

A Short History of Organised Violence and Torture in Zimbabwe (1972 to 2020)

Report produced by the Research & Advocacy Unit



**A Short History of Organised
Violence and Torture
in Zimbabwe
(1972 to 2020)**

**Report produced by the
Research & Advocacy Unit Trust (RAU)**

April 2023

Contents

Foreword	3
Abbreviations & acronyms	5
Preface.....	7
Introduction	9
Chapter 1: What is Organised Violence and Torture (OVT)?	13
Chapter 2: The Liberation War.....	18
Chapter 3: <i>Gukurahundi</i>	24
Chapter 4: OVT and Elections	32
Chapter 5: Displacements	27
Chapter 6: Dealing with Protest.....	46
Chapter 7: OVT since the Coup (2019 to 2021)	55
Chapter 8: Helping the Victims and Survivors.....	70
Chapter 9: Overview, Conclusions & Recommendations	80
Reports on Organised Violence and Torture in in the Public Domain.....	88

Foreword

Professor Lloyd Sachikonye
(Academic & Author of *When a State turns on its Citizens*)

This book is a compelling account of organized violence and torture (OVT) in the past 50 years in Zimbabwe. It demonstrates strong continuities in OVT from the colonial to post-independence periods. A conservative estimate is that at least 80 000 Zimbabweans died during the liberation struggle from 1972 to 1979, and during *Gukurahundi* from 1982 to 1987 respectively. Many more were maimed, abused, tortured, and displaced during these decades. However, the actual figures can only be established from a fully-fledged accounting under a transition justice process.

Drawing on credible sources and regular reports from both local and international organizations, as well as communities, this book is a pioneering attempt at a meticulous and systematic study of the causes, patterns, and consequences of OVT. It provides the statistical support for earlier, more narrative description of OVT, in *When a state turns on its citizens*, and complements the ground-breaking report on the *Gukurahundi*, *Breaking the Silence*. The wealth of documentation on OVT is illustrated by the existence of close to 600 reports covering the period 1972 to 2022. Clearly, large numbers of Zimbabweans, running into hundreds of thousands, have been affected by OVT during this period. The major long-term consequences of experiencing OVT is that victims suffer from include forms of psychological disorder that can persist for decades.

Studies on OVT demonstrate that it creates a strong sense of powerlessness and lack of self-efficacy that is replicated in social and political life. As the book documents, survivors are traumatised into feelings and beliefs of impotence leading to political apathy.

Recurrent cycles of OVT can be discerned in post-independence Zimbabwe. They recur during general elections held every five years. The book reminds us vividly that it is in the lead-up to and during elections that the greatest frequency of OVT was recorded. Most studies have documented how the ruling ZANU PF party and state institutions tend to orchestrate political intimidation and violence against opposition parties at election time. It was not a coincidence that the elections of 2000, 2002, 2008 and 2018 witnessed higher levels of OVT as earlier studies by scholars such as John Makumbe, Michael Bratton, Eldred Masunungure and Lloyd Sachikonye showed.

Organized violence and torture continue to stalk the election process with anxiety about the looming 2023 elections. An increase in OVT incidents is likely in the context of “hate speech” and reckless rhetoric against parties competing against the ZANU PF party. Observing that amongst the countries governed by former liberation movements in Southern Africa, Zimbabwe tends to have more violent and disputed elections, the book reiterates that violence is strongly associated with elections, and that a disproportionate amount of the violence is directed at citizens. The Zimbabwean state has not been proactive

is addressing election related OVT. For instance, the state failed to implement the recommendations from the Motlanthe Commission to deal with those involved in the 2018 election killings.

The book shows that there has been no significant decrease in OVT after the coup in 2017. Reports by local civil society organizations such as the Zimbabwe Peace Project (ZPP) contain evidence of human rights violations. One of the biggest challenges was that OVT seems to have become normalized in political discourse and state-controlled media. The ideology of war has not left the ruling party, the book observes.

However, it is a source of inspiration that the response to OVT has not been passive. The book documents how local civil society organizations have dealt with victims of OVT during the past three decades. It is observed that work began in Mashonaland Central in 1994 in hospitals and clinics with victims and survivors of the liberation war. Organizations like Amani Trust provided psychosocial support and Ukuthula Trust have undertaken exhumations of victims of OVT. However, readers are reminded that the need for assisting and rehabilitating victims and survivors of OVT far exceeds any current capacity, and that there is an urgent need for the establishment of a comprehensive national mental health service capable of meeting the general mental needs of the country.

Yet this is really dealing with effects of a process that should have been nipped in the bud in the first place. It is a process that begins with hate speech and incitement that generates OVT; and those who commit it enjoy impunity, and the guarantee of impunity prevents transitional justice. It is a vicious cycle that must be broken. Both leadership and rank and file perpetrators should be accountable for committing OVT. As the book argues powerfully, there can be no peace and justice without accountability, and there will be no accountability without truth. This has also been repeatedly stressed by victims and survivors of OVT, including those who suffered from *Gukurahundi*.

More specifically, there are specific measures that the Zimbabwean State should take. Without further delay, it should:

- Ratify the UN Convention against Torture (UNCAT),
- Domesticated UNCAT into the criminal law of Zimbabwe,
- Prosecute those who perpetrate OVT,
- Provide the support and autonomy that the National Peace and Reconciliation Commission (NPRC) requires to carry out its mandate and
- Create a culture of mutual toleration and institutional forbearance.

Lloyd Sachikonye

December 2022

Abbreviations & acronyms

ACHPR	African Commission on Human and People's Rights
ACLED	Armed Conflict Local Event Database
AU	African Union
BSAC	British South Africa Company
CCJPR	Catholic Commission for Justice and Peace in Rhodesia
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CHOGM	Commonwealth Heads of Government Meeting
CIO	Central Intelligence Organisation
CMD	Common Mental Disorders
CSU	Counselling Services Unit
CSVR	Centre for Study of Violence and Reconciliation
ECOSOC	International Covenant on Economic, Social and Cultural Rights
EISA	Electoral Institution for Sustainable Democracy in Africa
ESAP	Economic Structural Adjustment Programme
ESCER	economic, social, and cultural rights
EU	European Union
FPTP	Fast Track Land Reform Programme
FTLRP	Zimbabwe's Fast Track Land Reform Programme
GAPWUZ	General and Plantation Workers Union of Zimbabwe
GPA	Global Political Agreement
GRID	Global Report on Internally Displaced People
HRW	Human Rights Watch
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social, and Cultural Rights
IG	Inclusive Government
IRCT	International Rehabilitation Council for Torture Victims
LRF	Legal Resources Foundation
MDC	Movement for Democratic Change
NCA	National Constitutional Association
NPRC	National Peace and Reconciliation Commission
NPRC	National Peace and Reconciliation Commission
NTJWG	National Transitional Justice Working Group
OM	Operation <i>Murambatsvina</i>
ONHRI	Organ on National Healing, Reconciliation and Integration
OPCAT	Optional Protocol to the Convention Against Torture and Other Forms of Cruel, Inhuman and Degrading Forms Treatment or Punishment
OP-ICESCR	Optional Protocol to the ICESCR

OVT	Organised Violence and Torture
PACS	Psycho-education and Coping Skills
PAZ	Psychiatric Association of Zimbabwe
PTSD	Post-Traumatic Stress Disorder
PTUZ	Progressive Teachers Union of Zimbabwe
R2P	Responsibility to Protect
RAU	Research and Advocacy Unit
SADC	Southern African Development Community
SATC	Southern African Trauma Coalitions
SPT	Solidarity Peace Trust
SRQ-8	The Self-Reporting Questionnaire
ToL	Tree of Life
UDHR	Universal Declaration of Human Rights
UDI	Unilateral Declaration of Independence
UN ECOSOC	United Nations Economic and Social Council.
UNCAT	United Nations Convention Against Torture
US	United States of America
WOZA	Women of Zimbabwe Arise
ZADHR	Zimbabwe Association of Doctors for Human Rights
ZANLA	Zimbabwe African National Liberation Army
ZANU-PF	Zimbabwe African National Union Patriotic Front
ZCBC	Zimbabwe Catholic Bishops Conference
ZCTU	Zimbabwe Congress of Trade Unions
ZEC	Zimbabwe Electoral Commission
ZHRNGOF	Zimbabwe Human Rights NGO Forum
ZimStat	Zimbabwe National Statistics Agency
ZIPRA	Zimbabwe People's Revolutionary Army
ZLHR	Zimbabwe Lawyers for Human Rights
ZNA	Zimbabwe National Army
ZPP	Zimbabwe Peace Project
ZRP	Zimbabwe Republic Police

Preface

Tony Reeler
(Senior Researcher, Research & Advocacy Unit)

“The Torture Convention was agreed not in order to create an international crime which had not previously existed but to provide an international system under which the international criminal – the torturer – could find no safe haven.” [Browne-Wilkinson, ex parte Pinochet (3) (1990)].

This monograph is a detailed overview of the Organised Violence and Torture (OVT) that has afflicted Zimbabwe from 1980, as well as the violations that took place in the country (known during the time as Rhodesia) from 1972 to 1980 when independence finally came. The rationale for including the pre-Independence period, and a restricted one at that, is to illuminate the fact that some things never change: governments under threat have a propensity for resorting to coercive control. Obviously, war is one of those threats in which governments adopt coercive strategies, and the civil war that escalated in 1972 provides a graphic example of the way in which human rights violations escalate. But it is not only civil war that prompts the committing of gross human rights violations. As will be seen, the history of the past 49 years contains multiple periods in which Organised Violence and Torture has proliferated. The issue is not so much the absence of OVT in some periods, but the frequency found overall in the past five decades.

The use of the term “Organised Violence and Torture” or, in short, OVT, may puzzle some readers. The term was coined in the late 1980s at a ground-breaking regional conference in Zimbabwe.¹ Whilst the United Nations Convention Against Torture (UNCAT) had earlier profiled the need to consider torture a very serious crime, the 1990 Conference on the *Consequences of Organised Violence* took place in a very violent region. There was civil war in Angola and Mozambique, Namibia just becoming independent after many years of bitter struggle, and the last days of apartheid in South Africa. Zimbabwe had not escaped the violence itself, with the serious violence during *Gukurahandi* (1982 to 1987), as well the violence on the border with Mozambique and the destabilisation activities within Zimbabwe by the South African government. We examine the concept of OVT separately in one chapter.

It is also important to stress the point made by Roger Southall (Southall, 2013), that Zimbabwe, as well as Namibia and South Africa, were countries with significant “settler” populations, and hence the process of de-colonisation was rather different to many other African countries gaining independence from their colonial masters.² This made the resort to armed struggle inevitable in many ways because of the resistance by the settler

¹ PAZ (1990), *Report on an International Conference on "The Consequences of Organised Violence in Southern Africa"*. Harare: Psychiatric Association of Zimbabwe.

² Southall, R (2013), *Liberation Movements in Power. Party and State in Southern Africa*. James Currey: University of KwaZulu-Natal Press.

minorities. Of course, armed struggle was not exclusive to these two Southern African countries, as in the cases of Angola and Mozambique for example. However, Southern Africa in the 1970s was, as stated above, a region in which there was abundant war and OVT. However, as Southall points out, the trajectories for Namibia, South Africa and Zimbabwe, post-independence, have been very different.

1991 saw the Harare Commonwealth Declaration promulgated by the Commonwealth at the Commonwealth Heads of Government Meeting (CHOGM), and the paradox that the host country of the Declaration was suspended subsequently from the Commonwealth, finally leaving in 1994.³ The human rights crisis that developed from 2000 onwards became an international problem, not merely with the Commonwealth, but also with the European Union (EU) and the United States of America (US).⁴

The human rights crisis (and the OVT) that developed in 2000 has continued to the present, but the history of OVT prior to independence cannot be excluded from any understanding of OVT in Zimbabwe: the continuities in the kinds of violations between those pre- and post-independence are far too great to ignore. For example, the repressive apparatus of the Rhodesian state was kept lock, stock, and barrel by the Zimbabwe state, and this was evident in the violations that took place in Zimbabwe between 1982 and 1987.

Thus, this history of OVT⁵ is a brief overview showing that continuity with the past is seen in the context of the present. There have been changes in the players, but the overall tenor of violations described in the 1990 definition remains the same: torture, abductions, and displacements still seen in 2022. It also covers all the ground covered previously in the excellent summary by Lloyd Sachikonye on political violence in Zimbabwe, *“When a State turns on its citizens”*.⁶ It differs only in that it is shorter, sticks very closely to the data reports, and makes no use of case materials or personal stories. It is in no way a substitute for this excellent history, but much has happened since 2011.

³ ZHRNGOF (2007), *Revisiting the Commonwealth and Zimbabwe: What is to be done? An Assessment of Zimbabwe's Performance since its Withdrawal from the Commonwealth & Suggestions for Re-engagement by the Commonwealth* (February 2007), Harare: Zimbabwe Human Rights NGO Forum.

⁴ RAU (2015), *Zimbabwe, the European Union, and the Cotonou Agreement: An Opinion* (January 2015), Harare: Research & Advocacy Unit; ZHRNGOF (2006), *Zimbabwe's Failure to meet the Benchmarks in the Cotonou Agreement* (November 2006). Harare: Zimbabwe Human Rights NGO Forum.

⁵ Text edited and layout designed by Beverley Hargrove, founding co-ordinator of the Zimbabwe Human Rights NGO Forum.

⁶ Sachikonye, L (2011), *When a State Turns on its Citizens: 60 years of Institutionalised Violence in Zimbabwe*. Harare: Weaver Press.

Introduction

The country that came into being as Zimbabwe in 1980 was the product of a violent occupation in the late 19th century that finally developed into one of the very few *bona fide* settler states in Africa. Southern Rhodesia became self-governing in 1923, a fact that had profound effects for the de-colonising process. In many ways, the existence of settler states almost guaranteed that this process of de-colonisation would be violent as the complications over the extent of the *de jure* power of Southern Rhodesia (later Rhodesia) meant that there was no easy path for Britain to ensure an independent, majority-ruled country, as was possible in most of its colonies.

The violent capture of the territory that became Southern Rhodesia also meant that coercive control of the population was likely institutionalised as a method of governance. The import of this was captured in the 2003 Symposium organised by the Zimbabwe Human Rights NGO Forum and the Southern African Trauma Coalition (SATC) in Johannesburg.⁷ The Symposium recognised that OVT had been present from the first occupation by the British South Africa Company (BSAC) and the violent subjugation of the original inhabitants, in what is now termed the “*First Chimurenga*”. As this was put in the Symposium Declaration:

“Throughout colonial occupation, black Zimbabweans were oppressed by the regime and denied all civil and political rights. They were deprived of their land, and socially and economically marginalised. From 1960 until 1980, they suffered even more widespread and systematic gross human rights violations. These violations, and the subsequent impunities, created the foundations for the human rights abuses experienced in subsequent decades.”

The Symposium, in examining the need for redress for all the victims and survivors of OVT, recognised the impossibility of both a full investigation of and redress for over 100 hundred years of human rights violations and, accordingly, divided the problem into two epochs as follows:

Regarding the human rights abuses prior to 1960, the Commission’s main functions will be:

- to investigate human rights abuses that occurred prior to 1960 and compile a full and accurate record of these abuses;
- to determine the social and economic effects of these abuses;
- to establish the extent to which these historical abuses continue at present and to which they negatively impact upon the rights of Zimbabweans;
- to make appropriate recommendations about remedial steps to address the needs of victims of these abuses and present injustices emanating from past injustices;
- to refer cases involving gross human rights violations to the Attorney General for possible criminal prosecution.

⁷ Morrell, Penny (ed) (2004), *Civil Society and Justice in Zimbabwe*, Proceedings of a symposium held in Johannesburg 11-13 August 2003. Pretoria: Themba Lesizwe/Southern African Trauma Coalition

Regarding the human rights abuses subsequent to 1960, the main functions of the Commission will be:

- to take steps to ensure the protection and preservation of evidence of human rights abuses;
- to investigate human rights abuses that have occurred between 1960 and the date upon which this Commission commences its operations, including violations during a transitional period, and compile a full and accurate record of these abuses using available documentation, victim statements, and testimony from perpetrators;
- to require persons accused of human rights violations, but who deny that they committed such violations, to appear before the Commission so that these cases can be fairly investigated, and findings can be made;
- to require persons who admit to having committed human rights violations over this period to appear before the Commission, make full and accurate admissions about their involvement;
- to recommend that those found to have committed gross human rights abuses should be removed from any positions of power and authority that would allow them to commit further human rights abuses in the future;
- to recommend that the remedial steps needed in order to provide reparations to victims should encompass the basic rights framework outlined by the Economic and Social Council of the United Nations; namely, the right to know, the right to justice, the right to non-recurrence, and the rights to restitution, compensation and rehabilitation;
- to explore the desirability of facilitating genuine community reconciliation;
- to facilitate processes of community-driven exhumation, reburial, and memorialisation.

This framework has guided the work of Zimbabwean human rights organisations since 2003. It has led to extensive documentation and research, civil litigation, the lobbying of international and regional rights bodies, the establishment of the National Transitional Justice Working Group (with nearly 100 stakeholder organisations and affiliated groups), and the sustained pressure during the life of the Inclusive Government (2009 to 2013) for a transitional justice mechanism. This last resulted in the creation of a new Independent Commission, the National Peace and Reconciliation Commission (NPRC). It can be said, without contradiction, that OVT and transitional justice are now wholly embedded in the national psyche.

However, it is not evident that all citizens appreciate the full implications of this terrible history. The views of citizens about transitional justice are very uneven, and here it is important to note that nearly 70% of Zimbabwe's population are under 35 years of age. Most Zimbabweans have been born well after the depredations of the Liberation War, and even more will have no memory about human rights prior to 1960. This influences how citizens view OVT and transitional justice.

An early study on 514 persons about their views on transitional justice indicated that very few (6%) had any interest in investigating violations prior to 1980, and 77% felt

investigations should be confined to the period from 2000 onwards.⁸ Furthermore, a majority (56%) of the Ndebele respondents felt that the investigations should focus on the period 1980 to 1987. In contrast, Shona respondents mostly (68%) were in favour of focusing on 2000 to 2008. These findings were corroborated and extended by a subsequent national survey.⁹ This study interviewed 3 198 individuals and the findings were largely similar to the pilot: 41% felt that investigations should be confined to 2000 onwards, and 71% felt they should be confined to 1980 onwards.

The significance is that very few Zimbabweans feel that OVT and transitional justice should encompass the history prior to Independence. This omission is in the context of a country in which rhetoric about the Liberation War and the unresolved problems left by the colonial era – such as land – is central to the political narrative of the country 40 years later.

Disregarding the violence that accompanied the struggle for independence would seem unwise, especially in a region where five of the Southern African Development Community (SADC) countries – Angola, Mozambique, Namibia, South Africa and Zimbabwe – are governed still by former liberation movements, and where the memories of brutal wars are carried by many still living.

The histories of these countries are not disjunctive and are carried by those who lived through the violence of each decade. They must be owned and honoured by all and, as was pointed out some decades ago about Zimbabwe, that “we cannot open cans of worms selectively”.¹⁰ Examining the history allows the nation to see itself more clearly and to see how history is used in perverse ways. More recently, for example, the “*pungwes*” of the Zimbabwean freedom fighters that were used to mobilise the populace to challenge the settler state, raise morale and provide political education, re-emerged in the post-2000 era as processes of “mass torture”.¹¹ In fairness, the *pungwes* during the Liberation War were also occasions when torture and extra-judicial killings took place, but the purpose of those meetings were different in intention overall to those in recent times.

The rhetoric of the Liberation War has returned more recently as “hate speech”. Whilst the rhetoric necessary for a fully-fledged civil war can at least be understood, if not justified, there seems little place for this in a time of indisputable peace. There seems little basis for describing members of opposition political parties as “enemies” or terming human rights

⁸ RAU (2009), *Transitional Justice in Zimbabwe: A pilot survey of the views of activists & victims*. Report produced by the Research & Advocacy Unit (January 2009). Harare: Research & Advocacy Unit.

⁹ ZHRNGOF (2010), *Taking Transitional Justice to the People Vol. 1*. Harare: ZHRNGOF (2011), *Taking Transitional Justice to the People Vol. 2*. Harare: Zimbabwe Human Rights NGO Forum.

¹⁰ Reeler, Tony (23 April 1997), “We cannot open cans of worms selectively” *Zimbabwe Independent*.

¹¹ IRCT (2000), *Organised Violence and Torture in Zimbabwe* (6 June 2000). Copenhagen and Harare: International Rehabilitation Council for Torture Victims & Amani Trust; IRCT (2001) *Organised Violence and Torture in Zimbabwe* (24 May 2001). Copenhagen and Harare: International Rehabilitation Council for Torture Victims & Amani Trust.

defenders “agents of regime change”. Worse than this, encouraging party members to commit violent acts has no place in peacetime.¹²

Thus, old and new are woven inextricably into the fabric of Zimbabwean politics, and no period in the past fifty years is disconnected from any other. This is the rationale behind the “Joinet Principles”, formulated over two decades ago in response to the fall of the autocracies in Southern Europe and Latin America.¹³ The four rights needed to deal with impunity have become the basis for most transitional justice processes, reflected in the conclusions on the 2003 Symposium and guiding the work of the National Transitional Justice Working Group;

- The Right to Know;
- The Right to Justice;
- The Right to Non-recurrence;
- The Right to Reparation (Restitution, Compensation and Rehabilitation).

Primary (perhaps) amongst these rights is the *Right to Know*, for this right challenges the silencing that comes with impunity and precipitate reconciliation. Without the history of what actually happened, not only are the other rights difficult to implement, but also the nation has no possibility of seeing itself realistically. This is the motivation behind this small history which draws on much earlier work, as is evident in the bibliography that is attached (Appendix 1).

¹² ZHRNGOF (2007), *Their Words Condemn Them: The Language of Violence, Intolerance and Despotism in Zimbabwe* (May 2007). Harare: Zimbabwe Human Rights NGO Forum.

¹³ UN ECOSOC (1997), *The Administration of Justice and the Human Rights of Detainees: Question of the impunity of perpetrators of human rights violations (civil and political)*. Revised final report prepared by Mr Joinet pursuant to Sub-Commission decision 1996/119, United Nations. Economic and Social Council. Commission on Human Rights. Sub-Commission on Prevention of Discrimination and Protection of Minorities. 1.

Chapter I: What is Organised Violence and Torture (OVT)?

"Organised violence is the interhuman 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' feelings. Organised violence includes *inter alia* 'torture, cruel, inhuman or degrading treatment or punishment' as mentioned in Article 5 of the UN Universal Declaration of Human Rights (1948). Imprisonment without trial, mock executions, hostage taking or any other form of violent deprivation of liberty also fall under the heading of organised violence. The effects of apartheid, destabilisation, civil war, the forced displacement of people, and political violence constitute organised violence. Violence which occurs in these situations as a direct consequence of political repression, although it may appear random, is of a structural nature, involves violation of basic human rights and can only disappear when human, social and political relationships are profoundly changed." [PAZ 1991]

This was the definition developed in 1990 at the ground-breaking conference held in Harare and adopted by Zimbabwean civil society at a further important symposium in 2003.¹⁴ It is evident from this definition that OVT places torture in the context of a much broader human rights problem, one in which the general population faces a very wide range of human rights violations. It is a definition that also speaks very much to the framework of the 1998 Rome Statute,¹⁵ and reflects the UN position that apartheid constituted a crime against humanity.

However, it is worth unpacking the concept of OVT a little further so that readers can be clear what it entails and what can be included under the concept when we look at the political violence that has afflicted Zimbabwe for five decades.

