the opposition political party CCC. Mashayanyika was addressing a rally at Mabika, Mberengwa North, on 12 July 2022. Despite the existence of the damning footage, Mashayanyika was not apprehended.<sup>4</sup>

On 6 October, through a viral audio recording, former Minister of State Security Owen threatened a bloody 2023 polls, worse than the 2008 electoral violence. He was addressing ZANU PF supporters at an undisclosed area in Mberengwa ahead of the 22 October 2022 by-elections later won by the ruling party in the Midlands and Mashonaland Central provinces.<sup>5</sup> Daniel Mackenzie, a top ZANU-PF Midlands provincial member, reaffirmed the statements. The 2008 elections were characterised by unprecedented levels of politically motivated violence when the late former President Robert Mugabe wanted to overturn his first-round poll defeat to the late MDC-T leader Morgan Tsvangirai. Owen Ncube also implied in the viral audio that voting against ZANU-PF is tantamount to selling the country or being a sell-out.

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<sup>4</sup> Rather, National Police Spokesperson Assistant Commissioner, Paul Nyathi, indicated that the Officer Commanding Midlands Province had been tasked with finding out what transpired.

<sup>5</sup> Takawira RDC Ward 6 and Guruve RDC Ward 4

#### 4. Court Update

- Last Chinodya, a CCC member in Mbare appeared in the Mbare Magistrates Court for his initial remand and initial bail application on 1 October 2022, facing two charges: assault and threat of future violence in contravention of section 186 of the Criminal Law (Codification and Reform) Act.
- On 4 October, he was granted \$10 000 bail on the charge of threatening future violence and ordered not to interfere with witnesses. He was also ordered to remain at his given address until the matter is finalised. The Mbare Magistrates Court declined an application by the prosecution to refer this charge to Court 14 at the Harare Criminal Court for trial. The magistrate said the Mbare Court had the jurisdiction to hear the matter and therefore the prosecution should follow due administrative process before applying for referral to the regional court. The matter was remanded to 13 October 2022 for trial. On 13 October 2022, the Mbare Magistrate's Court referred the matter to Court 14 at Harare Criminal Court. Rotten Row is to hear the matter on 25 October 2022.
- Tapiwa Chibaya and Phanex Zikumu appeared in the Mbare Magistrates Court on 4 October 2022 for initial remand and initial bail application on charges of assaulting a ZANU-PF supporter. They were represented by Forum lawyers. A mob of suspected ZANU-PF supporters gathered outside the court protesting prospects of the two being granted bail. They were also threatening to burn the Forum vehicle that had transported Forum lawyers to the Mbare Magistrates Court. Riot police were deployed and stationed outside the gate to maintain peace and order. The Forum then elected to approach the High Court on 5 October 2022 for an initial bail application due to the tense environment that was at Mbare at the time. The bail application was set down for 7 October 2022. However, High Court Judge, Justice Muremba declined jurisdiction on 7 October 2022 without giving reasons. Forum lawyers then went back to the Mbare Magistrates court on 7 October 2022 to make an initial bail application. The state was unable to access the investigating officer on that day to oppose the bail application.
- On 10 October 2022, the Forum made a written application for bail. The State only managed to respond on 15 October 2022. Arguments were made on 17 October 2022. Bail was eventually granted on 18 October 2022 in the sum of RTGS 10 000.
- On 10 October 2022, the Forum applied for refusal of placement on remand of the accused persons because the charge was defective as it lacked essential elements like the time and date of the occurrence of the alleged offence. The application was dismissed on the grounds that there was a nexus between the accused and the offence on the papers. Therefore, the bail application date was postponed to 11 October 2022. Bail was granted on 13 October 2022 in respect of all the eight accused on the public violence charge. The court however dismissed the application for an exception on the extortion charge against Tongowasha and Marova on 14 October 2022. A bail application on that charge was then made on that day. Tangowasha were released on the same day on \$10 000 bail but the ruling on Marova's bail application was postponed to 19 October 2022 because the police had used a nickname when drafting the charges. It then appeared that Marova was misleading authorities about his real identity. The court then asked for submissions to be made as it could not grant bail in circumstances where a false identity had been used.

## 5. Conclusion

The increase in politically motivated violence in the lead-up to elections in Zimbabwe is now well documented. While not surprising, the recent events that occurred in Mbare and Matabeleland South Province and the hate speech and incitement in Mberengwa are all highly alarming. These recent spates of politically motivated violence, which are unravelling just months away from the 2023 harmonised elections, serve to illuminate the dangers of opting for the use of political violence as a means of gaining both political and electoral advantage. The quarterly Political and Human Rights Violations Report compiled by the Forum covering the period January to September 2022 has recorded a total of 1 857 violations. This, together with the total number of violations recorded in Matobo alone, brings the total to 1 901. This startling figure is already more than half of the politically motivated violations recorded from January to December 2021.<sup>6</sup> It is apparent that the country's deepening polarisation and political crisis need urgent intervention to ensure that Zimbabwe experiences a free, fair and peaceful election in 2023.

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<sup>6</sup> The 2021 State of Human Rights Report published by the Forum recorded a total of 2 199 violations from January to December 2021. The full report is available on the following link: <https://ntjwg.org.zw/wp-content/uploads/2022/06/ZIM-NGO-FORUM-STATE-OF-HUMAN-RIGHTS-REPORT-2021-EBOOK-2-2.pdf>