The Monopoly of Force and International Restraint

It is axiomatic that the development of the nation state required the state to have a monopoly over violence. This monopoly is crucial for dealing with two threats, one internal, mostly dealt with by police forces, and the other external, always the purview of the army. These powers, of force and coercion, and the institutions that implement these, are the only necessary powers that a state requires according to Bertrand Russell.¹⁶ However, it is

¹⁴ Psychiatric Association of Zimbabwe (1990), *Report on an International Conference on "The Consequences of Organised Violence in Southern Africa"*. Harare: PAZ; Morrell, Penny (ed) (2004), *Civil Society and Justice in Zimbabwe*. Proceedings of a symposium held in Johannesburg, 11-13 August 2003, Pretoria: Themba LeSizwe/Southern African Trauma Coalition

¹⁵ UN (1998), Rome Statute of the International Criminal Court. Available at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-10&chapter=18&lang=en

¹⁶ Russell, B (1938), *Power. A New Social Analysis*. Allen & Unwin

evident that modern states have arrogated to themselves much greater powers, and with these the ability to greatly influence the lives of their citizens. And, of course, this influence may not always be benevolent. This is, in part, the reference in the 1990 definition of Organised Violence and Torture to the effects of apartheid and forced displacement, in addition to all the references to overt violence– torture, imprisonment without trial, mock executions, hostage taking, or any other form of violent deprivation of liberty.

Thus, the concept of OVT has a very wide ambit. Because the state that is responsible for ensuring economic, social, and cultural rights is also the one that perpetrates OVT, this has led to a multitude of international conventions and instruments to ensure that states do not abuse their powers.

The Universal Declaration of Human Rights (UDHR) recognises civil and political rights (Articles 1–21), as well as economic, social, and cultural rights (Articles 22–27). These two classes of rights were split into two different legally binding documents: the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). ICCPR entered into force in March 1976, after being adopted by the UN General Assembly in 1966. ICESCR entered into force on 3 January 1976 and had 171 State parties as of July 2020.¹⁷ It was agreed by the international community that these important classes of rights needed to be separated to meet the conflicting interests of the Warsaw PACT and NATO countries. This distinction is no longer relevant in the 21st century. After years of lobbying of the UN system by civil society, the UN General Assembly acceded and adopted the Optional Protocol to the ICESCR (OP-ICESCR) on 10 December 2008.

While Article 22 of the UDHR introduces and aims to enhance the economic, social, and cultural rights (ESCR) as enshrined, it is important to note that the contemporary international human rights system was developed largely in response to the atrocities of World War II. This human rights system was developed to assert universally applicable human rights norms and standards, and to establish binding mechanisms to hold states accountable for human rights failures and violations. The Universal Declaration of Human Rights (UDHR) was adopted by UN member states on 10 December 1948, setting out a global agreement on common human rights standards, including ESCR – for instance, social security (Article 22); work (Article 23); an adequate standard of living, health and well-being, including food, clothing, housing (Article 25); education (Article 26); and cultural life (Article 27). Articulated in aspirational language and not a binding treaty, the UDHR is a morally persuasive document that no state can explicitly denounce.

¹⁷ Ikawa, D (2020), “The International Covenant on Economic, Social and Cultural Rights and the Optional Protocol”, in J Dugard, B Porter, D Ikawa & L Chenwi (eds) *Research Handbook on Economic, Social and Cultural Rights as Human Rights*. Elgar Publishing Limited. Available at <https://doi.org/10.4337/9781788974172>

Economic, social, and cultural rights are existential rights, never to be regarded as a negotiable group of rights. States often violate these rights together with other normative standards in the Maastricht Principles.¹⁸ However, economic, social, and cultural rights are often regarded as discretionary since they depend on the ability of the state to deliver these, and it is often argued that they are wholly dependent upon economic development. For example, the rights to health or education require resources, and states may prioritise other foci for the deployment of its resources. In recent decades the argument by the proponents of neo-liberal economic policies have argued (and enforced) a weaker role for the state, and there is the insistence that the hand of the state should be balanced by a much greater emphasis upon the “market”. The effect of this has been for the weakening of economic, social, and cultural rights, and the displacement of responsibility for these to the citizenry.

Thus, there is a clear dichotomy between the rights under ICCPR and ICESR, where the former is seen as non-derogable but the latter as optional. This has important implications for the concept of OVT. All violations of the rights by states under ICCPR – torture, rape, forced displacement, etc – cannot ever be acceptable, should be criminally punishable, and, if taking place on a widespread and/or systematic basis, subject to the jurisdiction of the International Criminal Court.

However, the failure of the state to protect the rights under ICESR do not yet attract the same odium, but a step in this direction has come with the promulgation of the *Responsibility to Protect* (R2P) principle. This statement, not yet an enforceable instrument, was adopted in 2005 by the UN World Summit and makes explicit reference to situations in which governments cannot protect the broader rights of their citizens. As this is stated in Pillar Four, “if a state is manifestly failing to protect its populations, the international community must be prepared to take appropriate collective action, in a timely and decisive manner and in accordance with the UN Charter”. Implicitly this must refer to times when the state does not take steps to protect the rights of citizens under ICESR. To date, this remains merely a statement of intent by the international community and has yet to become an enforceable instrument. As the UN instruments were deeply influenced by the events of World War II, so is R2P influenced by the events that took place in the former Yugoslavia and Rwanda. Incidentally, R2P was raised in respect of Zimbabwe by the UN Special Envoy over the violations that took place during Operation *Murambatsvina* in 2005.¹⁹

There is little dispute that the modern state must have the monopoly of coercion within its territory, with Max Weber perhaps the major influence on the development of the modern

¹⁸ Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights state that All States have obligations to respect, protect and fulfil human rights, including civil, cultural, economic, political and social rights, both within their territories and extraterritorially. Available at https://www.fidh.org/IMG/pdf/maastricht-eto-principles-uk_web.pdf

¹⁹ *Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe*. Available at <http://hrlibrary.umn.edu/research/ZIM%20UN%20Special%20Env%20Report.pdf>

state. Arguing in his theory of the state for “rational bureaucracy”, this bureaucratic administration insists on a rule-governed, meritocratic, and transparent type of hierarchical dominance. However, this Weberian order is coercive– which is not surprising given that it originates in the military realm. The only difficulty arises when this seemingly sound strategy is utilised to attain or retain political power which often regresses into violence. The question implied in the 1990 definition is whether the concern is with only the rights under of the ICCPR or does it extend to violations of the rights under ICESR: that is, is OVT more than direct violence?

Organised Violence

Whilst the concept of OVT seems simple at face value, it has been argued that violence should be analysed via changing perceptions of these events and processes, and linked to broader social transformations on the inter-polity and inter-group levels.²⁰ As Malešević (Malešević 2020) points out, the paradox of modernity and its nexus to violence where, despite civilisation’s vast knowledge and tools for peace, it has “*managed to kill twenty-two times more people than our predecessors were able to do in 4,900 years*”.²¹ Despite the propensity for carnage in the modern age, he also notes how desperately unwilling humans are to kill and die or to act individually, removed from organisational and ideological power, as most prefer flight over fight. Thus, it is the institutional trappings of the networks of organisations and ideological doctrines that make humans act more violently. Konrad Lorenz (Lorenz 1963) pointed out that is also our ability to kill at a distance that helps overcome the inhibition to kill.²² This understanding is held by the classical sociologists who have argued that “*civilisations have acted both as cradles of cultural and economic advancement as well as the sources of utmost destruction*”.²³

Whilst the concept of OVT seems intuitively easy to understand, and covers violations under both ICCPR and ICESR, it is obvious that there are some issues that need theoretical and empirical unpacking. For example, torture is relatively easy to describe and measure, even the psychological effects of torture, but it is less easy to describe and measure the usually indirect effects of violations of economic, social, and cultural rights in the same way. How to show the causal nexus between poor health, say child malnutrition, and a deliberate policy by a government to minimise (or fail to address) the conditions creating child malnutrition. In the case of the mass displacements under a policy like Operation *Murambatsvina* (Chapter 5), this may be comparatively easy, but a more subtle process of sustained discrimination may be more difficult to place within the rubric of OVT.

²⁰ Malešević, S (2020), *The Rise of Organised Brutality: A Historical Sociology of Violence*. Cambridge: Cambridge University Press.

²¹ Malešević, S (2010), *The Sociology of War and Violence*. Cambridge: Cambridge University Press
DOI: 10.1017/CBO9780511777752

²² Lorenz, KZ (1966), *On Aggression*. Routledge Classics.

²³ Malešević (2010), op cit (n 19) 118

These may seem trivial points at face value, but they are critical when it comes to transitional justice. The point here is to return to the monopoly of coercion by the state and the obligations, both under national and international laws, that this power be used for the benefit of citizens and not for their harm. So, it seems obvious to all that the government ruling the country should not use its security services to torture or kill those that disagree with its policies. This is widely accepted throughout the entire world in all the UN Declarations and Conventions and, usually, within the rights protection offered in most national constitutions. But how to characterise the situation where a government deliberately pauperises one section of the country in order to maintain political power, or where a government's incompetence or corruption results in greater poverty?

At face value, both kinds of abuse are covered by the ICCPR and the ICESCR, but it should be evident that assigning criminal responsibility for these is very different. Using a current Zimbabwean example and the allegations that unilaterally imposed sanctions are the cause of the deepening poverty in Zimbabwe, the claim made by the *UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights* that all human rights violations stem only from the imposition of sanctions is unfounded.²⁴ Whilst there is no doubt that there are unilateral sanctions on Zimbabwe, and that these have an effect (as they are intended to), there remains the balancing of the contribution of the sanctions against the comprehensively demonstrated failure of the government's economic management of the country, the enormous unpaid debt, and the rampant corruption. It will be evident that ascribing culpability is no simple task for either the outcomes or the agents.

As will be seen in the chapters that follow, OVT in Zimbabwe raises all these problems.

²⁴ UNHR (2022), *Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights*, Alena Douhan, Human Rights Council Fifty-first session 12 September–7 October 2022 Agenda item 3, Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development. A/HRC/51/33/Add.2

Chapter 2: The Liberation War

The legacy of the OVT in the Liberation War lives on today, both as a central feature in the politics of the country, but also in the largely unaddressed morbidity that it created. Whilst the 2003 Symposium posited that the period 1960 to 1980 be addressed in any transitional justice process (including rehabilitation), the most serious violence took place between 1972 and 1979. It is not recognised generally just how brutal was this civil war, and few in Zimbabwe's very young population have any understanding of this.

The Liberation War has been written about copiously but there are relatively few reports of a specific human rights nature, although OVT is covered in non-empirical fashion in many reports and books. The two major data sources at the actual time are Amnesty International (Five reports)²⁵ and the Catholic Commission for Justice and Peace in Rhodesia (Three reports)²⁶.

The data on both the scale of the violence and the morbidity this induced are highly disputed, but conservative estimates reflect how much the period between 1972 and 1979 affected the entire country. The war ostensibly began in 1965 with the Unilateral Declaration of Independence (UDI) by the Southern Rhodesian government – effectively an act of treason – and led very quickly to United Nations sanctions, but not any military action by the colonial power.²⁷

The resort to sanctions as the political weapon left the nationalist political parties in an invidious position: whilst the treason of the settler state implied that any action (including military) aimed at restoring constitutionality should be supported, in practice the decision to launch an armed struggle was repudiated by the UK and the West. Thus, “freedom fighters” became “terrorists” in Rhodesian parlance and accepted as the latter by most Western nations rather than militarily supported. Since their only recourse was for support from the Soviet Bloc and China (an invidious choice during the Cold War) this created tacit support for the illegal Smith regime from many Western countries, frequent acceptance for

²⁵ AI (1977), *Rhodesia: AI campaign: use of torture in Rhodesia*. London: Amnesty International; AI (1977), *Rhodesia: The death penalty and executions in Rhodesia*. London: Amnesty International; AI (1977), *Rhodesia: Torture in Rhodesia: Extracts of Statements received by AI*. London: Amnesty International; AI (1979), *Rhodesia: HR violations in Rhodesia 1978/1979*. London: Amnesty International.

²⁶ CCJP (1975), *The Man in the Middle: torture, resettlement and eviction*. Salisbury: Catholic Commission for Justice and Peace in Rhodesia; CCJP (1976), *Civil War in Rhodesia: Abduction, Torture and Death in the Counter-Insurgency Campaign*. Salisbury: Catholic Commission for Justice and Peace in Rhodesia.

²⁷ For a comprehensive analysis of the complexities involved in UDI and dealing with the renegade state of Rhodesia, see White, L (2015), *Unpopular Sovereignty. Rhodesian Independence and African Decolonization*. University of Chicago Press.

the breaking of sanctions, and active support from South Africa and Portugal (at least until the fall of the Salazar regime).²⁸

The acceptance of the “terrorist” paradigm allowed the Rhodesian state free rein in using coercive control to deal with its political problems. Detention and torture became commonplace, leading to Amnesty International taking a keen interest in Rhodesia – Southern Rhodesia became the Republic of Rhodesia in 1969 – and the human rights violations that were taking place. The work of Amnesty International was complimented by a domestic initiative, the establishment of the Catholic Commission for Justice and Peace in Rhodesia (CCJPR). The work of the CCJPR became critical to the exposure of gross human rights violations when the civil war escalated in 1972 and the freedom fighters, taking advantage of the now massively expanded border following Mozambican independence, extended armed incursions into the North-eastern areas of Zimbabwe.

It is worth pointing out here the scale of this short and brutal phase of the lengthy struggle for independence. By 1980, it is estimated that 60 000 people died (the vast majority ordinary civilians), 750 000 had been displaced into “protected villages”, and probably an equal number had been displaced into neighbouring countries. The war spread rapidly right around the country and large areas of the country came under the control of the two guerrilla armies, Zimbabwe African National Liberation Army (ZANLA) and Zimbabwe People's Revolutionary Army (ZIPRA). The war even spread to neighbouring countries, predominantly Zambia and Mozambique, and Rhodesian security forces carried out very serious massacres at refugee camps. By 1979 and the Lancaster House talks, the region was engulfed in war, and not merely in Zimbabwe: Angola, Namibia, Mozambique, Zimbabwe, and even South Africa were experiencing OVT on a very large scale.

For the ordinary citizen in Rhodesia – they were universally Black, rural, and certainly not citizens in the eyes of the settler state – life became extremely dangerous. The first reports of CCJP detailed this.²⁹ These reports covered the ground from the hardships involved in the displacements into the “keeps”, as the local people termed the protected villages,³⁰ through to the rising frequency of torture and extra-judicial killings. As the death toll of civilians rose, the Rhodesian state termed these incidents as persons killed “running with the terrorists”, but investigations by CCJP soon exposed the reality: for example, one such incident at Karima village near Mount Darwin, suggested no presence of ZANLA forces, and much more a deliberate massacre to intimidate the local population. There were also large-scale massacres of refugees and combatants in Mozambique and Zambia. These are indisputably either war crimes or crimes against humanity.

²⁸ See again White, L (2015), *Unpopular Sovereignty. Rhodesian Independence and African Decolonization*. University of Chicago Press.

²⁹ CCJP (1975) op cit (n 24)

³⁰ Protected villages were introduced in Southern Rhodesia between 1972 to 1980 as a military strategy to isolate the freedom fighters.

In order to combat both the negative publicity and neutralise organisations such as CCJPR, the Rhodesian government passed the iniquitous Indemnity and Compensation Act in 1975. The effect of the Act was to grant impunity for any act committed by a state agent: very broadly defined since virtually the entire White male population was conscripted to some form of military service. The Act was made retroactive to 1972 when the first major guerrilla attacks took place, and the violations since then had been exposed by CCJPR. CCJPR thus became vilified, its members attacked, and most forced into exile.³¹

With the closing down of internal monitoring, the peace that followed the Lancaster House Agreement, the statutes of impunity promulgated by the British government (and repeated by the Zimbabwe government) and the much-lauded policy of reconciliation offered by the Mugabe government, both justice and assistance to the tens of thousands of victims went out the window.

Thus, the first major attempt to examine the OVT of the Liberation War and assist its victims came nearly two decades later with the Amani Trust beginning work in Mashonaland Central. It became readily apparent just how extensive the OVT had been, also how many were still suffering the aftereffects in physical and psychological disability.

An early epidemiological study in Mount Darwin District, one of the most affected places during the war, demonstrated that 1 in 10 adults over the age of 30 years, was a victim of OVT (mostly torture) and suffering from a clinically significant psychological disorder.³² In addition, many were still suffering from physical disability from torture.³³ However, it was not merely civilians who suffered: research on the sequelae of OVT in “war veterans” also showed significantly high rates of psychological disorder.³⁴

The effects on the citizens were not trivial. This is demonstrated by a comparison between survivors from the Liberation War with more recent victims. This recent study, comparing the survivors of the Liberation War with the victims of the OVT between 2000 and 2002, makes the point quite clearly that the consequence of a frank war leads to both significantly worse OVT and to a greater probability of a clinically significant psychological disorder.³⁵

³¹ Auret, D (1992), *Reaching for Justice: The Catholic Commission for Justice and Peace, 1972-1992*. Gweru: Mambo Press.

³² Reeler, AP, Mbape, P, Matshona, J, Mhetura, J & Hlatywayo, E (2001), “The prevalence and nature of disorders due to torture in Mashonaland Central Province, Zimbabwe” *Torture* 11:4-9.

³³ Amani (1997), *Survivors of Torture in Mount Darwin District, Mashonaland Central Province: Report and Recommendations*. Harare: Amani Trust.

³⁴ Reeler, AP & Mupinda, M (1996), “Investigation into the sequelae of Torture and Organised Violence amongst Zimbabwean War Veterans” *Legal Forum* 8:12-27.

³⁵ RAU & CSU (2020), *Severity of Violence and the Long-term Effects: Comparison of Survivors of the Liberation War (1972 to 1980) with Survivors of Political Violence (2000 to 2002)* (October 2020). Harare: Research & Advocacy Unit.

Table 1: Comparison of types of torture (Mean number of each type)
 [Source: RAU & CSU 2020]

	1970 [n=392]	2000/2002 [n=320]
Adult witness	52%	29%
Child witness	32%	22%
No. of types of OVT [mean]:		
Physical abuse	1.7	1.2
Deprivation	1.8	0.9
Sensory overstimulation	0.8	0.4
Psychological abuse	1.8	1.5
Witness assaults	1.8	1.2
Witness executions	0.9	0.5
Total torture	8.8	5.2

It can be seen from Table 1 that survivors of the Liberation War experienced not only more different types of torture (8.8 v 5.2), they also were more likely to witness others experiencing the same and were more likely to have their abuse witnessed by others, both adults and children. This is a very straightforward demonstration that war leads to greater violence but also, in the Zimbabwe case, shows the dangers of giving advance immunity to perpetrators. In respect of this last point, a study by the Amani Trust showed that the great majority of violations (69%) in Mount Darwin District took place between 1975 and 1979, after the passing of the Indemnity and Compensation Act.³⁶

In addition to the greater severity of abuse, the long-term consequences of developing a clinically significant disorder were greater for the survivors of the Liberation War. Table 2 shows that 46% of survivors had scores 4 or more on the SRQ-8 as opposed to only 21% of those from 2000 to 2002. Scores of four or more on the SRQ-8 indicate the presence of clinically significant psychological disorder: it is not diagnostic of any particular disorder but indicates that the person should be seen by a mental health professional.³⁷

Table 2: SRQ-8 scores & No. in the clinically significant range on initial assessment
 [Source: RAU & CSU 2020]

	SRQ-8 [mean & S.D]	% positive [>4]	% Negative [<4]
2000	1.53 (1.91)	20.9%	79.1%
1970	2.94 (1.95)	45.9%	54.1%

³⁶ Amani (1998), *Survivors of Torture and Organised Violence from the 1970 War of Liberation*. Harare: Amani Trust.

³⁷ The Self-Reporting Questionnaire (SRQ-8) is a psychiatric screening instrument, based on the Self-Reporting Questionnaire (SRQ-20) developed by the World Health Organisation. The SRQ-8 is a short version of the SRQ-20, validated for Zimbabwe, and widely used in studies of mental disorder and OVT. See Patel, V & Todd, C (1996), "The validity of the Shona version of the Self-Report Questionnaire (SRQ) and the development of the SRQ-8", *Int J. Methods in Psychiat Res* 6:153-160.

None of this is to minimise the experiences of the more recent survivors – which are clearly serious – and it may well be that the lengthy delay for the survivors from the Liberation War may have also contributed to the greater probability of developing a psychological disorder. Most of these survivors from the Liberation War only received specialist care nearly two decades after the original abuse.

However, it was not merely the physical and psychological sequelae for individual survivors that are important, there are significant consequences for the families and the communities around them. One study demonstrated that there were several differences in social and economic factors between the survivors and their neighbours.³⁸ The survivors had:

- greater illiteracy;
- higher unemployment;
- more money on health care;
- less income in the past week;
- less earnings in the past year;
- lower household expenditure;
- more dependency upon credit (greater potential indebtedness);
- poorer housing (both structurally and state of repair);
- tendency to travel further for fuel wood;
- grow less maize, cotton and tobacco;
- less food security (months of food available);
- more frequent recourse to drought relief;
- less likely to have fruit trees or wood lots;
- less use of natural resources;
- less access to information;
- more likely to use charity or social welfare.

The costs to a person from an experience of OVT are not trivial and involve more people than the individual victim: certainly, having a disabled breadwinner affects the whole family. Furthermore, it takes little imagination to see that communities in which there are large numbers of such families are going to be significantly poorer than those that do not.

Quite apart from their poverty, the survivors showed many signs of having less self-esteem and greater apathy than their neighbours have and are:³⁹

- more likely to see war as a reason for poverty;
- less optimistic that the situation can be changed;

³⁸ Reeler, AP & Mhetura, J (2000), "The psychosocial effects of organised violence and torture: A pilot study comparing survivors and their neighbours in Zimbabwe", *Journal of Social Development in Africa* 15:137-169.

³⁹ Reeler & Mhetura (2000) op cit (n 36)

- more dependent on outside help (believe they need money help as opposed to empowerment help).

This second group of findings speaks to the psychological consequences of OVT and the social adversity. Survivors have low self-efficacy, and this is due in part to the original violence and in part to the failure to overcome the social adversity. It is demonstrated endlessly by studies on individuals that OVT creates powerlessness and a lack of self-efficacy: many commentators point out that this is replicated in the social and political arena. Survivors are traumatised into feelings and beliefs of powerlessness, perform less well in the many tasks of life, and the failure compounds and reinforces the lack of self-efficacy. It takes little imagination to see how this then translates into community, social and political apathy.

Conclusions

Hopefully the point made earlier, about not excluding the pre-Independence period from any general history of OVT in Zimbabwe, is now apparent. The OVT, and the facilitation of this by formal impunity, led to very large numbers suffering and continuing to suffer decades after the horrible events. It is also worth pointing out that this OVT was not inflicted by only the security forces of the Rhodesian regime: most was, but the studies from Mount Darwin show that at least 10% of the violations were committed by the freedom fighters. There are no angels during modern wars, just devils of greater or lesser frequency.

It was such a short and brutal war that one might have expected a very strong commitment to eschew OVT in the new state of Zimbabwe – as was explicit in the address by Prime Minister, Robert Mugabe, on the assumption of office and the new Zimbabwe government taking power. However, the promise lasted no more than two years before Zimbabwe was embroiled once again in extensive OVT in the southern half of the country.

Chapter 3: Gukurahundi

This chapter deals briefly with the OVT that took place in the southern half of Zimbabwe between 1980 and 1987, colloquially known as “Gukurahundi”.⁴⁰ This was an extremely violent period in Zimbabwe’s history but passed almost unnoticed by the international community – many would say deliberately due to the desire to ensure that white South Africa would find a way to come to terms with black majority rule in that country. The argument here is that Zimbabwe, a black Marxist government representing everything that South Africans feared, needed to appear a successful transition. Recent analysis shows clearly that few governments were ignorant about what was happening between 1982 and 1987.⁴¹

There were signs before 1982 that the uneasy alliance between ZANU and ZAPU might well fall apart into wider conflict. The first inkling that this was a marriage forced by the Front-Line States came when ZANU withdrew from the Patriotic Front and elected to contest the elections in 1980 on its own. Violence between the two parties began very shortly after ZANU assumed the reins of government, in clashes between the two guerrilla forces at Entumbane and Connemara, with the loss of at least 300 lives in the latter clashes. The uneasy compact between the two major political parties lasted until February 1982 when the “discovery” of arms caches led to the accusation that ZAPU was planning an insurrection. All ZAPU leaders were removed from the government and the senior military leaders in ZIPRA were arrested and charged (unsuccessfully) with treason, but then detained. Numbers of ZIPRA soldiers defected from the army and a low intensity civil war ensued.

There is considerable literature on *Gukurahundi* and this report will not attempt to summarise this but will concentrate on the data-driven reports. The primary resource must be the very detailed report produced by the Catholic Commission for Justice and Peace in Zimbabwe (CCJPZ) and the Legal Resources Foundation (LRF) in 1997.⁴² There had been documentation at the time of the violence, primarily by CCJP and the Bulawayo Legal Projects Centre, but the government reports, the Chihambakwe Commission and Dumbutshena reports, have never seen the light of day despite strenuous efforts to have them released.

⁴⁰ *Gukurahundi* was a series of massacres of Ndebele civilians carried out by the Zimbabwe National Army from early 1983 to late 1987. It derives from a Shona language term which loosely translates to “the early rain which washes away the chaff before the spring rains”.

⁴¹ This history is described in detail in many books. Here see, for example, Dorman, S (2017), *Kingdom power, glory. Mugabe, ZANU and the quest for supremacy, 1960-1987*. Johannesburg: Sithatha Media.

⁴² CCJP & LRF (1997), *Breaking the Silence-Building True Peace: A Report on the Disturbances in Matabeleland and Midlands 1980 to 1988*, Harare: Catholic Commission for Justice and Peace in Zimbabwe & Legal Resources Foundation.

The CCJP/LRF report is based on extensive interviewing of victims, as well as access to other data sources, the public domain and the data gleaned from the press and media. The information is supported by academic studies at the time,⁴³ and many more books and academic articles over the years. The CCJP/LRF report, *Breaking the Silence-Building True Peace: A Report on the Disturbances in Matabeleland and Midlands 1980 to 1987*, is a disturbing report, giving great detail to the extreme brutality that was inflicted on the civilians in Matabeleland and parts of the Midlands. It was regarded at the time as an exemplary report by Amnesty International.

It is relevant to point out here that the rationale for the onslaught against civilians was the violence attributed to dissidents and it was obvious that South Africa had a vested interest in destabilising countries in the region: this was the case not merely for Zimbabwe, but also for Angola and Mozambique. In Zimbabwe, apart from the attacks on commercial farmers, there were a series of attacks on civilians and military targets. Here the bombing of Fr Michael Lapsley, the blowing up of aircraft in Gweru and the arms dump at Inkomo Barracks, and probably the abduction and murder of six foreign tourists near Victoria Falls, can all be mentioned as providing further justification for action against dissidents. The killing of white commercial farmers that was attributed to so-called Super-ZAPU again upped the stakes but may have had the undesirable side-effect of creating white support for dealing harshly with dissidents.

Whatever the threat, it was military and not civilian, and should have prompted the kind of actions used by the Rhodesian military in the liberation war: there was only a dissident threat to meet, not great numbers of dissidents,⁴⁴ and certainly not an attempt to overthrow the state. There was evident South African intention to destabilise the country and the region,⁴⁵ but the dissidents were poorly armed, had no external support in the way the freedom fighters in the 1970s had, and did not have the kinds of local support initially that was provided by the local population to the freedom fighters.

Whatever the demerits of the Rhodesian strategy for dealing with the freedom fighters, it was based on the notion that a hamlet system, the “keeps” (protected villages) and an

⁴³ Werbner, R (1991), *Tears of the Dead*. Harare: Baobab Books; Alexander, J (1996), *Dissident Perspectives on Zimbabwe's Civil War* [Seminar Paper], St Antony's College, Oxford; Alexander, J & McGregor, J (1996), *Democracy, Development and Political Conflict: Rural Institutions in Matabeleland North after Independence* [Paper presented] International Conference on the Historical Dimensions of Democracy and Human Rights in Zimbabwe. Harare, September 1996.

⁴⁴ The estimate of the numbers of ZIPRA dissidents was probably only 400 maximum. Only 122 turned themselves in in 1987, and it is probable that many other dissidents were criminal gangs taking advantage of the situation as well as the so-called “Super ZIPRA” sponsored by South Africa.

⁴⁵ Hanlon, J (1986), *Beggar your Neighbours: Apartheid Power in Southern Africa*. Indiana University Press.

attempt to “win hearts and minds” would undermine the support in the community for the freedom fighters. This was based in the experiences of the Rhodesian military in Malaya, as well as such use in the Vietnam war. There was also the use of psy-ops, the use of psychological techniques to bolster the use of coercion, also a tactic from Vietnam. Whilst these tactics were not very effective, and the use of coercion became predominant, the strategy was predicated at least on the understanding that civilian support was critical to overcoming the threat of the freedom fighters. Such a strategy cannot be found in *Gukurahundi*, and it is evident that civilians were as much the targets (maybe more so) as the dissidents: terror, not persuasion was the strategy of choice.

The notion about terror is given strength by the many comments made by the government during *Gukurahundi*. In April 1983, Robert Mugabe was quoted by the *Times* from a speech he gave in Nkayi:

“We have to deal with this problem quite ruthlessly. Don't cry if your relatives get killed in the process ... Where men and women provide food for the dissidents, when we get there we eradicate them. We don't differentiate when we fight, because we can't tell who is a dissident and who is not.” [Source: *The Times* 27 April 1983]

Mugabe's statements (this is merely one of them) were echoed by several senior ministers. Emmerson Mnangagwa, then Minister of State Security, was quoted by the *Chronicle* in the same month, April 1983:

“Blessed are they who will follow the path of the Government laws, for their days on earth shall be increased. But woe to those who will chose the path of collaboration with dissidents for we will certainly shorten their stay on earth.” [Source: *The Chronicle* 4 April 1983]

Later in 1983, he was quoted from a speech given in Victoria Falls, using terms later heard in Rwanda:

“... the campaign against dissidents can only succeed if the infrastructure that nurtures them is destroyed.” The dissidents were, in his words, “cockroaches” and 5th Brigade was the “DDT” brought in to eradicate them. [Source: *The Chronicle* 5 March 1983]

Enos Nkala, Minister of Home Affairs, was frequently vitriolic.

“We want to wipe out the ZAPU leadership. You've only seen the warning lights. We haven't reached full blast ... the murderous organisation and its murderous leadership must be hit so hard that it doesn't feel obliged to do the things it has been doing.”

“It's really ZAPU that provides the infrastructure for dissidents and violence. If you liquidate ZAPU, if the word liquidation means bringing to an end something, then it means you have no problem of dissidents.” [Source: Film footage from film entitled *A Place for Everybody*]

Robert Mugabe's later comments that *Gukurahundi* was a “moment of madness”, thus seem wholly dissimulating in the light of the intention that is evident in the remarks above.

There is another important difference between the brutality seen during the liberation war and *Gukurahundi*. Much of the OVT seen in the liberation war, the massacres in Mozambique and Zambia apart, are episodic and sporadic, occurring in response to freedom fighter actions or information about the presence of freedom fighters. It did not have the character of a widespread and systematic attack on civilians, although war crimes could be claimed to have taken place, especially for the massacres in Mozambique and Zambia. The point here briefly, and it will be elaborated in more detail later, is that there seems a distinction between crimes against humanity, arguable for *Gukurahundi*, and war crimes, arguable for the liberation war.⁴⁶

OVT during *Gukurahundi*

It is not easy to analyse the data on OVT from *Gukurahundi* as with the data provided in the other reports on OVT.

Firstly, the best data – that from *Breaking the Silence* – is part of a detailed forensic exercise, and hence the report is very detailed about the overall history, the myriad of events, District by District, the changes over time, and the identification of both victims and perpetrators. A considerable amount of the information is contained in detailed case studies, all critical to establish the truth of what happened between 1982 and 1987. The report is, in fact, so detailed that a summary version had to be produced in order to make the findings more accessible for ordinary citizens.⁴⁷ It was also disturbing that the Zimbabwe Catholic Bishops Conference (ZCBC) were initially reluctant to make it public, forced to do so in the end because a copy leaked to the press.⁴⁸

This brief report, therefore, cannot do justice to the immensely detailed forensic analysis of the *Breaking the Silence* report but it can, in common with the other reports to follow, present a brief analysis of the OVT.⁴⁹

The overall estimates of the extent of OVT are variable, with arguments that the number of dead is as high as 20,000. Whilst the overall number of persons murdered, tortured, disappeared, etc., is extremely high, the only hard evidence comes from the CCJP/LRF

⁴⁶ Some will argue that *Gukurahundi* was Genocide, but it remains an open question as to whether this was genocide or a crime against humanity. For the argument that *Gukurahundi* was genocide, see Malunga, S (2021), “The killing fields of Matabeleland: An examination of the *Gukurahundi* genocide in Zimbabwe”, *African Yearbook on International Humanitarian Law* 1-45. <https://doi.org/10.47348/AYIH/2021/a1>

⁴⁷ CCJP & LRF (1999), *Breaking The Silence, Building True Peace. A report on the disturbances in Matabeleland and the Midlands, 1980 - 1988. A Summary*. Harare: Catholic Commission for Justice and Peace (Zimbabwe) & Legal Resources Foundation.

⁴⁸ Coltart, D (2016), *The Struggle Continues: 50 Years of Tyranny in Zimbabwe*. Jacana Media.

⁴⁹ Here see the previous report, RAU (2021), *Organised Violence and Torture in Zimbabwe & the Liberation War* (May 2021). Harare: Research & Advocacy Unit.

report, because every single figure is corroborated in multiple ways. This data is alarming on its own.

Table 3: Conservative estimates of all violations

Source: CCJP/LRF 1997]

(All sources)	No.	%
Deaths	3 750	17.4
Property destruction	680	3.2
Mass beatings	99	0.5
Detention	10 000	46.4
Torture	7 000	32.5
Total	21 529	

The conservative estimate from the report indicates 21,529 separate violations, including 3,750 murders. It indicates 7,000 cases of torture, but also 10,000 (at least) detentions, and it is probable in the extreme that torture and assault accompanied every detention. Thus, the estimate of torture is considerably higher than 7,000. It is also likely to be much higher because of the mass beatings.

There is an important point to make here in respect of the mass beatings, and this is similar to the point to be made about OVT during the elections.⁵⁰ The CCJP/LRF report confirms 99 mass beatings, and the figure of 7,000 persons tortured derives from this, but this deals only with physical torture, and cannot estimate the amount of psychological torture inflicted by the witnessing of murder and torture. These mass beatings involved very large numbers of people forced to attend, including children, and hence it can be asserted with some confidence that the numbers of people subjected to torture is five or six times greater. There is partial evidence for this from subsequent research, and the point about mass psychological torture made by the IRCT in respect of the “pungwes” in the early 2000s (IRCT 2001; IRCT 2001).⁵¹ In 1998, a small epidemiological study, carried out in Matabeleland South Province, indicated that five adults in ten attending a primary care clinic reported an experience of OVT during *Gukurahundi* and were suffering from clinically significant psychological disorder. This was five times higher than the figure found for survivors of the liberation war in Mashonaland Central and, equally disturbing, nine of ten adults (including those not suffering from an active psychological disorder) reported an experience with OVT. This was one of the first studies confirming the extent of the violence of *Gukurahundi*.

⁵⁰ RAU (2021), *Organised Violence and Elections and Elections in Zimbabwe* (June 2021). Harare: Research & Advocacy Unit.

⁵¹ IRCT (2000), *Organised Violence and Torture in Zimbabwe* (6 June 2000). Copenhagen and Harare, International Rehabilitation Council for Torture Victims & Amani Trust; IRCT (2001) *Organised Violence and Torture in Zimbabwe* (24 May 2001). Copenhagen and Harare: International Rehabilitation Council for Torture Victims & Amani Trust.

Table 4: Human Rights data base (Confirmed numbers)

[Source: CCJP/LRF 1997]

Violation	No.	%
Death	1437	19.8
Missing	354	4.9
Property destruction	680	9.4
Torture	366	5.1
Physical torture	1537	21.2
Detention	2713	37.4
Rape	159	2.2
Total	7246	

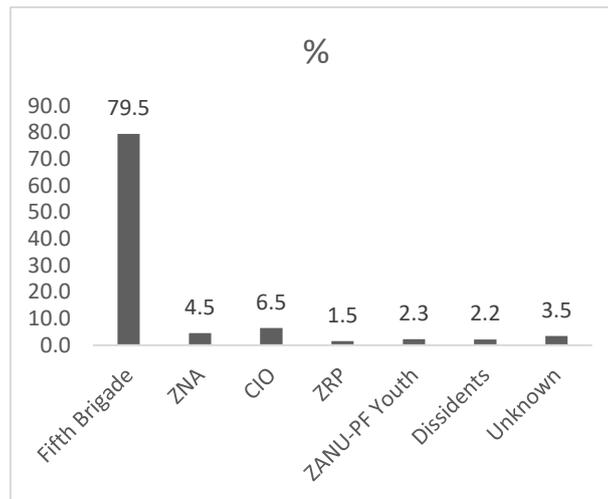
The harder data is no less disturbing. It breaks down the violations for 7,246 confirmed cases. Once again, the percentage of deaths is high (19.8%), comparable with the 17.4% from the estimates. It also gives a figure for the disappeared (4.9%), a group that continues to cause suffering today in Matabeleland. Property destruction is higher, 9.4% as opposed to 3.2%, but the extent of torture becomes clearer.

Given that torture would likely accompany all detention, then the likely figure for torture overall is 58.6%, that is, torture (37.4%) and detention (21.2%) combined. The implications of this are deeply worrying, especially in light of the finding reported above on the survivors of the liberation war: survivors of OVT do not spontaneously get better, and this is even less likely if the conditions around them do not change. Here it is sufficient to point out that living through further periods where OVT is common (what some researchers call “terror”⁵²) there is a high probability that thousands of survivors have PTSD, and many thousands more, depression.

The question about who was responsible may seem superfluous given how much has been written about *Gukurahundi*, but it is worth repeating the facts. The Fifth Brigade is the major offender as is well known, responsible for nearly 80% (79.5%) of all the violations and, when combined the ZNA, CIO and the ZRP, state security agencies account for 92% of all the violations. This is a similar pattern to the liberation war, and wholly dissimilar to all reports from 2000 onwards. It is a pattern suggestive of war.

⁵² Steel, Z, Chey, T, Silove, D, Marnane, C, Bryant, RA & van Ommeren, M (2009), “Association of Torture and Other Potentially Traumatic Events With Mental Health Outcomes Among Populations Exposed to Mass Conflict and Displacement. A Systematic Review and Meta-analysis”, *JAMA* 302: 537-549.

Fig. 1: Frequency of alleged perpetrators
 [Source: CCJP/LRF 1997]



There is one other issue to raise in respect of the perpetrators and that is the matter of command responsibility, as this has important implications for justice and transitional justice. Robert Mugabe once (and only once) commented on *Gukurahundi*, saying it was a moment of madness: it is not clear whether he was talking about himself personally or his government. However, all the evidence shows a campaign of deliberate deployment of military forces against civilians for which the government is clearly responsible – which suggests a general liability. However, a more careful look at the data (Figure 1) suggests something more sinister.

There is a different chain of command for all the bodies identified as perpetrators. The ZNA, for example, although deployed by the government, are under the command of the army commander, at that time Solomon Mujuru. Similarly, the ZRP would report to the Police Commissioner, then Wiridzayi Nguruve. The Fifth Brigade, the CIO and ZANU-PF supporters were outside the direct control of these two security force leaders, reporting to Robert Mugabe and Emmerson Mnangagwa. It is also worth noting that it was the ZNA and the ZRP that were responsible for effective action against the dissidents.

The relevance of talking about chain of command is that the government as a whole was responsible, but persons in that government are also responsible as they held high political office and made the political decisions that lead to the atrocities. Thus, people must be held responsible, and it is evident that the chain of command implicates Robert Mugabe as well as the senior members of his government. This does not excuse the officials who carried out their instructions, nor the persons under the command of the lower-level commanders. The liability of their actions flows from the top to the bottom.

Conclusion

The only unanswered (as yet) question about *Gukurahundi* is whether it was a crime against humanity or genocide. This may seem a trivial distinction, but it is the distinction between Genocide (Article 6) and Crimes Against Humanity (Article 7) of the Rome Statute of the International Criminal Court. Zimbabwe is not a signatory to the Rome Statute, neither has the country signed and ratified the UN Convention on Torture. This is a small matter however, for either of these categories of crime must evoke an international response, as was pointed out in the Pinochet case:

“Since the Second World War states have recognised that not all criminal conduct can be left to be dealt with as a domestic matter by the laws and the courts of the territories in which such conduct occurs. There are some categories of crime of such gravity that they shock the consciousness of mankind and cannot be tolerated by the international community. Any individual who commits such a crime offends against international law. The nature of these crimes is such that they are likely to involve the concerted conduct of many and liable to involve the complicity of the officials of the state in which they occur, if not of the state itself. In these circumstances it is desirable that jurisdiction should exist to prosecute individuals for such conduct outside the territory in which such conduct occurs.” [Millet, ex parte Pinochet (3) (1999)]

So, was *Gukurahundi* genocide or a crime against humanity? The answer hinges on the intent of the perpetrators: was there intent to destroy, in whole or in part, a national, ethnical, racial or religious group (genocide); or were the atrocities merely a widespread or systematic attack directed against any civilian population, with knowledge of the attack (crime against humanity)? There is little doubt that the latter is true, but there remains the matter of what the perpetrators intended. The merit of deciding between the two is perhaps only about what might be termed the “quantum of evil”: Is an attempt to destroy a people more evil than just brutally attacking civilians in pursuit of a military or political objective? This can be decided only when a full accounting for *Gukurahundi* takes place.

Thus, the current attempt by the Zimbabwe government to whitewash *Gukurahundi* by dragging in the traditional leaders, marginalising the National Peace and Reconciliation Commission (NPRC), and focusing on every persistent consequence of this shameful episode in Zimbabwe’s history must be strongly resisted. There can be no peace without accountability, and no accountability without truth. This is repeatedly pointed out by the victims of *Gukurahundi*.

Chapter 4: OVT and Elections

It seems clear in retrospect that the days of the autocrats and one-party regimes were numbered following the collapse of the Soviet Union and the end of the Cold War. The change in the international order meant that liberal democracy became the default arrangement for most countries, leading to the optimism of the “Third Wave” of democracy and the new emphasis on elections and alternations in power, even in Africa.⁵³ In fact, there was an enormous shift in Africa towards multi-party democracy, and the holding of regular elections, but it also became clear that elections were no panacea: too many countries realised that elections could be a very low bar for maintaining international credibility.⁵⁴

Whether described as living under “competitive authoritarianism”,⁵⁵ “dominant power politics”,⁵⁶ or even a “predatory state”,⁵⁷ the ruling party, ZANU-PF, has remained in power since 1980, confounding all logic and political science theory.⁵⁸ The party won every election during the 1990s, mostly against very weak opposition, but the stakes grew much higher with the emergence of the Movement for Democratic Change (MDC), and elections became hugely competitive, and extremely violent. In fact, it is evident that Zimbabwe is the most violent country in SADC when it comes to elections.⁵⁹ From 2000 onwards, the passing grade, usually accorded to Zimbabwe for its elections, changed to a fail, and the combination of violent and flawed elections (together with the problems about property rights that followed the Fast Track Land Reform Programme (FPTP), led to Zimbabwe being placed under restrictive conditions by the EU, and both restrictive conditions and sanctions by the US.

Thus, the relationship between Organised Violence and Torture (OVT) and elections became the new focus for human rights monitoring: not exclusively so, as the challenges to ZANU-PF’s hegemonic power grew with every passing year, both through elections, and also through the growing discontent of the citizenry for its very poor governance. Nonetheless, it was during elections, both in the lead-up and the aftermath of elections, that the greatest

⁵³ Posner, DN & Young, DJ (2007), “The Institutionalization of Political Power in Africa”, *Journal of Democracy* 18(3):126-140.

⁵⁴ Carothers, T (2000), “An End to the Transition Paradigm”, *Journal of Democracy* 13(1):5-21; see also Diamond, L (2008), “The Democratic Rollback: The Resurgence of the Predatory State”, *Foreign Affairs* 82(2):36-48.

⁵⁵ Levitsky, S & Way, L A (2002), “Elections without Democracy. The Rise of Competitive Authoritarianism”, *Journal of Democracy* 13(2):51-65

⁵⁶ Carothers (2000) op cit (n 2)

⁵⁷ Reeler, AP (2014), *On Power in Zimbabwe* (September 2014). Harare: Research & Advocacy Unit.

⁵⁸ RAU (2012), *Bucking the Trend: Africa, Zimbabwe, Demand for Democracy, and Elections* (May 2012). Harare: Research & Advocacy Unit.

⁵⁹ RAU (2016), *Are former liberation movements inherently violent as governments?* (February 2016). Harare: Research & Advocacy Unit.

frequency of OVT was recorded. It is also worth pointing out that elections prior to 2000 were also marked by significant political violence, but not on the scale seen subsequent to 2000.⁶⁰

Elections since 2000 have been marked also by accusations of electoral irregularities and rigging, and there is a very large literature on all these elections.⁶¹ Whilst rigging and fraud are obviously very serious issues, here we will concentrate on the aspects of all these elections in which OVT was documented.

OVT during Elections

Since 2000, every election has been violent, as documented by both local human rights groups as well as those from the international arena.

Table 5: Number of reports on OVT during elections

[Source: *A bibliography on Organised Violence and Torture in Zimbabwe. 2021*]

Organisation	No. of reports on Elections
Amnesty International	3
Amani Trust	8
CCJP	0
Human Rights Watch	5
International Rehabilitation Council for Torture victims (IRCT)	2
Idasa	1
Physicians for Human Rights	3
Redress Trust	2
Research & Advocacy Unit (RAU)	7
Solidarity Peace Trust (SPT)	2
Zimbabwe Peace Trust (ZPP)	26
Zimbabwe Human Rights NGO Forum (ZHRNGOF)	36
ZimRights	1
Total:	96

Zimbabwe has held five elections and two referendums since 2000: not all have been violent, especially the referendums. It is therefore worth looking at each of the elections from the perspective of OVT, for not all are the same, especially those where the presidency is at stake.

As seen in Table 5, there are at least 96 reports on OVT during elections, which cover the period 2000 to 2018. The majority were produced by Zimbabwean organisations, with the Zimbabwe Human Rights Forum (“the Human Rights Forum”) and one of its members,

⁶⁰ Compagnon, D & Makumbe, JM (2000), *Behind the Smokescreen: The Politics of Zimbabwe’s 1995 General Elections*. Harare: University of Zimbabwe Press; Moyo, JN (1992), *Voting for Democracy: A Study of Electoral Politics in Zimbabwe*. UZ Publications, Harare.

⁶¹ See especially Moyo, J (2020), *ExcelGate. How Zimbabwe’s 2018 Presidential Election was Stolen*. Harare: SAPES Books.

ZPP, producing 65% of all of these reports. Zimbabwean human rights organisations have an enviable record in documenting human right abuses and political violence: Zimbabwean human rights organisations contribute over 70% of all reports on violence in comparison to other countries in SADC, such as Angola, Mozambique, Namibia and South Africa, where most reporting on violent events is produced by the media.⁶² Of course, reports on OVT are only a small percentage of the total number of reports on OVT generally, about 20%. This is not to minimise the importance of reports on OVT and elections, merely to point out that OVT in Zimbabwe is not confined just to elections.

2000 General Election

The 2000 General Election came on the heels of a long, contested process of producing a new constitution, the creation of a broad civic alliance – the National Constitutional Association (NCA) – to drive this process, the counter-response of setting up a Constitutional Commission by the government, and the formation of a new political party, the Movement for Democratic Change. The stakes for this election had never been so high, especially after the electorate rejected the government’s draft constitution.

It also followed, after a turbulent decade, with the Economic Structural Adjustment Programme (ESAP), growing poverty, and the establishment of a powerful trade union movement, the Zimbabwe Congress of Trade Unions (ZCTU), with markedly increased activism in the 1990s (and the huge public sector strike in 1996). The decade ended with the Food Riots in 1998, nationwide protests against the huge increase in the cost of living caused by gratuitous pay-outs to war veterans, the collapse of the Zimbabwe Dollar, involvement in the DRC, and the Zimbabwe National Army on the streets of towns for the first time since Independence.⁶³

Thus, not only were a vibrant political party and a strong civic movement challenging the ZANU-PF government in 2000, there were also very clear signs that the government had lost the trust of the populace as a whole. In fact, there has been minimal political trust in the government since 1999, with rarely more than 30% of citizens expressing strong political trust. Much of this has to do with the use of coercive power by the government, with low trust being associated with political fear, and high political trust associated with rural residence.⁶⁴

⁶² RAU (2016), *A valedictory for civil society in Zimbabwe* (February 2016). Harare: Research & Advocacy Unit.

⁶³ ZHRNGOF (1998), *Human Rights in Troubled Times: An Initial Report on Human Rights Abuses During and After Food Riots in January 1998*. Harare: Zimbabwe Human Rights NGO Forum; ZHRNGOF (1999), *A Consolidated Report on the Food Riots 19 – 23 January 1998*. Harare: Zimbabwe Human Rights NGO Forum.

⁶⁴ RAU (2019), *Political Trust in Zimbabwe over time* (August 2019). Harare: Research and Advocacy Unit.

In retrospect, it is thus easy to see why the land invasions began in earnest after the rejection of the 2000 constitution. Having lost the urban social base and seeing that there was growing support for the MDC in its own heartland – the three Mashonaland Provinces where ZANU-PF won every single seat (many unopposed) in 1995 – the party could take no chances in the 2000 elections. Organised violence and torture commenced in a very big way in February 2000 as hundreds of farms were invaded. It was immediately apparent that political loyalty was an issue during the invasions. The attacks on commercial farm workers were not random, and those commercial farmers singled out for brutal attacks or murdered were all public supporters of the MDC.⁶⁵ The issues around displacements, the land invasions and Operation Murambatsvina, will be dealt with in a separate section. Here it is sufficient to point out the OVT that accompanied the land invasions in 2000 formed a central component of an election strategy. A primary goal was neutralising support for the MDC or converting support to ZANU-PF of over 300 000 commercial farmworkers and their families. In real terms, the farmworker vote in ZANU-PF's heartland might amount to nearly one million votes, and the referendum had shown that there was likelihood of a majority of those votes going to the MDC. There was a very real probability that ZANU-PF was going to lose the 2000 elections.

Here it is worth expanding the point about the numbers of commercial farm workers in the three Mashonaland Provinces. A very high percentage of these “plantation” workers were of Malawian and Mozambican origin, some several generations old, but had no homes outside of the commercial farms on which they worked and lived. Since land restitution was such a major issue in both the constitutional referendum and for the election itself, and land reform could well have affected their livelihoods and homes, the appeal for the MDC was undoubtedly strong for many of these farmworkers.

Chenjera Hove once commented wryly: “you can take ZANU-PF out of the bush, but you can't take the bush out of ZANU-PF”. This is exactly what followed in the strategy to hold the rural vote: *pungwes* held at night, bases established in nearly every District, sell-outs punished by abduction, torture, and even extra-judicial killings, and almost every rural district (and some urban areas) became “no go” areas for the opposition MDC, and for most civil society organisations as well. The OVT on the commercial farms was extreme, and particularly for the farm workers.⁶⁶

⁶⁵ ZHRNGOF (2001), *Politically motivated violence in Zimbabwe 2000–2001. A report on the campaign of political repression conducted by the Zimbabwean Government under the guise of carrying out land reform*. Harare: Zimbabwe Human Rights NGO Forum; JAG/RAU (2008), *Reckless Tragedy: Irreversible? A Survey of Human Rights Violations and Losses suffered by Commercial Farmers and Farm Workers from 2000 to 2008*. (December 2008). [Report prepared by the Research and Advocacy Unit].

⁶⁶ GAPWUZ (2009), *If something wrong... The invisible suffering of commercial farm workers and their families due to “land reform”*. (November 2009). Report prepared by the Research & Advocacy Unit and the Justice for Agriculture Trust. Harare: General Agricultural Plantation Workers Union of Zimbabwe.

Table 6: Human rights violations resulting from political violence during 2000 election.
 [Source: ZHRNGOF 2001]

Type of Violation	Pre-elect	Post-elect	Total	%
Unlawful killing: total	72	8	80	3.0
Zimbabwe Republic Police	(2)	0	(2)	
war vets / Zanu-PF	(40)	(4)	(44)	
other / unknown	(30)	(4)	(34)	
unlawful arrest / detention: ZRP / CIO	18	24	42	1.6
unlawful assault: ZRP / ZNA	1	6	7	0.3
kidnapping / disappearance	>700	99	>799	29.7
torture	>60	>30	>90	3.3
degrading treatment	2	0	2	0.1
rape	>10	0	>10	0.4
firearms offences: total	3	45	48	1.8
ZRP	0	0	0	
other	(3)	(45)	(48)	
death threat	>70	>58	>128	4.8
child sexual abuse	0	10	10	0.4
school closure	>550	3	>553	20.5
property-related	>865	>60	>925	34.3
Total	2351	343	2694	100.2

The scale of the violence was recorded by the Human Rights Forum and its members, but also by international organisations such as Amnesty International, and the International Council for Torture Victims (IRCT).⁶⁷ The Human Rights Forum and the Amani Trust between them produced eight reports on the OVT, including reports on the OVT during the run-up to the elections.⁶⁸ In the aftermath of the election, the Human Rights Forum produced two analyses of what had taken place.⁶⁹

⁶⁷ AI (2000), *Zimbabwe: Terror tactics in the run-up to the parliamentary elections* (June 2000). London: Amnesty International; IRCT (2000), *Organised Violence and Torture in Zimbabwe* (6 June 2000). Copenhagen and Harare: International Rehabilitation Council for Torture Victims & Amani Trust.

⁶⁸ ZHRNGOF (2000), *The Unleashing of Violence: A report on violence against peaceful protestors in Harare* (April 2000). A report compiled by the Zimbabwe Human Rights Non-Governmental Organisations Forum., Harare: Zimbabwe Human Rights NGO Forum; ZHRNGOF (2000), *Report on political violence in Bulawayo, Harare, Manicaland, Mashonaland West, Masvingo, Matabeleland North, Matabeleland South and Midlands*. Harare: Zimbabwe Human Rights NGO Forum; ZHRNGOF (2000), *Report on Pre-election Political Violence in Mberengwa*. Harare: Zimbabwe Human Rights NGO Forum.

⁶⁹ ZHRNGOF (2000), *Who is responsible? A preliminary analysis of pre-election violence in Zimbabwe*. Harare: Zimbabwe Human Rights NGO Forum; ZHRNGOF (2001), *Human Rights and Zimbabwe's June 2000 election, Special Report No. 1*. Harare: Zimbabwe Human Rights NGO Forum.

The statistics tell a sorry story, but the reports additionally comment on the peculiarity of the focus on the very areas in which ZANUP-PF had held such hegemonic power in the elections in 1995.

As can be seen (Table 6), the Human Rights Forum recorded 80 deaths (extra-judicial killings), more than 799 cases of abductions or disappearances, and more than 90 cases of torture. The companion report gave detail on the OVT itself, the victims, the perpetrators, and the places where it took place, identifying 34 “bases” where torture and other abuses took place. It was evident that there had been a major onslaught on the populace in order to ensure an election victory, and ZANU-PF duly gained a majority in Parliament, but lost its two-thirds majority.

The MDC immediately disputed the results, mounting 38 election petitions. The international community was divided over the outcome, but the Commonwealth moved to suspend Zimbabwe because of the report of its observer group to the elections, ironically based on the Harare Commonwealth Declaration and its amendments. SADC and the African Union (AU) noted many irregularities but minimising the violence. Thus, the election petitions became an important test of the claims about OVT, and all these court cases were monitored closely, the reports of the proceedings eventually transformed into the *Political Violence Monthly Reports* of the Human Rights Forum.⁷⁰ The Human Rights Forum produced these reports from June 2001 right up to May 2009, 85 separate reports in total.

Whilst the petitions were successful in bringing to light the extent of the OVT in the courts, the court process was less than successful. The analysis of the outcome of the petitions by the Solidarity Peace Trust (SPT) demonstrated that of the 38 (39 including one petition brought by ZANU-PF), none were complete by the time of the next election in 2005: every MP who was the subject of a petition served the entire parliamentary term of five years. It is worth summarising the SPT findings:⁷¹

Out of the 39 original election petitions:

- Five were never set down for hearing by the High Court;
- Two were dismissed by the High Court on procedural grounds;
- Eleven were withdrawn:
 - as a result of intimidation of/violations against the complainant
 - or because after years of delay MDC candidates claimed prejudice
- Five were not proceeded with, as the ZANU (PF) respondent/s died before the hearing;
- Sixteen were heard by the High Court of Zimbabwe.

⁷⁰ Amani (2002), *Neither Free nor Fair: High Court decisions on the petitions on the June 2000 General Election*. Harare: Amani Trust.

⁷¹ SPT (2005), *Subverting Justice: The role of the Judiciary in denying the will of the Zimbabwe electorate since 2000* (March 2005). Zimbabwe & South Africa: Solidarity Peace Trust.

Out of the 16 petitions heard by the High Court

- Seven were ruled in favour of MDC;
- Nine were ruled in favour of ZANU (PF).

Out of the 13 petitions presented to the Supreme Court

- Three have been heard to date;
- Ten have never been heard;
- No judgments have been given on the three cases heard.

It is worth bearing in mind that election petitions should be resolved quickly – they are “urgent” as they affect the whole nature of governance and who can govern. That these cases were not treated urgently, resolved quickly and by-elections held quickly was a major subversion of justice and the rule of law.

It was also extremely dangerous for those victims that decided that they would testify in the election petitions.⁷²

Table 7: Consequences of testifying in the courts.
[Source: Amani Trust 2002]

	Have you been threatened after testimony?	Have you been attacked after testimony?	Do you feel safe to go back to your community?
Zvishavane	100%	56%	100%
Mutoko South	100%	0%	75%
Hurungwe East	100%	0%	0%
Chiredzi North	20%	0%	0%
Total	76%	15%	36%

This small study showed the risks (Table 7). A majority of the witnesses from Zvishavane, Mutoko South Hurungwe East, and Chiredzi North were threatened after testifying, and smaller numbers were attacked (Zvishavane & Chiredzi North). Furthermore, whilst the study also showed that majorities in all constituencies felt that testifying was necessary and satisfying, very few showed any change in their mental health. This is hardly surprising given that most were intimidated subsequently, and the Amani Trust had to provide support to very large numbers of potential witnesses (and their families) who were forced to flee from their homes when it was discovered that they would be testifying in the petitions.

Clearly, the 2000 General Elections resulted in widespread OVT, with the data gathered by human rights organisations representing only a fraction of the affected population. It also indicated that the Presidential Election in 2002 might well generate a similar process.

⁷² Amani (2002), *Heroism in the Dock: Does testifying help victims of organised violence and torture? A pilot study from Zimbabwe*. Harare: Amani Trust.

2002 Presidential Election

As pointed above, the lead-up to the presidential poll was marked by very violent by-elections which were documented by human rights organisations and the local press.

The By-elections

The lead up to the 2002 Presidential election was long and violent. The farm invasions increased in the aftermath of the 2000 elections, and every by-election was a violent forerunner of the strategy that ZANU-PF would adopt for the Presidential election. The reason was very simple: the results of the 2000 election showed very clearly that Robert Mugabe had every chance of losing the election to Morgan Tsvangirai. ZANU-PF got 1 207 298 (47.23%) votes, whilst the MDC got 1 166 653 (45.6%) and, with a less than 2% margin between the two parties, there could be no guarantee that Mugabe would win: it became evident that coercion would be the strategy of choice to change the risk for ZANU-PF.

The strategy was evident in the five by-elections held before March 2002 which were in Marondera East, Bikita West, Bindura, Makoni West and Chikomba. ZANU-PF won every one of them, including a constituency previously won by the MDC, Bikita West. However, there was significant OVT in every one of the by-elections.⁷³

Table 8: Types of human rights violations in cases seen in by-elections (2000 to 2002)⁷⁴
[Source: Amani Trust 2002]

Type of Abuse	%
Physical torture	85%
Psychological torture	20%
Abductions	20%
Deaths	1%

The 34 cases referred to the Amani Trust from these by-elections showed an extremely high rate of torture (85%). Many other cases were reported in the national press. Health personnel from the Amani Trust saw all of these victims, and legal practitioners from the Human Rights Forum. Many required emergency medical treatment, some of whom were witnesses slated to testify in the election petitions.

⁷³ Amani (2002), *Organised Violence and Torture in the Bye-Elections held in Zimbabwe during 2000 and 2001*. Harare: Amani Trust; ZHRNGOF (2001), *Report on Election-related Political Violence in Chikomba*. Harare: Zimbabwe Human Rights NGO Forum.

⁷⁴ The percentages reported do not sum to 100% as they are the result of overlapping categories. For example, a victim may have been abducted and tortured. Additionally, the percentage of psychological torture is obviously low, but represents cases where no physical torture occurred. In general, it is extremely rare for victims who have been physically tortured not to have been psychologically tortured too.

Table 9: Perpetrators according to case reports from by-elections (2000 to 2002)
 [Source: Amani Trust 2002]

Perpetrator	%
War Veterans	19%
ZANU-PF youth	8%
ZANU-PF supporters	35%
Zimbabwe Republic Police (ZRP)	14%
Central Intelligence Organisation (CIO)	10%
Zimbabwe National Army (ZNA)	1%
Movement for Democratic Change (MDC)	2%
Unknown	11%

It is evident that members of ZANU-PF are the most frequently identified perpetrators, accounting for 42% of the total, but state agents – the police, the army and the CIO – also are a significant number (25%).

An additionally important event was the assault of a legal practitioner in the presence of the police. This was yet another example of the failure of the police to uphold the constitution and their duty to protect the public in cases of a political nature.

The Chairperson of Zimbabwe Lawyers for Human Rights (ZLHR) was assaulted along with a witness in the parliamentary election petitions in ZANU (PF) instigated violence in the Chikomba constituency on Saturday, 7 April. Two lawyers working for the Zimbabwe Human Rights NGO Forum narrowly escaped. In a letter to the Commissioner of Police in Harare, Mr. Tawanda Hondora, of ZLHR, stated that members of ZANU (PF) assaulted him while police watched. Mr. Gabriel Shumba and Mr. Godfrey Mupanga, both of the Human Rights Forum, managed to escape but were threatened with assault when they arrived at the local Sadza Police Station to make a complaint.

The 2002 Election

It is commonplace to refer to the election in 2008 as the most violent election in Zimbabwe's history. This notion, that 2008 was the most violent, seems predicated on a number of issues that have made it more memorable in the national psyche. First, Robert Mugabe and ZANU-PF actually lost the first round of the election in 2008, a previously unimaginable result. Second, the lead-up to the first round was generally very peaceful by Zimbabwean standards – seemingly because ZANU-PF was complacent – but, as later facts emerged, because ZANU-PF split and also because Mugabe, at least, was de-campaigned by his own party. Third, the violence that occurred during the re-run for the presidency was extreme, national in application, and seemingly unexpected by most. It was certainly extreme OVT, with the Human Rights Forum recording 8 403 separate incidents of OVT between January and June 2008, which was 20% of all violations reported to the Human Rights Forum from July 2001 to May 2009. There can be no argument, therefore, that 2008 was not extremely violent.

However, those that were privy to the violence in 2002 were not shocked. The Human Rights Forum recorded 4 482 separate incidents from June 2001 to March 2002, which was 11% of the 41 206 separate incidents reported to the Human Rights Forum, recorded in the *Political Violence Monthly Reports* (Table 10). Statistically, 2008 is the most violent election,

but the statistics for 2002, and the lead-up, do not illustrate very important qualitative differences: it is like comparing a short, sharp shock with a long painful illness.

Table 10: Human rights violations [June 2001 to March 2002]

[Source: ZHRNGOF Political Violence Monthly Reports]

	No.	%
Abduction	324	7.2
Arrest & detention	918	20.5
Disappearance	28	0.6
Freedoms (association/expression/movement)	12	0.3
Murder	84	1.9
Political discrimination/intimidation/victimisation	417	9.3
Property violation	770	17.2
Rape	5	0.1
School Closure	41	0.9
Torture	1883	42.0
Total:	4482	

First, the stakes were incredibly high in 2002. ZANU-PF had lost its two-thirds majority in 2000, and thus the ability to manipulate Parliament at will. Second, the loss of the immense power of the Executive Presidency would have meant the effective loss of all political power. Third, Zimbabwe was under immense international scrutiny like never before, with pressure from the Commonwealth, the EU and the US. Fourth, the lead-up to the 2002 poll was very lengthy, with the ongoing violent farm occupations and beginning with the first by-election, Marondera West in November 2000. The lead up to the 2002 poll stretched over nearly 18 months and affected the whole country. Thus, it was evident from both the farm invasions and the by-elections that this would be more violent than the parliamentary elections, and so it was.

One very important aspect connected to the 2002 elections was the creation of the National Youth Training Scheme.⁷⁵ The notion behind this scheme was publicly to follow what in many countries is a period of public service for youth. But, after its establishment in August 2001 with an initial intake of 1 000 young persons, it rapidly became evident that the system was aimed at creating a “youth militia”.

By the time that the election process began in earnest, the MDC alleged that there were an estimated 146 militia bases set up around the country, and between 20 000 to 50 000 youths deployed to these camps. Multiple reports implicated these youth, derisively called “Green

⁷⁵ SPT (2003), *National youth service training – “shaping youths in a truly Zimbabwean manner”*. An overview of youth militia training and activities in Zimbabwe, October 2000 – August 2003. (5 September 2003). Zimbabwe & South Africa: Solidarity Peace Trust.

Bombers” by the public and the press, in murder, torture, beatings, rape, abductions, property destruction, theft, and intimidation.⁷⁶

Table 11: Alleged Perpetrators in 2002 [n=707]

[Source: ZHRNGOF 2002]

Alleged Perpetrator	%
ZRP	1.3
War Veteran	14.3
ZNA	0.3
ZANU-PF supporter	77.1
State official	3.7
MDC	0.3
Unknown	3.1

The Human Rights Forum report on the 2002 election makes no mention of youth militia, but these are presumably included in either the numbers of ZANU-PF supporters or state officials. However, the report does have a very large number of identified perpetrators (708), and ZANU-PF supporters are in the vast majority.

Table 12: Perpetrators identified by victims [n=180].

[Source: Amani 2002]

Perpetrator	%
ZANU-PF supporters	46%
Youth militia	29%
ZRP	12%
MDC	5%
War veterans	4%
ZNA	2%
Unknown	2%

The youth militia are described in a report from the Amani Trust on the same election. It can be seen in Table 12 that youth militia comprise 29% of the alleged perpetrators, but also that youth militia and ZANU-PF supporters jointly comprise 75% of the total, a figure not so different from the Human Rights Forum’s statistic of 77% for ZANU-PF supporters.

The difference seems easy to explain. The Human Rights Forum statistics came from multiple sources: legal statements given to the Legal Unit of the Human Rights Forum and reports given members of the Human Rights Forum, whilst the Amani Trust data came from victims that gave both statements and examined by medical personnel, and hence the data was more comprehensive. However, both sets of data clearly implicate the role of non-state actors in perpetrating OVT during the elections.

The Human Rights Forum report (Table 11) points out that 77.1% of the perpetrators had affiliation to ZANU-PF, and a very low prevalence of MDC supporters mentioned as perpetrators. MDC supporters were 51% of the total number of victims, whilst 47% described themselves as non-aligned or apolitical. Here the point seems to be that only explicit affiliation to ZANU-PF could act as a deterrent to being subjected to OVT. The

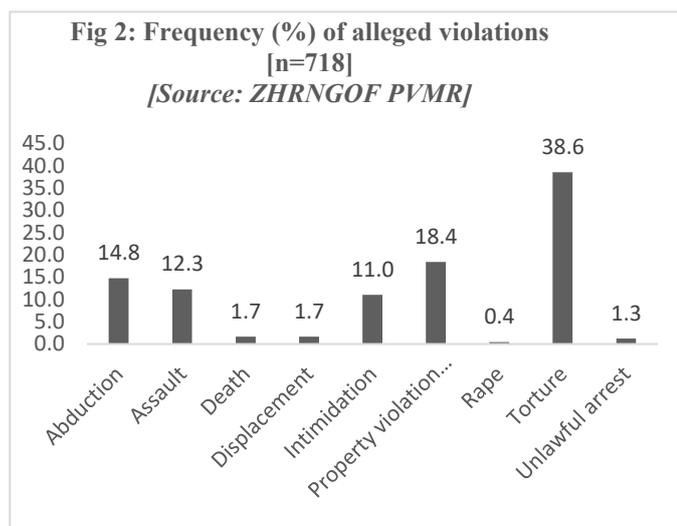
⁷⁶ For a detailed report on the youth militia, see again SPT (2003) *ibid*.

Human Rights Forum also recorded 84 murders, of which 55 were members of the MDC, but also 16 were either members/supporters of ZANU-PF or war veterans.

Table 13: Positioning of militia bases in Parliamentary [2000] and Presidential Elections [2002]
 [Source: ZHRNGOF (2001) & ZHRNGOF (2002)]⁷⁷

	Schools	Official building	Public building	Farm
2000	0	22%	61%	17%
2002	41%	18%	19%	22%

The MDC alleged that there were 146 “bases” around the country, whilst the Human Rights Forum documented 121. Ninety-seven (97) were established by ZANU-PF supporters or youth militia, and 24 by war veterans. Many were in close proximity to polling stations, and many used public facilities. Comparing the use of public facilities as bases between 2000 and 2002, there is a very dramatic shift to using school in 2002. It is obvious that none of these public facilities can be used without condonation by the state, and hence also of the OVT.



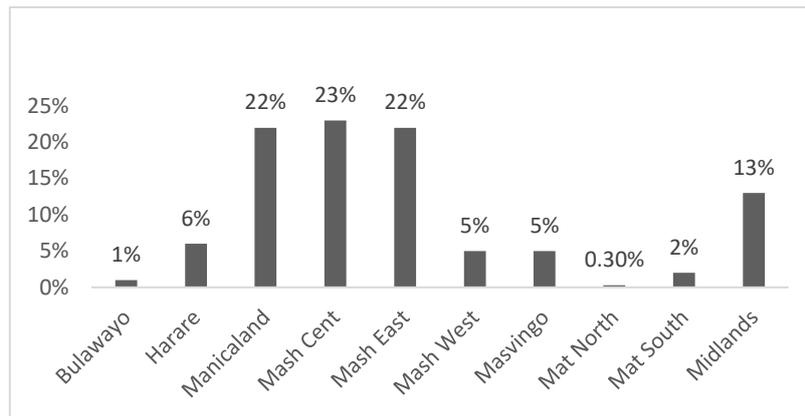
This is important when describing the types of violations, and these are very serious indeed. Nearly 40% of the victims described torture, with a further 15% reporting assaults: thus, physical abuse was extremely high. Abductions were significant and usually associated with being taken to a “base”. So were property violations, which included both thefts and destruction of property, frequently in the form of arson attacks on victims’ houses. All of these are obviously crimes, but properly described as gross human rights violations.

It is worth commenting at this point that all of this violence could well be termed “crimes against humanity”, since they conform to the definition in the Rome Statute of the International Criminal Court, “... acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.”⁷⁸

⁷⁷ Compiled in Reeler, AP (2003), “The Perpetrators of Gross Human Rights Violations in Zimbabwe from February 2000 to March 2003”. Paper presented to *Civil Society and Justice in Zimbabwe: A Symposium*, organised by the Zimbabwe Human Rights NGO Forum, Themba LeSizwe and the International Bar Association, Holiday Inn, Johannesburg (11-13 August 2003).

⁷⁸ Article 7 of the Rome Statute, which includes murder, torture, rape, persecution, and any other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

Fig 3: Distribution of violations in 2002
 [Source: ZHRNGO PVMR]



The assertion that 2002 involved crimes against humanity is given added strength by the data showing that the OVT was widespread, as seen in Figure 3, as well as by the systematic nature, mostly directed at members of the MDC or those not showing positive affiliation to ZANU-PF. This notion about crimes against humanity did not get any traction in 2002, but the OVT did result in Zimbabwe being suspended from the Commonwealth, as well as having restrictive conditions and sanctions applied to the country.

The consequences for the victims were not trivial, as can be seen in Table 14.

Table 14: Percentage occurrence of various forms of injury associated with torture [n=180]
 [Source: Amani 2002]

INJURY	%
Beatings	97%
Falanga	19%
Requiring hospital admission	19%
Skeletal injuries	7%
Burns	7%
Stab wounds	6%
Ruptured ear drums	5%

Nearly 20% required hospital admission for their injuries. 19% reported *falanga* (beatings to the soles of the feet) that can result in permanent disability, and many experienced severe pain and suffering. This data does not capture the likely psychological damage, and a later study indicated that 21% would be likely to have significant psychological impairment as a consequence.⁷⁹

Therefore, there is little merit in trying to decide which has been the worst election – 2008 or 2002. The contexts are very different in so many ways. However, there is one important point to make in respect of 2002, and this relates to the very lengthy lead up to the poll, as well as to the fact that OVT did not stop after the poll. Given that Robert Mugabe had

⁷⁹ See again RAU & CSU (2020), *Severity of Violence and the Long-term Effects: Comparison of Survivors of the Liberation War (1972 to 1980) with Survivors of Political Violence (2000 to 2002)* (October 2020). Harare: Research & Advocacy Unit.

allegedly won the election with a handsome margin of around 400,000 votes more than Morgan Tsvangirai had, it was curious that the violence continued. This was interpreted by many that in fact Mugabe had not won but had been rigged into power. Since so much of the post-election OVT took place in the rural areas, where the polling result claimed overwhelming support for Mugabe, it suggested that ZANU-PF had actually lost significant rural support, or at least Robert Mugabe had.

Perhaps the most important consequence of the 2000 to 2002 elections was the creation of widespread political fear in the country, and this has had profound long-term consequences. For example, ordinary Zimbabweans went from being “risk takers” in 1999 to “risk averse” by 2003, and dramatically so. Whereas only 6% of Zimbabweans were as “risk averse” in 1999, 87% were so by 2005.⁸⁰ Briefly, “risk aversion” was measured by whether Zimbabweans talked about politics with family or friends, were interested in public affairs, and were careful about what they said about politics. These questions from the Afrobarometer were combined to give a score of “risk aversion” and, incidentally, 43% of Zimbabweans were still “risk averse” in 2017.⁸¹

Additionally, the political fear created through the frequent resort to OVT has led to a sustained lack of political trust in the government for over three decades,⁸² and inexorably to Zimbabwe being one of the most politically polarised countries in Africa.⁸³ In the Round 2 (2002/2003) Afrobarometer survey, most Zimbabweans (83%) were *always* or *often* careful about what they say about politics, whether urban (84%) or rural (82%).⁸⁴ Furthermore, 50% were unwilling to disclose a political party affiliation. Clearly, the OVT had had a significant impact on the citizenry.

It is often forgotten that the South African President, Thabo Mbeki, sent his own personal envoys to observe the 2002 election, and the report of the 2 judges was immediately suppressed by the South African government. It took 12 years and concerted legal action to release this report, and it corroborated every assertion of the Zimbabwean human rights reports at the time.⁸⁵

⁸⁰ Masunungure, E, Reeler, A, Kokera, R, Mususa, D, Ndoma, S & Koga, H (2016), *Are Zimbabweans Revolting?* (March 2017). Mass Public Opinion Institute & Research and Advocacy Unit.

⁸¹ RAU & MPOI (2017), *Risk Taking in 2017: Preliminary findings* (November 2017). Mass Public Opinion Institute & Research and Advocacy Unit.

⁸² RAU (2019), *Political Trust in Zimbabwe over time* (August 2019). Harare: Research and Advocacy Unit.

⁸³ Bratton, M & Masunungure, E (2018), *Heal the beloved country: Zimbabwe's polarized electorate* (September 2018). Afrobarometer Policy Paper No. 49.

⁸⁴ Afrobarometer online data for Round 2 (2002/2003).

⁸⁵ Allison, Simon (17 November 2014), “Analysis: The Khampepe Report, a crushing blow to SA’s diplomatic credibility” *Daily Maverick* at <https://www.dailymaverick.co.za/article/2014-11-17-analysis-the-khampepe-report-a-crushing-blow-to-sas-diplomatic-credibility/>.

2005 General Election

The three years leading up to the 2005 general election were turbulent. Zimbabwe had become an international pariah, withdrawn from the Commonwealth (probably to avoid humiliation through expulsion), was facing yet another election petition, and civil society and human rights groups were becoming more and more assertive. Zimbabwe was challenged even in Africa, through applications to the African Commission on Human and People's Rights (ACHPR) and, more seriously, at the SADC tribunal, where cases were mounted about torture and the racist basis of Zimbabwe's Fast Track Land Reform Programme (FTLRP).

The pressure on Zimbabwe resulted in SADC starting to try to deal with the problem through the agency of Thabo Mbeki, President of South Africa, using, as he put it, "quiet diplomacy". He received support from the US President, George Bush,⁸⁶ but he added the complication of also being part of the troika appointed by the Commonwealth to resolve the issue around Zimbabwe's suspension comprising Mbeki, together with President of Nigeria, Olusegun Obasanjo, and Australian Prime Minister, John Howard. In the event, the troika were unable to get any serious response from Zimbabwe, and Robert Mugabe unilaterally withdrew Zimbabwe on 7 December 2003.

The effect of the withdrawal, and the conflict with the EU and the US, meant that it was improbable in the extreme that the Commonwealth and the other countries would be able to observe the 2005 elections, as was the case in the end.

Whilst there was in 2002 some optimism that international observers would act as a restraint on political violence, this was not going to be the case in 2005, and hence many observers were convinced that this election also would be violent.⁸⁷

⁸⁶ "Bush backs Mbeki on Zimbabwe" (10 July 2003) *The Guardian*, at [<https://www.theguardian.com/world/2003/jul/10/zimbabwe.rorycarroll>]

⁸⁷ Redress Trust (2004), *Zimbabwe. Tortuous Patterns Destined to Repeat Themselves in Upcoming Election Campaign: Preliminary Study of Trends and Associations in the Pattern of Torture and Organised Violence in Zimbabwe, July 2001 - December 2003*. London: Redress Trust.

Table 15: Human rights violations during the 2005 election*[Source: ZHRNGOF Political Violence Monthly Reports]*

	2004 (August to December)	2005 (January to March)	Total	%
Unlawful arrest and detention	308	285	593	25.6
Torture	21	7	28	1.2
Property-related violations	65	0	65	2.8
Political discrimination and intimidation	208	132	340	14.7
Murder	0	1	1	0.0
Freedom of expression, association, and movement	356	316	672	29.1
Displacement	21	137	158	6.8
Death threats	2	7	9	0.4
Assault	260	157	417	18.0
Abduction/kidnapping	19	11	30	1.3
Total:	1260	1053	2313	

The fears about violence became the great preoccupation for the election and, to some extent, moved the heat away from the other less observable aspects of electoral manipulation. This in fact created a very low bar: a good election in Zimbabwe became a non-violent election, not one in which the critical features for a real audit became important.⁸⁸ It was also a problem that the election petitions from both 2000 and 2002 were completed, and hence there was little evidence available of what else might have adversely affected the elections. This meant that violence became the major benchmark for judging the 2005 election. ZANU-PF did win the election and with the two-thirds majority restored, as demanded by Robert Mugabe when launching the election campaign. ZANU-PF won 78 seats, the MDC lost 17 to end up with 41, and Jonathan Moyo won one seat as an independent.

Was the election any less violent? Or was the violence different in character, bearing in mind an oft quoted saying in Zimbabwe about the long-term effects of all the previous five years of political violence: “when you’ve burned down the house once, you only have to shake the box of matches”? International organisations felt that the levels of violence were unacceptable,⁸⁹ and Zimbabwean organisations detailed an uncomfortable frequency of gross human rights violations.

⁸⁸ In order for anyone to declare an election valid, there must be a clear audit trail starting with delimitation, the printing and distribution of the ballots, tabulation, verification and announcement of results. All these steps should be transparent and independently observed. However, there are multiple ways in which this process can be subverted. Here, see Schedler, A (2002), “The Menu of Manipulation” *Journal of Democracy* 13(2) 36:50.

⁸⁹ Redress (2005), *Zimbabwe: the Face of Torture and Organised Violence. Torture and Organised Violence in the run-up to the 31 March 2005 General Parliamentary Election*. London: Redress Trust; AI (2005), *Zimbabwe: An assessment of human rights violations in the run-up to the March 2005 parliamentary elections*. London: Amnesty International.

The documentation that was provided by Zimbabwean human rights organisations certainly showed that the 2005 election was much less violent than 2002, but violence was not absent (Table 16). The data provided by the Human Rights Forum showed a total 2 313 incidents from August 2004 to March 2005 (8 months), as opposed to 4 448 between June 2001 and March 2002 (10 months). This suggests a monthly average for 2001 to 2002 of 448 incidents per month, and only 289 incidents for the period August 2004 to March 2005.

Table 16: Violations during 2005 Election (Nov 2004 to Mar 2005)

[Source: ZPP Monthly Monitoring Reports]

	Number	%
Murder	8	0.2
Rape	4	0.1
Abduction/kidnapping	52	1.4
Assault	1309	34.6
Theft/looting	75	2.0
Arson	18	0.5
Malicious injury to property	91	2.4
Torture	21	0.6
Unlawful detention	31	0.8
Harassment/intimidation	2011	53.2
Displacement	163	4.3
Total:	3783	

The Zimbabwe Peace Project (ZPP) data complements that from the Human Rights Forum. As can be seen from Table 16, ZPP recorded 3 783 separate violations, an average of 756 violations for the five months. This would suggest that 2005 was more violent but this is perhaps misleading. The two points to make here quickly are, first, that documentation has got better with each election, and second, that different reports use different methods: the Human Rights Forum data is direct witness statement, whilst ZPP tends to use community-based observer reports. Thus, fewer cases from the community are referred in for assistance and, to use a health example, there are always more cases in the community than at health centres.

However, differences apart, it is evident that ZPP documented much more violence than is acceptable in a “free and fair election”. SADC observers could claim that things were getting better, but human rights organisations were arguing that there should be NO violations at all. However, it still mattered that the violations recorded were of a serious nature, and clearly crimes in Zimbabwean law, and gross human rights abuses at that.

Table 17: Victims identified (November 2004 to March 2005)
 [Source: ZPP Monthly Monitoring Reports]

Perpetrator	Number	%
MDC	1724	51
ZANU-PF	602	18
State	2	0.1
Others	1042	31
Total:	3370	

It is evident that the trends seen in 2000 and 2002 continued in 2005 (Table 17). MDC supporters were once again in the majority of the victims, but there are an appreciably larger number of supporters of ZANU-PF documented. However, it is still the case that very large numbers of victims do not have any political affiliation identified.

The many “unidentified” victims are always a problem for analysis. The point made in respect of previous elections is that this group is victimised because of a lack of positive affiliation to ZANU-PF, and whilst this is a credible assumption in the light of the general direction of the violence, it obviously cannot be asserted with full confidence. However, it is still the case that this group was composed of victims of OVT, clearly unacceptable in an election that claims to be free and fair.

Table 18: Perpetrators identified (November 2004 to March 2005)
 [Source: ZPP Monthly Monitoring Reports]

Perpetrator	Number	%
MDC	290	7
ZANU-PF	10155	96
State	123	1.2
Others	22	0.2
Total:	10590	

The assumption that the “unidentified” are targeted because of lack of positive affiliation to ZANU-PF, has greater credence when examining the perpetrators. ZANU-PF supporters are in the huge majority in 2005, as was the case in 2000 and 2002. Furthermore, there are an enormous number of perpetrators identified.

Finally, and dealing with the general observation by those observer groups that this election was acceptable because it was less “violent”, a monitoring exercise carried by the National Constitutional Association (NCA) gave the lie to this assertion.⁹⁰ As the NCA concluded:

There can be little doubt that there was sustained and illegal pressure applied to political parties and the citizens of Zimbabwe in an effort, overwhelmingly by Zanu-PF and its supporters, to influence the vote. As we have demonstrated above, this pressure can even be understood to have produced the changes in voting patterns observed. While the analysis of the elections will

⁹⁰ NCA (2005), *The 2005 Parliamentary Election: Flawed, Unfree, and Unfair!* (April 2005). Harare: National Constitutional Assembly.

undoubtedly continue in the coming months, both in the courts and elsewhere, the overall conclusion is unlikely to change: the elections were flawed, unfree, and unfair! No other conclusion is possible. [NCA 2005 p 20]

Using the data collected during the NCA's monitoring process, it was evident that there had been a very sophisticated campaign of intimidation.⁹¹

Table 19: Logistic Analysis of measures (Variable & indicators)

[Source: Reeler & Chitsike. 2005]

Variable	Indicator	Regression coefficient	Significance
Freedom of association	• State agencies action	1.95	0.003
	• Political use of food	0.93	0.006
Freedom of assembly	• Militia presence	1.03	0.018
Freedom of movement	• Political violence	1.33	0.004
Political violence	• No voter education	-1.08	0.011
	• Forced attendance at meetings	0.91	0.03
Political use of food	• Militia base	1.22	0.005

It was evident that the violence and other forms of intimidation were concealed carefully from official observer groups, who were, in any event, only from African and other "friendly" groups. Correlations between the indicators indicated that all the violence and the violations of freedoms – association, assembly, and movement – coincided with times when no voter education was taking place. This demonstrated a careful attempt to keep the violence and intimidation from the eyes of official observers such as the AU, SADC, or South African parliamentarians. More important was the analysis comparing the measures between seats won or lost by the MDC in the 2000 parliamentary elections, for, as Table 20 shows, all violations were significantly more frequent for the seats that the MDC had won in 2000.

⁹¹ Reeler, AP & Chitsike, KC (2005), *Trick or Treat? The effects of the pre-election climate on the poll in the 2005 Zimbabwe Parliamentary Elections (June 2005)*. Pretoria: Idasa.

Table 20: Electoral irregularities compared against seats won or lost by MDC in 2000 (% of reports mentioning irregularity)

2000	Seats won <i>n</i> =212	Seats lost <i>N</i> =86
Unable to wear insignia	82%	55%
Unable to put up posters	82%	49%
Forced to attend political meetings	68%	55%
Interference with travel (in)	77%	30%
Interference with travel (out)	67%	27%
Presence of “new residents”	43%	15%
Afraid to express views openly	89%	76%
Afraid to read newspaper openly	72%	27%
Forced to chant slogans	67%	46%
Political violence	70%	24%
Gender-based violence	60%	12%
Intimidation	75%	67%
Presence of militia	63%	39%
Inter-party violence	55%	27%
Intra-party violence	62%	52%
Electoral disagreements	57%	24%
No voter education	19%	27%
Political use of food	81%	67%

It is, therefore, not possible to accept that the 2005 parliamentary election was free from OVT. But it is possible to see that the government had learned the costs of very open OVT from 2000 and 2002. By eliminating “hostile” observer groups, relying on “friendly” observers, and by undertaking a careful process of screening these latter observers from witnessing violence and evidence of intimidation, the government was able to oppose the claims of Zimbabwean civil society with the claims of the observers. Unfortunately, the improved monitoring of civil society was matched by the greater sophistication of the government in hiding the violence and intimidation, and the comment about “shaking boxes of matches” proved true.

The international community was not convinced that the election was “free and fair”, and Zimbabwe remained under restrictive measures and sanctions and, more so, when Operation *Murambatsvina* took place. This is discussed later in the section on Displacements.

2008 Harmonised Election

In the interim between the 2005 and 2008 elections, there was a serious mediation process undertaken by South Africa on behalf of SADC. President Thabo Mbeki was the lynchpin in this mediation and multiple meetings were held between the MDC and ZANU-PF. This was complicated by the split in the MDC and the creation of two MDCs, one (the original) headed by Morgan Tsvangirai and the other eventually by Arthur Mutambara. The importance of this mediation for elections was an agreement that elections in 2008 would be

“harmonised”: that is, all elections – Presidential, Parliamentary and Local Government – are held at the same time in the future. This was a gambit to reduce the intense competition for the most important of these, the presidential election, important because of the immense powers of the executive presidency.

This seemed to work. The run-up to the 2008 elections was more peaceful than the three previous but, once again, excluded “hostile” observers.⁹² However, SADC, 10 African countries, 10 Eurasian and Latin American countries and a wide variety of organisations and political bodies were invited. Presumably, the numbers invited would counteract the exclusions, but it is well known that the EU mounts the most comprehensive observer missions.

Perhaps ZANU-PF was complacent and thought that the divisions in the MDCs would mean votes would split so that they would not mount a serious challenge, but the result was earth shattering. Morgan Tsvangirai defeated Robert Mugabe, and the MDCs between them commanded a majority in Parliament. This was announced prematurely by the MDC, and the country and the world held its breath for slightly more than a month before the official results were released. This was transparently in violation of both the Constitution and the electoral law.⁹³

The big question for all Zimbabweans was what was going to happen in the run-off for the second round between Mugabe and Tsvangirai? The answer was not long in coming, and the country convulsed in OVT on a scale not seen since 2002. Eventually Morgan Tsvangirai withdrew, citing the need to protect the citizens from further violence, and Mugabe was elected by a landslide, 2.2 million (86%) votes to 233 000 for a candidate no longer in the race. It was ironic that Mugabe was not elected unopposed, but presumably he had memories of the 1996 poll and the withdrawal of Sithole and Muzorewa when he won with 93% of the vote in a paltry 30% turnout. In 2008, the turnout for the re-run was largely the same as the substantive one, 42.4% for the re-run as opposed to 42.8% for the first round – if the result for the re-run is believed.

The violence, however, was unacceptable to everyone, and even the attempt to stack the observer ranks failed when the African Union refused to endorse Mugabe’s presidency. Thabo Mbeki was forced into mediating, for the problem was now acute: ZANU-PF held the presidency, but the opposition held the majority in the legislature. How could the country be governed even if Mugabe appointed a minority government through the presidency’s powers of appointment?

⁹² EISA (2010), *Zimbabwe: 2008 Election observer missions and statements*. Available at <https://www.eisa.org/wep/zim2008eom.htm>

⁹³ Matyszak, D (2008), *How to lose an election and stay in power* (June 2008). Harare: Research & Advocacy Unit.

The result was the Global Political Agreement (GPA), negotiated by Mbeki with the three political parties, and establishing the Inclusive Government (IG) that was sworn in on 13 February 2009.

There remained the extensive OVT to explain and deal with. The OVT was documented extensively by multiple human rights organisations, once again leading to the plausible argument about crimes against humanity, particularly because there was good evidence about the organisation of the violence.⁹⁴ In addition, there other reports reporting on the violence, from various human rights organisations,⁹⁵ but here we wish to concentrate on the actual data collected by the Zimbabwean human rights organisations.

Table 21: Human rights violations during the 2005 election
 [Source: ZHRNGOF Political Violence Monthly Reports]

Violation	Number	%
Assault	1638	19.5
Abduction	111	1.3
Attempted murder	6	0.1
Death Threats	44	0.5
Displacement	627	7.5
Violations of freedoms (association, expression & movement)	2106	25.1
Murder	84	1.0
Political discrimination	2290	27.3
Property violation (arson & theft)	366	4.4
Rape	6	0.1
School closure	26	0.3
Torture	689	8.2
Unlawful arrest & detention	410	4.9
Total:	8403	

The first point to make is about the extent of the violence, 2008 was twice as violent as 2002: according to the data from the Human Rights Forum, 8 403 incidents in 2008 as opposed to 4 448 in 2002. Here, remember the OVT in 2008 occurred mostly in three months, April to June 2008. The numbers were high, and the violations were extreme, as can be seen in Table 21.

⁹⁴ See, for example, Sokwanele (2010), *The Anatomy of Terror*. Available at http://archive.kubatana.net/docs/demgg/sokwanele_anatomy_of_terror_110612.pdf

⁹⁵ HRW (2008), *All Over Again. Human Rights Abuses and Flawed Electoral Conditions in Zimbabwe's Coming General Elections*. A Human Rights Watch Briefing Paper (March 2008). New York: Human Rights Watch; AI (2008), *Zimbabwe. Time for Accountability*. London: Amnesty International; CSVR (2009), *Subliminal Terror? Human rights violations and torture in Zimbabwe during 2008* (June 2009). Johannesburg: Centre for Study of Violence and Reconciliation.

Table 22: Alleged perpetrators in 2008 Elections
 [Source: SPT 2008]

Perpetrator	April	April to June	Total	%
War veterans	173	730	903	18.8
ZANU-PF Youth	439	1599	2038	42.4
ZANU-PF supporter	257	600	857	17.8
ZRP	140	230	370	7.7
ZNA	188	304	492	10.2
CIO	18	57	75	1.6
MDC/other	30	44	74	1.5
Total:	1245	3564	4809	

Whilst *political discrimination* and *violations of freedoms* accounted for over 50% (52.4%) of all recorded incidents, there is considerable overlap between the various types of violations. For example, in one notorious incident at Chaona Catholic church in Mazowe North, the victims were tortured, six murdered, and others intimidated by being forced to witness the abuses, and all after having been forced (abducted?) to attend. This one incident clearly involved more than single victims and thus, as noted previously, 8 403 incidents involve an unknown number of victims. The SPT report observes that, of the victims seen, 20% were under the age of 20 years, with 10% less than 10.

The same SPT report gives a very interesting breakdown of the deployment of alleged perpetrators over the 2008 election period. As can be seen from Table 21, the number of perpetrators doubles from April onwards; that is, once ZANU-PF realised they had lost the elections, the gloves came off completely and the dogs of war released. Certainly, there were an enormous number of perpetrators identified, and nearly 75% of these during the presidential run-off period.

Non-state actors (War Veterans, ZANUP-PF Youth & ZANU-PF supporters) were 79% of all alleged perpetrators, which is similar to the reports of previous elections. The number of state agents should not be dismissed, however, and the Human Rights Forum reports indicate that state agents (ZRP, ZNA & CIO) were nearly 30%. In 2002, the Human Rights Forum estimate was 4%, whilst the Amani Trust reckoned the percentage of state agents to be 14%.

Table 23: Victims of political violence in 2008
 [Source: SPT 2008]

Victim	Total	%
MDC (member)	324	45.9
MDC (leadership)	135	19.1
NGO/ZCTU	105	14.9
Election Official	37	5.2
Other	105	14.9
Total:	706	

The picture for the victims was little different to previous elections. The MDC, and almost exclusively the faction headed by Morgan Tsvangirai, accounted for 65% of all victims according to the Solidarity Peace Trust (SPT). It was exactly for this reason, the OVT against members of his party, that Morgan Tsvangirai withdrew from the presidential re-run.

It is also worth remembering that the South African President, Thabo Mbeki, again sent his personal envoys to Zimbabwe in order to observe the re-run, but this report was not published at the time and never made publicly available.

Table 24: Places where bases identified in 2008
 [Source: Anatomy of Terror 2010]

Place	Number	%
Bush	130	22.6
Business centre	76	13.2
Church	14	2.4
Clinic	13	2.3
Community hall	37	6.4
Farm	38	6.6
Police station	22	3.8
Private home	158	27.5
School	86	15.0
Total:	574	

One key feature in 2008 were the extensive reports of “bases”. The MDC reported that there were 147 bases around the country, but this was just a global figure and did not convey the significance of the bases. A case study of 15 constituencies that affected in 2000 made the significance of bases much clearer, and the association with a planned programme of terror.⁹⁶

First, the places at which bases were found are very varied and mostly in public places: remote places (where OVT can be hidden), such as the bush or farms, are actually in a minority (29.8%). Furthermore, a significant number take place at the homes of perpetrators, suggesting little fear by the owners of these homes that they might be accountable: many of these “homeowners” were senior members of ZANU-PF, including MPs and military personnel. The alleged *base commanders*, described for each of the 15 constituencies studied, were identified as having 25 military and security personnel, as well as MPs and senior party officials.

⁹⁶ See, again Sokwanele (2010), *The Anatomy of Terror*. Available at [http://archive.kubatana.net/docs/demgg/sokwanele_anatomy_of_terror_110612.pdf]

An even more extensive list of military personnel deployed in 2008 is provided in Jonathan Moyo's analysis of the 2018 elections.⁹⁷ The list indicates 78 senior officers deployed to 53 constituencies, with 10 Provincial commands headed by the most senior officers of all. It can be presumed therefore that the two lists together provide a description of a complex hierarchy of command from the centre in each Province, down through the 53 constituency bases to the "command bases", and thereafter to the operational bases at which, and from which, the actual OVT was instigated. The overall picture is quite clearly a military operation.

Second, the Sokwanele report makes a distinction between "ordinary" or "satellite" bases and "command bases". The latter were found to be responsible for 16 satellite bases on average and were the points from which all OVT was organised and directed. The alleged "commanders" of these bases are described in the report, and it can be seen that senior government officials, MPs, military personnel, and other security personnel are mentioned by name. Thus, there can be little doubt that the OVT in 2008 was highly organised. Even without this data, human rights organisations and international observers had little difficulty in calling the OVT a "crime against humanity": the OVT, as was certainly the case in 2002, was widespread and systematic.

Another example of the organisation is the specific targeting of teachers during the election. This was a feature of previous elections, particularly in 2002.⁹⁸ The rationale for targeting teachers is their obvious education, their influence in the local communities in which they live, and their frequent role as election officers. In 2008, the onslaught against teachers was extreme, as shown in reports compiled after the elections.⁹⁹ The truly shocking finding was that, in a study of 1 086 teachers in a stratified sample of the country, 56% reported an experience of OVT during 2008, and 25% reported that this experience had happened at school, during working hours, and hence witnessed by schoolchildren. This means that very young children were exposed to OVT as the majority of schools in the rural areas are primary schools. It needs little imagination to see the potential ill effects for children's mental health and social development.

As regards the injuries, the Solidarity Peace Trust (SPT), fully corroborated by the Zimbabwe Association of Doctors for Human Rights (ZADHR), reported the following:

- 252 fractures have been treated;

⁹⁷ Moyo, JN (2019), *Excelgate - How Zimbabwe's 2018 Presidential Election was Stolen*. Harare: SAPES Trust.

⁹⁸ ZHRNGOF (2002), *Teaching them a lesson. A report on the attack on Zimbabwean teachers*. Harare: Zimbabwe Human Rights NGO Forum.

⁹⁹ PTUZ (2012), *Every School has a Story. A Preliminary Report on Teachers Experiences of Elections in Zimbabwe*. [Report produced by PTUZ and RAU] (February 2012). Harare: Progressive Teachers Union of Zimbabwe; PTUZ (2012), *Political Violence and Intimidation of Zimbabwean Teachers*. May 2012. Report prepared for the Progressive Teachers Union of Zimbabwe (PTUZ) by the Research and Advocacy Unit (RAU). Harare: Progressive Teachers Union of Zimbabwe.

- 163 cases of falanga – beating on the soles of the feet – have been treated. This is a very serious form of torture with long term health consequences for people, leaving them with sore feet possibly for life;
- 450 people have reported partial or total loss of their property to political violence;
- 1 798 assaults were reported of which 75% involved the use of weapons, usually sticks, but including iron bars, barbed wire, knives;
- 420 reports of torture were recorded, including being burnt with burning grass or plastic bags (12); being submerged in water either to induce severe cold and to increase the pain of being assaulted or to induce temporary suffocation (20);
- being restrained and/or blindfolded (89);
- 309 people reported abductions and 109 were detained;
- eight gunshot wounds (GSW) were treated; there were literally thousands of reports of soft tissue damage of different types, including haematomas, welts, bruising, swelling, lacerations and abrasions. These varied from mild injuries to very severe;
- there were 205 head injuries treated: all head injuries are potentially serious and can leave long-term damage, including loss of eyesight, minimal brain damage, neck injuries. (SPT 2008)¹⁰⁰

As pointed out above, there is little difficulty in arguing that the OVT in 2008 was a crime against humanity according to the definition in the Rome Statute. The violence was widespread, seen in virtually every constituency around Zimbabwe, even in the peri-urban constituency of Epworth just outside Harare. Additionally, it was systematic, focusing on the support base of the MDC and targeting the leadership of the MDC, as described by the Solidarity Peace Trust. But it was also aimed at the electorate more generally, since the majority of the electorate had potentially just voted ZANU-PF and Robert Mugabe out of power.

Indeed, they might well have done so, if the SADC and AU leaders had been of a mind to persuade Mugabe and ZANU-PF to concede. Their refusal to do so and to accept the unconscionable delay in releasing the results of the first poll makes them complicit to some extent in the mass violence that took place. As one commentator put it:

“What would have happened if SA, SADC and the international community rejected the delays by ZEC and ZANU PF, demanded the transparent compilation and immediate release of results - and ensured that all parties abided by them? What would have happened if all civil society organisations and democratic parties and politicians had stood firmly behind the MDC government-elect, rather than soliciting for all-inclusive extra-electoral GNU? If more support for the winning party MDC had been expressed, what options then would have remained for elite transitions? Who, then, really enabled ZANU PF’s violent election strategy, sending the defeated party, its leaders and violent supporters inside and outside the state all of the wrong signals in the immediate post-election period? And consequently, whose responsibility now is it to end the violence by terminating discussions about an all-inclusive GNU, and insisting on a government of

¹⁰⁰ SPT (2008), *Punishing Dissent, Silencing Citizens: The Zimbabwe Elections 2008* (21 May 2008).
Johannesburg: Solidarity Peace Trust.

transition and renewal headed unambiguously by the party elected by the people: the MDC Tsvangirai." [Kwinjeh 2008¹⁰¹]

2013 Harmonised Election

The brutal 2008 elections were followed very quickly by a mediation by South Africa, the Global Political Agreement (GPA), and the establishment of the Inclusive Government (IG). This power sharing arrangement, enabled by an amendment to the Constitution, was to stay in place until elections in 2013, and included the agreement to produce a new constitution. The whole success of this political arrangement would depend upon the willingness of the political parties, and their *bona fide* intention to undertake all the reforms inherent in the GPA.

From the outset, the commitment to the rule of law was challenged, beginning with the unconstitutional appointment of five more ministers, more than the 31 allowed by the constitution.¹⁰² This illegality was challenged in the High Court, rejected by Justice Chiweshe in a remarkable judgment, appealed to the Supreme Court and, in common with other contentious cases (like the election petition on the 2002 election), never heard before the life of the IG was over in 2013. This was a very inauspicious start, feeding into heated debates about the merits and demerits of the power sharing arrangement.¹⁰³ No area of discussion was more heated or divisive than that around the development of a new constitution, especially within civil society.

Here it must be remembered that the push for a new constitution in the late 1990s was instrumental in bringing together a broad civil society coalition under the NCA, a coalition that had very large public support. This was not the case during the IG. There was division between those that believed in full engagement with the constitution-making process, those that believed that this was futile as the political parties would decide the outcome in a horse-trading process, and those that thought the process should be monitored to merely determine whether the process was genuine or not. In the final event, a draft constitution was agreed, there were nation-wide consultations (after lengthy delays), and the electorate voted overwhelmingly to accept the constitution in a referendum held in March 2013. This was mere months before the scheduled harmonised elections, and obviously too late for any of the reforms inherent in the new constitution to have any effect of this election.

¹⁰¹ Kwinjeh, G (2008), *Staring a gift horse in the mouth. Death Spiral in Zimbabwe: Mediation, Violence and the GNU* (18 June 2008). Harare: Research & Advocacy Unit.

¹⁰² Matyszak, D (2010), *Zimbabwe's New Illegal Unity Government* (March 2010). Harare: Research & Advocacy Unit.

¹⁰³ SPT (2010), *What Options for Zimbabwe?* (31 March 2010). Johannesburg: Solidarity Peace Trust; RAU (2010), *What are the options for Zimbabwe? Dealing with the obvious!* Report produced by the Governance Programme 4 May 2010 (October 2010). Harare: Research & Advocacy Unit. Harare: Research & Advocacy Unit.

The one thorny issue the Inclusive Government had to confront was what to do about all the OVT in 2008. This was dealt with in the GPA under Article VII, *The Promotion of Equality, National Healing, Cohesion and Unity*. This did not provide any explicit acknowledgement of the violence in 2008, as can be seen in the section that mentions victims of political violence:

The Parties hereby agree that the new Government: shall give consideration to the setting up of a mechanism to properly advise on what measures might be necessary and practicable to achieve national healing, cohesion and unity in respect of victims of pre- and post-independence political conflicts [Section 7.1(a)]

As one commentator pointed out, this was vague and made no mention of either justice or reconciliation.¹⁰⁴ It was also suitably vague about violence, and lumped 2008 into the generality of all political conflicts before and after independence. This is, of course, completely sensible for a transitional justice process in Zimbabwe – all periods will need to be included, as was stated by civil society at the 2003 Symposium – but still avoided the problem of the immediate past violence in 2008. It was, thus, small wonder that the Organ on National Healing, Reconciliation and Integration (ONHRI) had such difficulties in fulfilling its mandate.¹⁰⁵

The difficulties in deciding upon an appropriate way to deal with not only 2008, but all gross human rights violations, were given greater emphasis by the research carried out by the Human Rights Forum and others on citizens views on transitional justice. This kind of research was now possible under the necessity by ZANU-PF to honour, no matter how minimally, the GPA and to avoid obvious coercion. This research demonstrated how divided were the citizens about what to do about the history of OVT. Some were only concerned with *Gukurahundi*, others uninterested in what had happened before Independence, and others only concerned with events after 2000.¹⁰⁶

They were divided also about the merits of justice, truth commissions, amnesties, and compensation. As pointed out above, ONHRI and the consultations opened a debate of considerable heat, which continues to date. This was a period where there was less serious

¹⁰⁴ Machakanja, P (2010), *National Healing and Reconciliation in Zimbabwe: Challenges and Opportunities*. Zimbabwe Monograph Series No.1. Cape Town: Institute for Justice & Reconciliation.

¹⁰⁵ Masunda, OM, Mousonza, N & Ehiane, S (2019), *The Travails of the Organ for National Healing, Reconciliation and Integration (ONHRI) as a Strategy for Transitional Justice and Reconciliation in Zimbabwe*. [DOI: 10.31920/2516-5305/2019/16n4a5]

¹⁰⁶ (2009), *Transitional Justice in Zimbabwe: A pilot survey of the views of activists & victims* (January 2009). Report produced by the Research & Advocacy Unit. Harare: Research & Advocacy Unit; ZHRNGOF (2010), *Taking Transitional Justice to the People. Vol.1*. Harare: Zimbabwe Human Rights NGO Forum; ZHRNGOF (2010), *Taking Transitional Justice to the People. Vol.2*. Harare: Zimbabwe Human Rights NGO Forum; ZHRNGOF (2011), *Transitional Justice National Survey. A Report on the People's Perceptions and Recommendations*. Harare: Zimbabwe Human Rights NGO Forum.

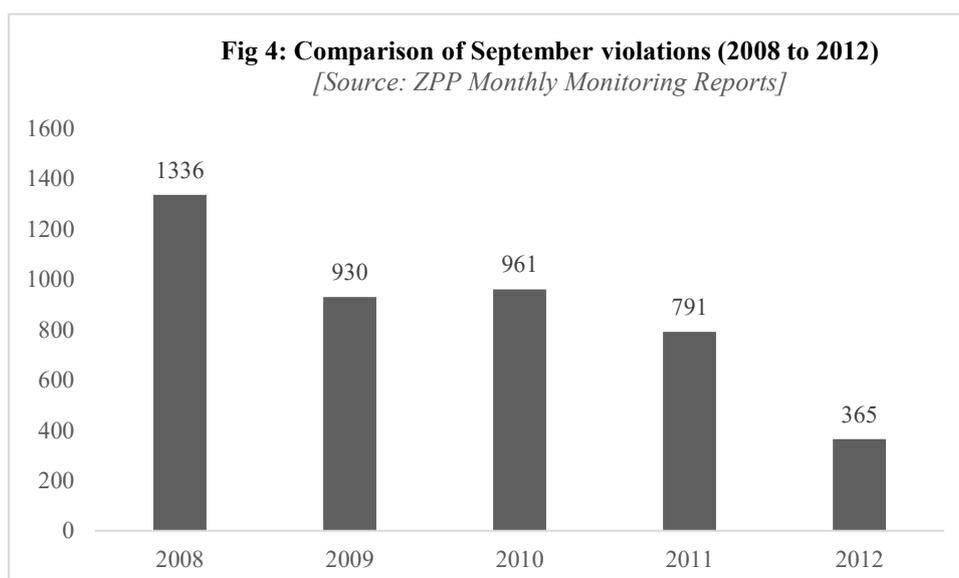
OVT, illustrated by comparing the first five months in 2009 with the similar period in 2008 (Table 25).

Table 25: Comparison of violations in 2008 and 2009

[Source: HRF Political Violence Monthly reports]

Violation	2009 (January to May)	2008 (January to May)
Assault	44	1357
Abduction	3	74
Attempted murder	2	5
Death Threats	1	32
Displacement	1	572
Freedoms (association, expression & movement)	179	1924
Murder	1	24
Political discrimination	210	2013
Property violation (arson & theft)	29	284
School closure	2	16
Torture	4	654
Unlawful arrest & detention	396	322
Total:	872	7277

Whilst this comparison obviously compares an election with a period in which an election is not occurring, it does nonetheless demonstrate that violations have reduced dramatically, but also that violations still take place. The major difference, apart from the frequency of violations, is in the kinds of violations recorded in 2009: very serious crimes, such as murder, torture, abductions, etc are absent in 2009.



The Human Rights Forum discontinued the *Political Violence Monthly Reports* (PVMR) system in 2009, but the Zimbabwe Peace Project (ZPP) carried on continuous reporting, and

their reports show this decline. For example, the steady decline of violations from 2008 to 2012 is seen in Figure 4.

Table 26: Bases by Constituency (15) and Activity Since 2000

	Currently active	2000	2005	2008	2010
Buhera [11]	6	0	0	11	6
Epworth [14]	3	1	1	14	3
Hurungwe [5]	2	1	2	3	2
Hwedza [6]	0	0	0	4	6
Makoni [7]	2	7	6	6	2
Pfungwe [15]	4	0	9	15	4
Mazoe [4]	3	1	2	4	3
Mt Darwin [7]	4	6	6	6	4
Mudzi [18]	5	1	13	14	6
Muzarabani [16]	11	16	16	16	10
Mwenezi [6]	6	5	5	5	6
Nyanga [6]	3	5	3	5	3
Shamva [9]	7	3	5	5	7
Uzumba [11]	4	3	3	11	4
Zaka [12]	4	8	7	9	4
Number:	64 [44%]	57 [39%]	82 [56%]	130 [89%]	64 [44%]

By the end of the life of the IG and the lead up to the 2013 elections, OVT reduced markedly, and this gave every expectation that the elections would be peaceful, at least not violent. It was still not clear how much the previous violence would affect participation, and to what extent more subtle forms of intimidation could build on the fear created by all the previous OVT. One worrying sign was the information contained in the Sokwanele report about the number of bases that were active still in 2010 (Table 26).¹⁰⁷ The continued presence of these bases – and this is only in 15 constituencies – was a serious matter in the aftermath of 2008 and suggested several possibilities. The first was that the continued presence in rural communities of the apparatus would be highly intimidating, a reasonable assumption when there were statements made by ZANU-PF members that the violence would return if the party lost the election.

The possible effects of the fear were analysed in an Afrobarometer report in 2012,¹⁰⁸ and amplified in a later, more analytical report.¹⁰⁹ In both these reports, the effect of the previous violence shows in the reluctance of respondents to express their political party affiliations. Furthermore, these studies estimated that the gap between the two main political parties

¹⁰⁷ See again Sokwanele (2010), *The Anatomy of Terror*, p 6.

¹⁰⁸ Bratton, M & Masunungure, E (2012), *Voting Intentions in Zimbabwe: A Margin of Terror?* Afrobarometer Briefing Paper No. 103.

¹⁰⁹ Bratton, M, Dulani, B & Masunungure, E (2016), “Detecting manipulation in authoritarian elections: Survey-based methods in Zimbabwe.” *Electoral Studies* 42:10-21. Available at [<http://dx.doi.org/10.1016/j.electstud.2016.01.006>]

was very close indeed: in the Afrobarometer report, it was estimated that MDC-T had the support of 49% of the electorate and ZANU-PF 45%. In the analysis of the presidential poll, assuming that both “reticents” (those unwilling to disclose their affiliation) and “pretenders” (those claiming false affiliation to ZANU-PF) actually supported Tsvangirai, this would have given Tsvangirai 50.1% of the vote.

The result of the poll astounded everyone. Robert Mugabe won the presidential poll with 2 110 434 votes to Morgan Tsvangirai’s 1 172 349, and ZANU-PF regained its two-thirds majority in Parliament. No matter how the results were analysed, it was hard not to conclude that the result was manipulated in favour of Mugabe and ZANU-PF.¹¹⁰ The election results drew two sets of conclusions. The first, mainly by SADC and the AU, was that the magnitude of the victory was so great that manipulation would have had no effect and, hence, the SADC Observer Mission concluded that the election was “generally credible”.¹¹¹ The second view derives from the numbers themselves. Given that nearly a million more citizens voted than in 2008, Robert Mugabe will have won even if 87% of ZANU-PF supporters held back their votes.¹¹²

Whatever the arguments about manipulation, OVT was not a major factor – unless the fear factor is taken into account. The combination of fear due to coercion and manipulation as the fundamental strategy for winning elections by ZANU-PF is made explicit in a detailed analysis of the 2018 election.¹¹³ The strategy involves the combination of “anticipatory rigging”, simple coercion (intimidation and violence) and “constructive rigging” (manipulation of the actual processes in an election). Thus, the only question yet to be fully answered about the 2013 elections is what were the contributions of these two forms of rigging?

2018 Harmonised Election

The Harmonised Election in 2018 was perhaps the most exciting election since 1980. Robert Mugabe had been removed through a bloodless (almost) coup, and Emmerson Mnangagwa had been sworn in as the interim president to lead what was called the *Second Republic*, under a “*New Dispensation*”. Promising wide-ranging reforms and opening the country for business, the international community, opposition political parties, and perhaps a majority of the citizenry welcomed the “new” government. The acceptance of a “coup” as a “military-assisted transition” was predicated clearly on the general view that Robert Mugabe was the single blockage to reform in Zimbabwe, but lingering suspicions about the

¹¹⁰ RAU (2014), “*Numbers out of Tune? An examination of the vote in Harmonised July 2013 Election.*” Full Report (April 2014). Governance Programme. Harare: Research & Advocacy Unit.

¹¹¹ “SADC Deems Zimbabwe Election ‘Generally Credible’”, (2 September 2013) *VOA News*.

¹¹² For a comprehensive analysis of the election results, see again RAU (2014) above (note 58)

¹¹³ Moyo, J N (2019), *Excelgate - How Zimbabwe's 2018 Presidential Election was Stolen*. Harare: SAPES Trust.

determination of ZANU-PF as a party to accept any loss of political power made this acceptance of the coup conditional on a number of future developments. The first was the need to see credible reforms that supported the rule of law, human rights, and good governance – the pre-conditions that had been the basis for Western re-engagement for two decades. The second revolved around credible economic reforms, and the third had to do with ensuring an election in 2018 that passed all the tests of acceptability.

The election did not pass muster in the final analysis, despite a great improvement in voter registration, a very large turnout for the poll, many improvements in the performance of the Zimbabwe Electoral Commission (ZEC), and a marked lack of violence prior to the poll. However, the observation by Jonathan Moyo that ZANU-PF does not intend to give up political power proved to be true once again.¹¹⁴ ZANU-PF retained its two-thirds majority, but Emmerson Mnangagwa scraped through with a majority of 304 083 votes that gave him 50.8% of the votes to Nelson Chamisa's 44.93%. However, as had been the case in 2008, the problem was in the counting and the delay in releasing the results. The whole electoral process has been described and analysed in detail in *ExcelGate*, and the interested reader is referred there for the evidence of the “constructive rigging”.¹¹⁵ Here we are concerned with the post-election violence that broke out immediately after the results were released, with the rapid deployment of the military and the deaths and brutality that took place.

In understanding the 2018 violence, it is necessary to return to 2017 and a judgment made in the High Court by Justice Chiweshe. The judgment on the deployment of the military in November 2017 essentially stated that this was constitutional despite the deployment being instituted by the President, Robert Mugabe.¹¹⁶ The judge reasoned that Section 212 of the Constitution empowered the army to intervene in the following circumstances to the following:

- They arrest first respondent's (Robert Mugabe) abdication of his constitutional functions, and
- They ensure that non-elected individuals do not exercise executive functions which can only be exercised by elected constitutional functionaries”.

This argument, accepted by consent, basically suggested that the interpretation of Section 212, that “the function of the Defence Forces is to protect Zimbabwe, its people, its national security and interests and its territorial integrity and to uphold this Constitution”, allowed the army to intervene in civilian affairs in order to uphold the Constitution. It also implied that this power was in addition to all the constitutional provisions that require such deployment only by the President, and always seeking immediate confirmation by

¹¹⁴ “Zanu-PF will never reform itself out of power, Prof Moyo declares” (6 September 2016) *The Chronicle*.

¹¹⁵ Moyo (2019) above (n 61)

¹¹⁶ Joseph Evurath Sibanda and Leonard Leonard Chikomba v President of the Republic of Zimbabwe – Robert Gabriel Mugabe N.O.; Minister of Defence, Commander of the Defence Forces of Zimbabwe and the Attorney-General of Zimbabwe HC 10820/17.

Parliament. This outrageous decision has yet to be tested by either the Supreme or Constitutional Courts, as the one attempt was dismissed on a technicality.

Effectively, the judgement gave *carte blanche* for the army to interfere in civilian affairs, and this confidence may well be the reason for the deployment of the military to deal with the demonstrations in July/ August 2018. This was the first time that the army was deployed in a policing role in Harare since the Food Riots 1998, and the violence was once again extreme. Seven people were shot and died, 23 were injured by gunshot wounds, and hundreds assaulted by the soldiers.¹¹⁷ There was an immediate outcry – both nationally and internationally – and the President, Emmerson Mnangagwa, responded by putting in place a commission of inquiry that became termed the “*Motlanthe Commission*”. This was interesting in that he chose to do this rather than hand the inquiry to the Zimbabwe Human Rights Commission (ZHRC), the Independent Commission mandated to undertake exactly this task by the Constitution. As Section 243 (1) puts it:

The Zimbabwe Human Rights Commission has the following functions-

(f) to investigate the conduct of any authority or person, where it is alleged that any of the human rights and freedoms set out in the Declaration of Rights has been violated by that authority or person.

Notwithstanding this subterfuge, the Motlanthe Commission did find that there had been disproportionate use of force and recommended immediate investigation of the crimes committed: after all, killing people is murder in the Zimbabwean criminal law, even if committed by a soldier during his duty in policing. Such investigation has yet to take place.

Overview of Elections

In a recent study looking at violence in several SADC countries, of those governed by former liberation movements Zimbabwe was the most violent and also this violence was significantly related to elections.¹¹⁸ Forty-six per cent (46%) of all violence reported in Zimbabwe since Independence in 1980 related to elections, and only Mozambique (42%) came close to this figure. Eighty-six per cent (86%) of the violence was perpetrated by government forces (23%), or by militia (63%). This is not a surprising finding since the data from which the Armed Conflict Local Event Database (ACLED) is compiled derives from the Zimbabwe Human Rights NGO Forum, its partners and the Zimbabwe Peace Project (ZPP).¹¹⁹ We use these reports merely to illustrate both the value of the human rights

¹¹⁷ ZHRNGOF (2020), *Guns Run Amok. A Review of the 1 August 2018 and 14 January 2019 Crackdown on Civilians by the Security Forces*. Harare: Zimbabwe Human Rights NGO Forum.

¹¹⁸RAU (2016), *Are former liberation movements inherently violent as governments?* (February 2016). Harare: Research & Advocacy Unit.

¹¹⁹ RAU (2016), *A valedictory for civil society in Zimbabwe* (February 2016). Harare: Research & Advocacy Unit.

monitoring by Zimbabwean organisations and as a simple summary of all the subsections on elections.

It is abundantly evident that gross human rights violations commonly take place during elections in Zimbabwe, over and above all the allegations about “constructive rigging”. The OVT limits the confidence that any election in Zimbabwe, certainly since 2000, can ever claim to have been “free and fair”: the OVT, documented in considerable detail (and supported in many legal cases in the Zimbabwean courts), destroys this claim. Even when an election does not meet the threshold of a crime against humanity, as in 2002 and 2008, the legacy of fear created by the more violent elections persists and can render the task of intimidating voters relatively easy.

There seems little value in conversations about the most violent election. The better questions are around the nature of the violence, the complementarity between “anticipatory” and “constructive” rigging, and the political stakes for any given election. Going forward, one single factor will always be present, and this relates to the country having an Executive President and the immense powers that come with this office. Elections are always competitive, especially when one party is unwilling ever to concede relinquishing political power, but the competition for the presidency will always be combative in the absence of profound reforms.

Conclusions

In the light of this extremely disturbing history about the prevalence of OVT during elections, it is clear that serious steps must be taken to prevent a recurrence in 2023. As we have pointed out, OVT can reach the threshold of crimes against humanity, and it is evident that OVT reaches this threshold when the probability of the ruling party losing political power is very high, especially over the hold on the presidency.

Here it is relevant that the current president, Emmerson Mnangagwa, scraped through in 2018 by the narrowest of margins. Furthermore, and notwithstanding the Covid crisis, the general populace has seen a significant decline in their well-being, a condition for which they may well hold the current government responsible, and unlikely to support it again in a poll. These are the conditions that increase the probability of the return of OVT, a probability reflected in the warlike rhetoric of ZANU-PF supporters. Hence, we make a number of recommendations in Chapter 9.

Chapter 5: Displacements

Zimbabwe has a long history of people displaced from the land that they occupy. The colonial history is replete with examples from the outset of the settler occupation of people displaced from land they had occupied for many generations, breaking up their spiritual and cultural relationships with the land. These displacements have had longstanding effects, and the consequences are being felt to this day. Whatever the merits and demerits of the economic and political arguments over the Fast Track Land Reform Programme (FTLRP), it is indisputable that great wrongs are done to the people who are displaced, and it is for this very reason that any displacement is felt deeply in the psyche of the nation.

Displacements are now seen as having human rights implications and *forced displacement* forms one of the types of human rights violations described in the Rome Statute of the International Criminal Court. As will be seen in the text below, some of the displacements that have taken place since Independence could be described as crimes against humanity. The issue of displacements is included in the concerns of Zimbabwean human rights groups and was included in both the first definition of Organised Violence and Torture in 1990,¹²⁰ and the 2003 declaration of the *Civil Society and Justice in Zimbabwe* symposium.¹²¹

Thus, the current controversy over the proposed eviction and displacement at Chilonga evokes very strong feelings. The previous eviction and displacement of the people living in the shadow of the Tokwe-Mukorsi dam, and their forced eviction to Chingwizi, is still present in the minds of many and was roundly criticised at the time.¹²² There is growing anger also over the destruction of “illegal housing”, with evictions and displacements taking place around the country.

This report is issued with two main intentions. The first is to draw attention to the history of displacements in the past, the human rights implications, and the need always to be mindful of the consequences for people. Displacements will always evoke very strong reactions from the citizenry because of their association with the long history – recent history too – in the memory of the citizens of Zimbabwe.

The second point is do with the issue of force that too often accompanies eviction and displacement of large groups of people. Organised Violence and Torture (OVT) has been an unacceptable feature of past displacements, sometimes in the process of displacing people, but also sometimes as a consequence of maintaining the displacement. Both, for example,

¹²⁰ Psychiatric Association of Zimbabwe (1990), *Report on an International Conference on "The Consequences of Organised Violence in Southern Africa"*. Harare: PAZ

¹²¹ Themba Lesizwe (2004), *Civil Society and Justice in Zimbabwe*, Proceedings of a symposium held in Johannesburg (11-13 August 2003). Pretoria: Themba LeSizwe

¹²² HRW (2015), *Homeless, Landless, and Destitute. The Plight of Zimbabwe's Tokwe-Mukorsi Flood Victims*, Africa Division: Human Rights Watch [<https://www.hrw.org/report/2015/02/03/homeless-landless-and-destitute/plight-zimbabwes-tokwe-mukorsi-flood-victims>]

were evident in the mass displacements of rural people to the “keeps” during the Liberation War.

We issue this report in order that the populace are mindful of the great risks in displacing people, the need that any eviction or displacement be viewed always through a humanitarian lens, and that violence is never justified.

Defining IDPs

According to the United Nations Guiding Principles on Internal Displacement, Internally Displaced Persons (IDPs), are "persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border."¹²³ This definition carries two critical elements: the coercive or involuntary character of the movement; and the fact that such movement has to happen within the national borders.¹²⁴ The other elements of the definition are as follows:

- **“Persons or groups of persons”** - internal displacement can affect a single person, several persons, or a group of persons;
- **“Forced or obliged”** - there must be an element of coercion or involuntariness for the affected person. This can be through actual force, or through intimidation, violence or threats of violence;
- **“Fleeing or leaving”** - the flight from home does not have to be chaotic, it can be orderly and planned, in the face of danger or threat of danger or perceived danger;
- **“Within national borders”** - the movement has to be within national borders. When the persons or groups of persons cross national borders, they become refugees and not IDPs;
- **“As a result of” or “in order to avoid the effects”** - The element looks at the identified danger in two ways. Before it happens or after it has happened and forces the person or group to move;
- **“Their homes or places of habitual residence”** - This refers to any dwelling place. It does not have to be a house, as long as it is one’s “home” or dwelling place;
- **“The causes of the displacement”** - These are listed in the definition but not exhaustively. They include armed conflicts, violence, and violation of human rights, natural or human-made disasters.

An understanding of the elements of this definition is important in order to separate IDPs from other groups like refugees and to appreciate the peculiar challenges that IDPs face. One critical component which makes IDPs more vulnerable is that the same institution and

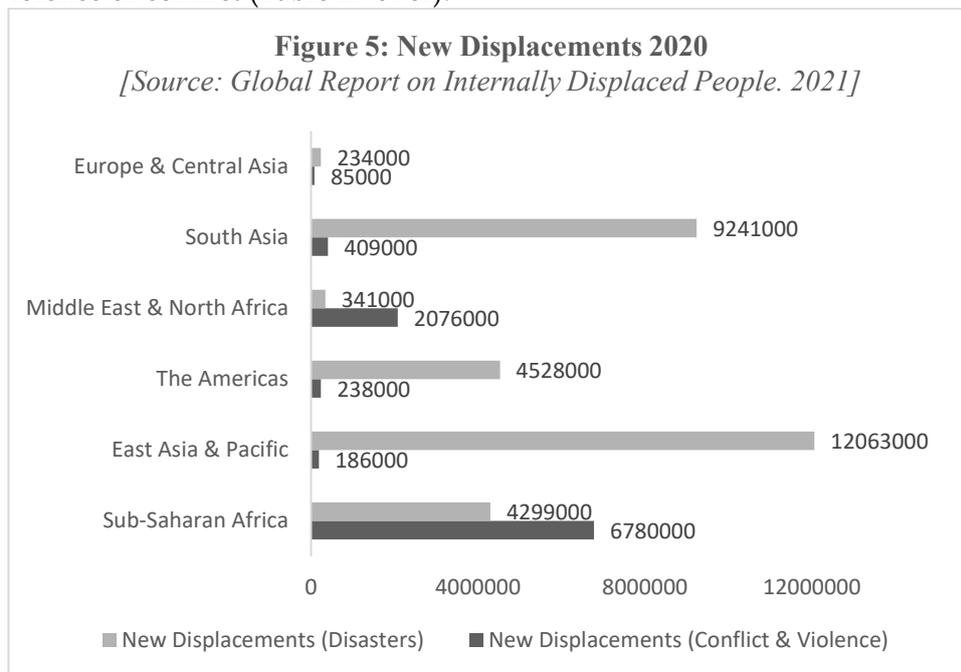
¹²³ See the *UN Guiding Principles on Internal Displacements*. Available on this link <https://cms.emergency.unhcr.org/documents/11982/44794/UN%2C+Guiding+Principles+on+Internal+Displacement%2C+1998/47806967-dd92-4d67-ad47-578aa8b5d11f> last accessed on 4 August 2018

¹²⁴ *Training on the Protection of IDPs, resource tool – Who is an IDP* Internal Displacement Monitoring Centre. Tool available on <http://idp-keyresources.org/documents/0000/d04393/000.pdf> last accessed on 4 August 2018.

government that perpetuated their displacement remains the overseer of the welfare of the people. In Zimbabwe’s situation, IDPs are more vulnerable due to the politicisation of all ambits of the state. It has to be noted that not every person who meets the above definition is definitely an IDP. A needs-based understanding of IDPs is important for the purposes of policy and humanitarian intervention.

IDPs Globally and Regionally

The effects of displacements and the creation of IDPs is a world-wide problem, as pointed out in the Global Report on Internally Displaced People (GRID) in 2021 (Figure 5).¹²⁵ At the end of 2020, 55 million people were internally displaced, with more than 48 million (85%) due to conflict and violence. Seven million due to disasters, 98% of which were due to weather-related events. In 2020, 40.5 million new displacements were recorded, which was the highest figure for 10 years: disasters triggered three times more displacements than violence or conflict (Table 27 over).



Clearly, the world will need to prepare for significant displacement due to climate changes, but it must be borne in mind that displacements can be due to powerful events such floods, drought and the like, but also may well be caused in the future by conflicts over scarce natural resources – water in particular. The point to make here is in respect of the overall total of IDPs: 85% were the victims of conflict or violence, and clearly this is preventable.

¹²⁵ Global Report on Internal Displacement (2021), *Internal Displacement in a Changing Climate*, Internal Displacement Monitoring Centre [https://www.internal-displacement.org/sites/default/files/publications/documents/grid2021_idmc.pdf]¹²⁶ Scudder, T (1973). “The human ecology of big projects: River basin development and resettlement” *Annual Review of Anthropology*, 2:45-55

Table 27: Displacements in Zimbabwe & Causes

Period	Cause of Displacement	Affected People
1956	Construction of Kariba Dam	Displacement of 57 000 people, 30 000 of them being the Tonga people. ¹²⁶
1972 - 1979	Liberation War	Forcible movement of rural people from their homes into protected villages (“keeps”). About 750 000 were displaced ¹²⁷
2000 - 2005	Farm Invasions	1.2 million people, mainly farm workers were displaced. ¹²⁸
2005	Operation Murambatsvina	About 700 000 people were displaced ¹²⁹
2014	Tokwe-Mukosi Floods	60 000 people were affected ¹³⁰
2019	Cyclone Idai	270,000 people affected ¹³¹

As can be seen in Table 27, displacements in Zimbabwe (Rhodesia previously) have been due to both types of events, conflict and disaster, but also in pursuit of “development” as in the case of the movement of the Tonga people to make way for Lake Kariba. Since Independence there have been a number of causes for IDPs in Zimbabwe, including disasters such as droughts, floods, storms, and developmental projects like mining activities in Chiadzwa, Manicaland. The 10 000 new displacements reported in the 2018 report are only for disasters and there is little information regarding displacements caused by conflicts and violence. In other human rights reports, displacements are reported that are caused by political violence and farm invasions, among other conflicts.¹³²

¹²⁶ Scudder, T (1973). “The human ecology of big projects: River basin development and resettlement” *Annual Review of Anthropology*, 2:45-55

¹²⁷ Amani (1998), *Survivors of Torture and Organised Violence from the 1970 War of Liberation*, Harare: Amani Trust.

¹²⁸ ZHRNGOF (2007), *Adding Insult to Injury*. Available on <http://hrforumzim.org/wp-content/uploads/2010/06/SR12-Adding-Insult-to-Injury-a-Preliminary-Report-on-Human-Rights-Violations-on-Commercial-Farms-2000-2005.pdf> [last accessed on 28 July 2018]

¹²⁹ *Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe*. Mrs. Anna Kajumulo Tibaijuka
[http://archive.kubatana.net/docs/urbdev/un_tibaijuka_murambatsvina_050718.pdf]

¹³⁰ ActionAid (2014), *“Tokwe Mukosi Floods: A Call to Action”* (2014) ActionAid, available on the link <http://www.actionaid.org/shared/tokwe-mukosi-floods-call-action-1> [Last accessed 28 July 2018]

¹³¹ Oxfam (7 Nov 2019), *Cyclone Idai in Zimbabwe: An analysis of policy implications for post-disaster institutional development to strengthen disaster risk management*. Available at <https://reliefweb.int/report/zimbabwe/cyclone-idai-zimbabwe-analysis-policy-implications-post-disaster-institutional> retrieved 22 July 2021.

¹³² See the 2017 *State of Human Rights Report*, ZHRNGOF, 2018

The Law Protecting the Rights of IDPs

The notion of internal displacement is not recognised in Zimbabwe's mainstream developmental thinking: there is no explicit policy or legislation that regulates the treatment of people displaced internally. Rather, the treatment of internally displaced persons has been subject to interpretation of fragmented laws such as the Refugees Act [*Chapter 4:03*] through the Zimbabwean Refugees Committee, The Public Health Act [*Chapter 15:09*], National Housing Policy (2012) and the Civil Protection Act [*Chapter 10:06*]. Further, the Constitution requires all courts and tribunals to apply reasonable interpretation of domestic law that is consistent with provisions of a ratified treaties (Constitution, Section 326) this then accords the judiciary to take into consideration the provisions of the Kampala Convention which Zimbabwe ratified on 22 July 2018. There is urgent need therefore to domesticate the Kampala Convention.

International and Regional Instruments and Tools for the Protection of IDPs

The responsibility for the protection of IDPs rests first and foremost with national governments and local authorities. However, the international community has developed several mechanisms to assist national governments and local authorities in meeting this obligation. Almost a dozen legal instruments and tools have been designed to guide the protection of IDPs. The most significant of these are the following:

- a. The Universal Declaration of Human Rights;
- b. The Convention Relating to the Status of Refugees;
- c. Geneva Convention Relative to the Protection of Civilian Persons in Times of War;
- d. General Assembly Resolution on the Protection and Assistance to Internally Displaced Persons;
- e. Convention on the Rights of the Child (1989);
- f. General comment number 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin;
- g. Additional Protocol to the Geneva Conventions of 12 August 1949, Relating to the Protection of Victims of International Armed Conflicts (Protocol 1);
- h. The African Charter on Human and Peoples' Rights;
- i. Convention on Protection and Assistance for Internally Displaced Persons (the "Kampala Convention");
- j. The Great Lakes Instruments;
- k. The Guiding Principles on Internal Displacement.

These provide a wealth of tools that can assist states and local authorities meet their domestic obligations of providing sufficient protection to IDPs.

In 1998, the United Nations published the Guiding Principles on Internal Displacement.¹³³ The Guiding Principles on Internal Displacement (the Guiding Principles) were designed to

¹³³ *Guiding Principles on Internal Displacement* (E/CN.4/1998/53/Add.2) <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G98/104/93/PDF/G9810493.pdf?OpenElement>

provide practical guidance to governments, local authorities, intergovernmental organisations and NGOs in their work with IDPs. Among other things, the Guiding Principles provide a working definition of IDPs. Since their release two decades ago, the Guiding Principles have become an important tool for governments and authorities in responding to the phenomena of IDPs. The Guiding Principles have become a key point of reference for the development of normative frameworks for the protection of IDPs in domestic laws and policies.¹³⁴

Domestic Legal Framework for the Protection of IDPs

Protection for IDPs is provided in both the Constitution as well as legislation.

The Constitution of Zimbabwe

Although Zimbabwe has signed the Kampala Convention, nothing has been done to domesticate the convention or give effect to its principles. Zimbabwe's Constitution provides the most sound foundation for a domestic legal framework for a policy on IDPs.

The Constitution of Zimbabwe provides an expanded Declaration of Rights. In general, it guarantees rights to life and liberty, as well as human dignity, personal security, privacy, freedom of association, freedom of movement and residence, a right to property, education, health care and food and water. Section 56 of the Constitution provides for equality and non-discrimination. The Constitution does not, however, provide specific protections for IDPs. The Constitution however provides an avenue for international law to influence the interpretation of the Declarations of Rights through Section 46 (c), which provides that when interpreting the Declaration of Rights, a court must take into account international law and all treaties and conventions to which Zimbabwe is a party.

This provision paves the way for the Kampala Convention to impact the domestic process. It must be re-iterated, however, that Zimbabwe has only signed but not ratified the Convention – hence courts are not obliged to take the Kampala Convention into consideration.

Civil Protection Act

The Civil Protection Act was enacted with the objective to establish a civil protection organisation and provide for the operation of civil protection services in times of disaster; and to provide for the establishment of a fund to finance civil protection.¹³⁵ The administration of this Act falls under the Department of Civil Protection under the Minister of Local Government. This department has proven to be highly incapable of responding to

¹³⁴ IDMC (2008), *Ten Years of the Guiding Principles on Internal Displacement, Forced Migration Review, 2008*. Available on the link <http://www.refworld.org/pdfid/4c6cf2372.pdf>. Last accessed on 28 July 2018

¹³⁵ See the Civil Protection Act [Chapter 10:06].

disasters mainly because of financial constraints as it is ill-funded for its broad mandate. This was a glaring deficiency noted during the Tokwe Mukosi disaster and the government admitted this.¹³⁶

For this report we will concentrate upon displacements in which OVT is a major feature.

Displacements involving OVT

The most notorious of all events involving displacement post-Independence is obviously that which occurred during Operation *Murambatsvina* in 2005. However, displacements have been a feature of the political landscape of this country throughout its history, both before and after 1980. Displacements that are forced are recognised a gross human right violation and identified as such in the Rome Statute of the International Criminal Court. They are accompanied frequently by other gross human rights violations, and thus all mass displacements must be treated as very serious violations.

Displacements were a major feature of the colonial occupation, as well as a part of “land apportionment” throughout the colonial era (mentioned specifically in the Symposium Declaration in 2003) and was included in the definition of Organised Violence and Torture in 1990 (see earlier). They were also a significant feature of the Liberation War in the forced migration of large numbers (perhaps 750,000) rural families into “protected villages” (called “keeps” by the Black population).

There are no reports with comprehensive quantitative data on the violations that took place within the keeps. However, there are many books and reports giving an understanding of life in the keeps, and what this entailed.¹³⁷ All these many sources demonstrate the hardships and the violations that took place in the keeps. One study gives a good idea of the scale of this displacement.¹³⁸ According to this study there were 199 keeps in the districts – from the Dande in the north of Zimbabwe through to Chiredzi in the south-east – effectively along the entire eastern border of the country with Mozambique from where major infiltration by the ZANLA freedom fighters was coming. Hundreds of thousands of rural Zimbabweans were forced to leave their homes and then lived in squalid and impoverished conditions, where killings, torture, and rape took place at the hands of the security forces.

¹³⁶ See the *Herald* of 18 February 2014. Available on the link <https://www.herald.co.zw/civil-protection-unit-sleeping-on-the-job/> Last accessed on 28 July 2018.

¹³⁷ CCJP (1975), *The Man in the Middle: torture, resettlement and eviction*. Salisbury: Catholic Commission for Justice and Peace in Rhodesia; CCJP (1976), *Civil War in Rhodesia: Abduction, Torture and Death in the Counter-Insurgency Campaign*. Salisbury: Catholic Commission for Justice and Peace in Rhodesia.

¹³⁸ Mazambani, I (2016), *Did Children Matter?: Unprotected Children in “Protected Villages” created by the Rhodesian Regime during the Liberation Struggle for Zimbabwe (1970-1979)*. Unpublished Doctoral Thesis. Midlands State University. [<http://ir.msu.ac.zw:8080/xmlui/bitstream/handle/11408/2878/Mazambani%20THESIS%202016.pdf?sequence=1&isAllowed=y>]

The extent of the violations has only been captured retrospectively, as seen in the earlier report on the Liberation War.¹³⁹

One of the less examined consequences of this forced displacement was the effects upon the children incarcerated with their families. As Mazambani points out (Mazambani 2016), this was clearly extreme deprivation: deprived of education, subjected to poor and inadequate diet, exposed frequently to OVT, and with little access to decent health care. These effects upon the children have had little attention, but must have had a significant effect upon them, their development and probably their subsequent social attitudes and beliefs. This lack of attention to the OVT experienced by children and its effects continues to this day.¹⁴⁰

It was many years before mass displacements took place once again in Zimbabwe. Here it should be pointed out that there were many Zimbabweans forced to flee from the violence in the 1980s, but this was mostly migration because of the violence rather than a policy implemented by the government. As pointed out at the beginning of this section, it is “*forced displacement*” that is considered a gross human rights violation and identified as a crime against humanity in the Rome Statute. As Article 1 (1) (d) of the Statute describes this:

“Deportation or forcible transfer of population” means forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law.

Critical to this definition of crimes against humanity is the requirement that the displacement is criminal in international law *when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack*. Thus, it is difficult to argue that migrating out of the country because of political violence would be covered by this definition. However, such flight still might be covered under the parameters if this was due to persecution, and we have shown many examples of this in the report on elections.¹⁴¹

Displacements that more easily conform to the Rome Statute have taken place since Independence. Two episodes can be identified: one, *Operation Murambatsvina*, was argued in a number of reports as being a crime against humanity but the other, the displacements of commercial farmworkers, is less easily accommodated within the definition. There is also the issue of displacements due to political violence, usually during elections. Elections were dealt with in considerable detail already, so this section will confine itself to just these two episodes.

¹³⁹ RAU (2021), *Organised Violence and Torture in Zimbabwe & the Liberation War* (May 2021). Harare: Research & Advocacy Unit

¹⁴⁰ Reeler, AP (2013), *Organised Violence and Torture and its Effects on Children* (July 2013). Harare: Research & Advocacy Unit.

¹⁴¹ RAU (2021), *Organised Violence and Torture and Elections in Zimbabwe* (June 2021). Harare: Research & Advocacy Unit

Operation Murambatsvina

The rationale for Operation *Murambatsvina* (OM) has never been entirely clear. The government argued that this was a necessary action to bring order to the urban environment, but this seemed a dubious claim for an African country that has one of the lowest percentages of informal settlements and shanties. The government nonetheless claimed that it was doing this in order to re-house people, lower crime and protect public health. However, the scale of the displacements and the haste with which they took place seemed to refute this argument by the government: rather than bringing order, OM created disorder on a national scale (Table 28).¹⁴²

Table 28: Areas & population affected by OM.

[Source: ActionAid 2005]

Area	Projected Affected Population	Proportion Total Affected (%)	Proportion Area population (%)
Harare	851,434	71	59
Bulawayo	196,635	16	29
Mutare	92,481	8	54
Kariba	12,793	1	37
Beitbridge	22,920	2	42
Victoria Falls	17,107	2	54
Total population	1,193,370	100	49

More probable were the alternatives raised in the press and by commentators: Operation *Murambatsvina* had the triple focus of destroying urban civic structures, wiping out the informal economy, forcing economic life back into the formal economy, and pre-empting civic and political action. The precipitous action drew the ire of the international community and the United Nations deployed a Special Envoy, Ms Anna Tibaijuka, to report on the event. Her report was less than complimentary, raising the notion of a crime against humanity as well as suggesting the necessity of the Right to Protect (R2P).¹⁴³ The argument that OM constituted a crime against humanity was supported by the Oxford Pro Bono

¹⁴² ZHRNGOF (2006), *Political Repression Disguised as Civic Mindedness. Operation Murambatsvina One Year Later* (November 2006). Harare: Zimbabwe Human Rights NGO Forum.

¹⁴³ Tibaijuka, A (2005), *Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina by the UN Special Envoy on Human Settlements Issues in Zimbabwe*.

Publico Group,¹⁴⁴ and more comprehensive investigations by Zimbabwean organisations, supported by ActionAid International, gave credibility to these claims.¹⁴⁵

Certainly, the humanitarian costs of OM were massive and, as seen below, did not suggest an attempt to restore order:¹⁴⁶

- **Shelter:** A majority (70%) of respondents reported that they had lost shelter. Loss of shelter was two-fold: tenants being evicted as a result of demolitions, and landlords' losing sections of their homes as a result of the demolitions;
- **Source of income:** 76% of interviewed households reported that they had lost their sources of income. This figure was similar to the 73% that had lost primary sources of income (livelihoods) as a direct result of OM;
- **Education for children:** School drop-out was reported to be 22%. However, a further 44% of households interviewed reported that they were in a precarious position in funding and accessing schools for their children, currently and in future;
- **Property:** Forty eight percent (48%) of households visited reported that they had incurred losses of property;
- **Health:** Slightly over 25% of people interviewed attributed the deterioration of health of their loved ones as a direct result of the operation.
- **Food security:** Approximately, 54% of households sampled claimed that they had become food insecure as a consequence of OM;
- **Household safety and security:** Almost half (44%) of the homesteads reported that household safety and security had been compromised as a result of OM;
- **Disruption of family unit:** More than three quarters of the respondents reported losing shelter. Almost 40% of homesteads visited reported that family units had been disrupted as a result of the operation. Mostly children and spouses had been relocated to the rural homesteads or other suburbs, if this was possible;
- **Increased vulnerability for women, children and orphans (OVCs):** 35% of the interviewed homesteads acknowledged that women and children had become more vulnerable to abuse as a consequence of OM. Furthermore, a high proportion of these were from female-headed households.

For this report, however, we are concerned with the abuses that would fit more easily into the definition of Organised Violence and Torture (OVT). Of course, all the above are common occurrences in forced displacements, but we wish here to profile the violence that

¹⁴⁴ Oxford Pro Bono Publico Group (2005), *Are the activities conducted during Operation Murambatsvina Crimes Against Humanity with the meaning of Article 7 of the Rome Statute?* [International Law Opinion] (November 2005). University of Oxford.

¹⁴⁵ ActionAid (2005), *A Study on the Impact of "Operation Murambatsvina/Restore Order" in 26 Wards of Harare High Density Housing Areas* (July 2005), ActionAid International in Collaboration with Combined Harare Residents Association (CHRA); ActionAid (2005), *A Study on the impact of "Operation Murambatsvina/Restore Order" in Zimbabwe* (August 2005), ActionAid International – Southern Africa Partnership Programme (SAPP-ZIMBABWE) in collaboration with Combined Harare Residents Association (CHRA) and Zimbabwe Peace Project (ZPP),.

¹⁴⁶ ActionAid (2005), *An in-depth study on the impact of Operation Murambatsvina/Restore Order in Zimbabwe* (November 2005). ActionAid International in collaboration with the Counselling Services Unit (CSU), Combined Harare Residents' Association (CHRA) and the Zimbabwe Peace Project (ZPP).

accompanied the displacements, as, in none of the above effects, would people voluntarily apply these to themselves.

Table 29: Trauma over the years: Percentage of persons reporting a Trauma Experience per year (n=1195)

[Source: ActionAid International 2005]

Period	Harare	Bulawayo	Mutare
<1980	27%	45%	46%
1980-1987	30%	58%	47%
1990-1997	57%	62%	70%
1998-2000	81%	65%	90%
2001-2004	89%	82%	98%
2005	97%	93%	100%

Table 29 details the frequency of abuses reported by the sample both pre and post-Independence: this was done in order to understand what pre-existing trauma the population might have been carrying prior to OM. All the respondents completed a trauma questionnaire that was derived from the Harvard Trauma Scale, and they also were administered a psychiatric screening instrument, the Self-Reporting Questionnaire (SRQ-8). The trauma questionnaire contained questions about 23 different types of trauma and respondents were asked about their experiences of these in each of six different periods. The items in the trauma questionnaire included both types of trauma associated with OVT – torture, severe beatings, rape, sexual abuse, etc – as well as items that were commonly associated with displacements – lack of food and access to health care, separation from family members, lack of shelter, etc.

What is interesting about the findings shown in Table 29 is the linear increase in reported trauma from 1980 onwards, and the numbers of persons reporting trauma was the highest in 2005. This gives a very good indication of the impact of OM.

Table 30: Prevalence of psychological disorder

[Source: ActionAid International 2005]

	Number & Percentage
Harare [n=570]	458 [80%]
Bulawayo [n=386]	196 [51%]
Mutare [n=239]	170 [71%]

The numbers of people whose psychological health affected adversely was very high. Overall, 824 persons gave responses in the clinically significant range, 4 or more, which gave a prevalence rate of 69%. There was variation across the country, but all the rates were high.

It was shown also that the relationships between trauma events and subsequent psychological disorder was consistent (Table 31), with the relationship growing stronger over the years since 1980.

Table 31: Correlations between SRQ-8 and Total Trauma [Experiences] score per year
 [source: ActionAid 2005]

<1980	1980-1987	1990-1997	1998-2000	2001-2004	2005
0.034	0.022	0.064*	0.098**	0.11**	0.113**

*p=0.05; **p=0.001

Thus, there is little doubt that OVT took place during Operation *Murambatsvina*: the displacement was forced and violent, and gross human rights violations took place. It should be described appropriately as a crime against humanity, as the UN Special Envoy suggested.

We have not examined the ongoing evictions taking place in the urban areas in the past three years, but these clearly have detrimental effects on those displaced. In particular, the urban “clean-ups” are having material effects on a population wholly dependent on the informal sector for its livelihood and in the context of a country where nearly 50% of the population are “extremely poor”. The deprivation of livelihood, notwithstanding the seriousness of the Covid pandemic, will undoubtedly have the downstream effects of exacerbating food insecurity, and access to health and education.

Land Invasions

The displacements that took place due the Fast Track Land Reform Programme (FTLRP) are not described easily as forced displacements. There clearly was no instruction from the government that commercial farm workers should be removed from the farms, although the white owners of the farms were quite evidently forced to vacate their farms, and often violently. However, unlike OM, the FTLRP process took place over many years, beginning in 2000 shortly after the rejection of the draft Constitution, and continues right up the present, but on a very small scale.

The displacements from the commercial farms were also part of a very complex political economy problem. Whereas virtually no person or government could easily rationalise the displacement of over a million people from their homes, evicting “colonial” farmers from the land where the previous owners were evicted previously did not evoke the same opprobrium. Thus, what happened to the commercial farmers and the commercial farmworkers led to a very confused and bitter debate: African governments and political parties generally saw this as redress for colonial injustice, whilst Western governments were more exercised about the violations of property rights and the gross human rights violations that accompanied the eviction.

Since this report deals with OVT, this is not the place to debate the merits of the legal, political and economic issues around the FTLRP. Here we are concerned with a simpler issue: were there violations of human rights; were the violations gross; and can this extended period of conflict be described best under the rubric of OVT?

The first point to make is that there two different sets of victims, commercial farmers and commercial farmworkers, employers and employees. The former had ownership, property rights, access to legal support and, in a fair number of cases, ways of continuing independent life. Many had other homes and access to other sources of support. This should not suggest that this meant that all farmers were well-off enough not to suffer. Many ended up deeply impoverished. Commercial farmworkers and their families had no security other than their employment and residence on the farms and many had no access to land anywhere else in Zimbabwe as they were of Malawian or Mozambican origin. In fact, large numbers lost their Zimbabwean citizenship as a result of the new conditions imposed by the government ahead of the 2002 Presidential election.

In 2000, there were 4 500 commercial farmers, and about 350 000 commercial farmworkers and their families, and whilst the farmers were negligible in any election, the commercial farmworkers were not.¹⁴⁷ The great majority of this latter group were plantation workers, employed in significant numbers in the three Mashonaland Provinces and hence, if not supportive of ZANU-PF, might sway the results in those provinces.

It must be borne in mind that, in 1995, ZANU-PF won every single seat in the Mashonaland Provinces, with either a clear majority or were unopposed. The shock came with the results of the 2000 Constitutional referendum where the draft was rejected by 54.3% of the population, and largely rural Provinces returned 30% of the “NO” vote.¹⁴⁸ Thus, ZANU-PF could foresee trouble brewing for the 2000 General Election and, immediately after the poll result, *land invasions* began in earnest. Few observers doubted that this was unconnected with the forthcoming elections, especially as the violence seem clearly targeted at potential MDC support.¹⁴⁹ Probably no issue on the political economy of Zimbabwe since 2000 has generated more research and comment than the FTLRP, but here we will concentrate on the extensive OVT that accompanied this process, leading to the displacement of 78% of the farmworkers.¹⁵⁰ The actual numbers are difficult to calculate since the estimates of the total commercial farmworker population vary considerably: some estimates put the employees at between 325 000 to 450 000 workers, with a total population of between 1.5 to 2 million persons.

¹⁴⁷ HRW (2002), *Fast track land reform in Zimbabwe*. New York: Human Rights Watch.

¹⁴⁸ EISA (2007), *Zimbabwe: 2000 Constitutional referendum results*. Electoral Institute of Southern Africa [<https://www.eisa.org/wep/zimresults2000r.htm>].

¹⁴⁹ See again HRW (2002), *Fast track land reform in Zimbabwe*. New York: Human Rights Watch. For a more comprehensive report on the land issue and the related politics, see also ICG (2004), *Blood and Soil: Land, Politics and Conflict Prevention in Zimbabwe and South Africa*. Report No. 85. International Crisis Group [<https://www.crisisgroup.org/africa/southern-africa/zimbabwe/blood-and-soil-land-politics-and-conflict-prevention-zimbabwe-and-south-africa>].

¹⁵⁰ Reliefweb (2004), *The plight of displaced farm workers in Zimbabwe*. Available at [<https://reliefweb.int/report/zimbabwe/plight-displaced-farm-workers-zimbabwe>]

It is not possible to give quantitative estimates of the overall scale of the OVT inflicted on commercial farmers and commercial farmworkers, but there are number of useful reports where samples were examined. An early report on displaced farmworkers indicated that the scale of the OVT and its effects were severe.¹⁵¹ This study involved 139 internally displaced farmworkers from Mashonaland East Province.

Table 32: Types of physical torture
[Source: Amani Trust 2002]

Type of assault	Number & %
Slapping or kicking or punching	46 (33%)
Blows with rifle butts, sticks, whips or irons	58 (42%)
Exposure to extreme cold or heat	39 (28%)
Hanging or suspension	10 (7%)
Prolonged standing or crouching	28 (20%)
Submarine, immersion, asphyxiation, strangling	6 (4%)
Burning	5 (4%)
Electrical shocks	1 (1%)
Rape	4 (3%)

It is evident from Table 32 that there was considerable violence and very high levels of psychological abuse. It should also be pointed out here that much of the OVT took place publicly, either at the victims' homes, or at the *pungwes* that were a frequent occurrence. The OVT at *pungwes* resulted in many persons, including children, witnessing this, and occasioned the description of this as "*mass psychological torture*" by one international organisation.¹⁵²

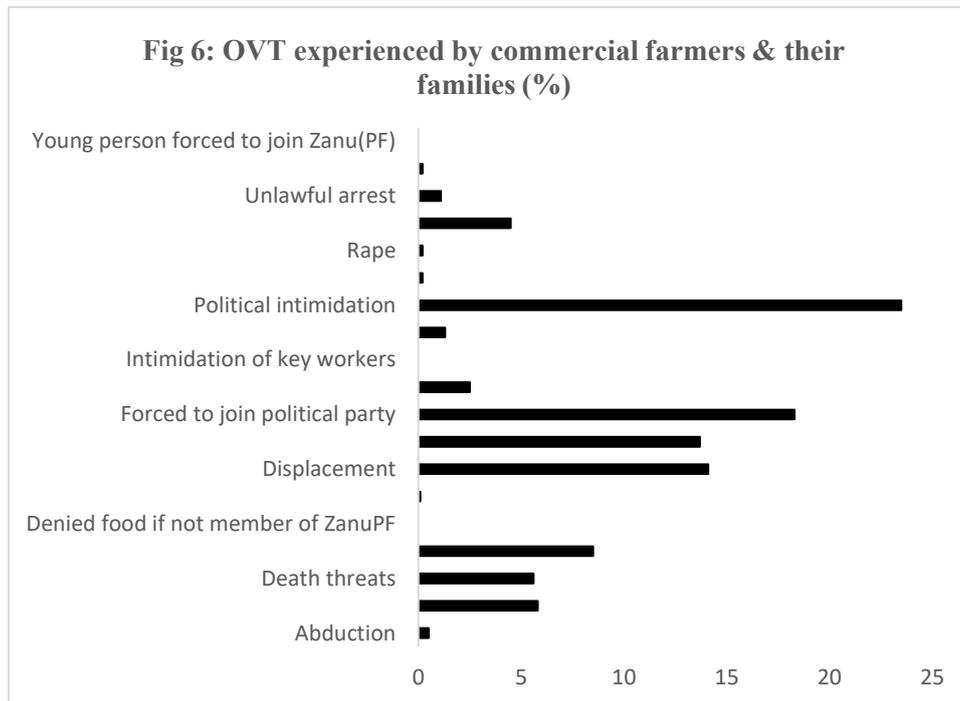
Table 33: Types of psychological torture
[Source: Amani Trust 202]

Type of psychological torture and ill-treatment	Number & %
Verbal abuse	118 (85%)
Threats against person	114 (82%)
False accusations	115 (83%)
Abuse with excrement	38 (27%)
Sexual abuse (without violence)	20 (14%)
Menaces against own life and family	70 (50%)
Simulated execution	24 (17%)

¹⁵¹ Amani (2002), *Preliminary Report of a Survey on Internally Displaced Persons from Commercial Farms in Zimbabwe*. Harare: Amani Trust.

¹⁵² IRCT (2000), *Organised Violence and Torture in Zimbabwe* (6 June 2000). Copenhagen and Harare, International Rehabilitation Council for Torture Victims & Amani Trust. Available at [<https://www.hrforumzim.org/publications/reports-on-political-violence/irct-report-torture/>]

This early report was corroborated and extended by a number of further studies. One report dealt exclusively with the OVT experienced by displaced commercial farmers.¹⁵³



Data for this study was obtained from 184 respondents, 75% of whom described themselves as Zimbabweans, 67% still living in the country, and 27% had been forced to renounce their citizenship. The commercial farmers reported as well on the plight of their workers, but this is indirect evidence.

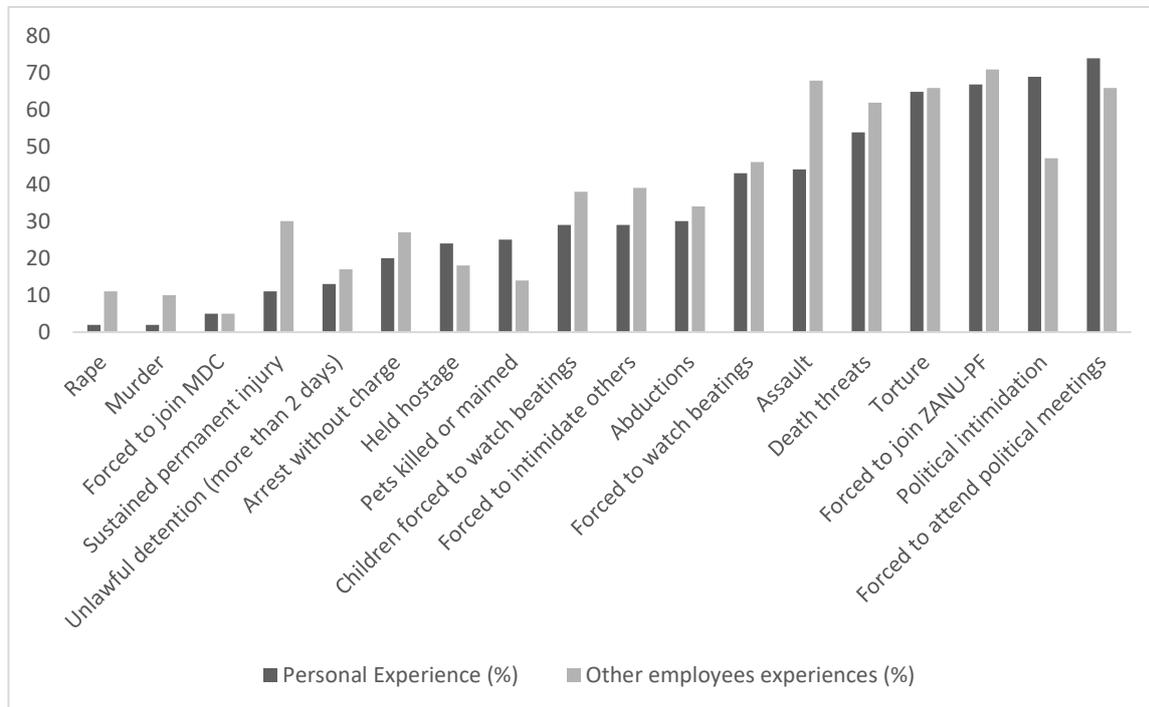
However, the pattern of OVT is both similar and dissimilar in various respects (see Figures 6 & 7). Both groups report high frequencies for being forced to attend political meetings, being forced to join a political party (always ZANU-PF), and political intimidation. However, commercial farmers report abduction, assault, death threats, being held hostage, murder, rape, and torture more frequently than commercial farmworkers. The commercial farmworkers, on the other hand, report abuses more in common with those reported by rural citizens during elections – being denied food if they were not members of ZANU-PF, and young persons being forced to join ZANU-PF.

As detailed in the report, the respondents indicated that, collectively, they had spent more than US\$1 million in legal fees. However, they also report that they tried on multiple occasions to get the ZRP to enforce court orders, some as many as five times or more, but only 6% stated that this was successful. They also reported that, in their view, the police were intimidated: 40% said this, and a further 60% reported that police officers who were sympathetic or helpful were transferred. A common expression was the police could not

¹⁵³ ZHRNGOF (2007), *Adding Insult to Injury. A Preliminary Report on Human Rights Violations on Commercial Farms, 2000 to 2005*. ZHRNGOF and the Justice for Agriculture Trust (JAG) in Zimbabwe. June 2007. Harare: Zimbabwe Human Rights NGO Forum.

intervene because the matter was “political”. Thus, the conclusion is that the government condoned this OVT.

Figure 7: Abuses reported by Commercial Farm Workers
 [Source: GAPWUZ. 2009]



A later study exclusively on commercial farmworkers, carried out by the General and Plantation Workers Union of Zimbabwe (GAPWUZ), corroborated the data given by the commercial farmers and extended this in important ways (Figure 7).¹⁵⁴ At the outset it is important to note that of the 166 farmworkers interviewed, 85% described themselves as Zimbabwean, 82% had a Zimbabwean identity document and, of the majority who provided information about their parents, had parents who had immigrated to Zimbabwe before the 1970s. They were clearly Zimbabweans. Sixty-six percent (66%) reported that they were no longer living on the farm and 71% of those were evicted rather than leaving voluntarily. Eighty percent (80%) said that they had nowhere to go after being forced to leave.

The GAPWUZ study differed from the commercial farmer study in that it took testimony directly from farmworkers rather than asking commercial farmers about what they thought had happened to their workers. It is apparent that the farmworkers themselves reported much higher rates of all the violations, especially the most serious human rights violations. As can be seen from Figure 7, nearly half reported abductions, witnessing beatings, assault,

¹⁵⁴ GAPWUZ (2009), *If something wrong...The invisible suffering of commercial farm workers and their families due to “land reform”*. Report prepared by the Research & Advocacy Unit and the Justice for Agriculture Trust (November 2009). Harare: General Agricultural & Plantation Workers Union of Zimbabwe.

death threats, and torture, and the most common violation was being forced to attend political meetings, meetings where the violations took place and where children were forced to watch the beatings. This last endorses the point made by the International Rehabilitation Council for Torture Victims about “mass psychological torture”.¹⁵⁵

When we compare farmers and farmworkers in these two reports, it is evident that farmworkers were more likely to be assaulted and this is replicated for every single form of abuse. The farmworkers were primary targets, both because they were Zimbabwean, and thus could vote against ZANU-PF. The farmers (and the farms) were targets as well, but for very different reasons in the main: the farms were the subject of a long-standing political problem - ownership of the land - but were targetted because of the possible influence by farmers of their workers in elections.

Table 34: Alleged perpetrators identified by commercial farmworkers (%)
 [Source: GAPWUZ 2009]

Alleged Perpetrator	%
MDC	0
National parks	1
PISI	4
Provincial Administrator	5
Governor	6
President's Office	6
CID	6
Support Unit	8
Police	9
ZNA	10
District Administrator	11
CIO	13
Riot Squad	14
Councillor	14
Other	14
Fellow Workers	15
MP	16
Uniformed Branch	26
Traditional Leaders	40
ZANU-PF member	42
Youth militia	59
War Veterans	77

Obviously, OVT has no place in a land reform process: this should be a strictly legal process based on an explicit policy and not involve violent evictions. The explicitly political intention behind the farm invasions is given further credence by looking at the alleged

¹⁵⁵ See again IRCT (2000), *Organised Violence and Torture in Zimbabwe* (6 June 2000) Copenhagen and Harare, International Rehabilitation Council for Torture Victims & Amani Trust.

perpetrators (Table 34). The most frequent mentioned perpetrators are non-state actors: war veterans, youth militia, ZANU-PF members and traditional leaders, none of whom should have any role in a legal land reform process. Furthermore, and noting the reports about how unhelpful state agents were in assisting – especially in enforcing court orders – the only conclusion can be that the involvement of these groups is condoned by the government. Additionally, state agents, such as the police and the army, as well as civilian authorities, such as District Administrators or MPs, were identified as being amongst the alleged perpetrators.

The scale of the displacements in the end, and this was over a decade, is truly enormous. Perhaps a million people were displaced, both internally and externally, forced into extreme hardship, and having experienced gross human rights violations of the most serious kinds. There is no evidence that the government took any steps to prevent the OVT, but every sign that this was condoned and even encouraged.

Could this be a crime against humanity? This is a more difficult question to answer than Operation *Murambatsvina*. There is no doubt that many farmworkers were forcibly displaced and subjected to gross human rights violations, and that the OVT was perpetrated with at least the condonation of the government, with both state and non-state actors involved. Were these “acts (when) committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack”?¹⁵⁶ Was this “persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender... or other grounds that are universally recognized as impermissible under international law”?¹⁵⁷

At face value, it would seem that a case can be made for a crime against humanity being committed in the displacement of the commercial farmworkers, and perhaps for the commercial farmers too. It is worth mentioning here that the Fast Track Land Reform Programme was “racist” was upheld by the SADC Tribunal,¹⁵⁸ but this was under the terms of the SADC Treaty where the Zimbabwe government was held in breach of Article 4(c), principles of “human rights, democracy and the rule of law”. Furthermore, the Tribunal held that the Zimbabwe government was in breach of Article 6(2), discrimination on “grounds of gender, religion, political views, race, ethnic origin, culture, ill health, disability, or such other ground”. This is a startling judgment and resulted in the pressure to disband (with the subsequent disbanding of) the Tribunal. Nonetheless, taking into account the decision of the Tribunal, and examining the violent manner in which these breaches took place, the argument that there was a crime against humanity seems highly plausible.

¹⁵⁶ Rome Statute of the International Criminal Court, Article 7(1).

¹⁵⁷ Rome Statute of the International Criminal Court, Article 7(1)(h).

¹⁵⁸ *Mike Campbell (Pvt) Ltd and Others v Republic of Zimbabwe* (2/2007) [2008] SADCT 2 (28 November 2008) [<http://www.saflii.org/sa/cases/SADCT/2008/2.html>]

Conclusions

This very brief report cannot do justice to all the displacements that have taken place in either Zimbabwe or Rhodesia before Independence. However, these two case studies do nonetheless demonstrate the human rights violations that can accompany displacement, and the seriousness of these. Allegations of crimes against humanity cannot be made lightly, of course, and we do not suggest that either those potentially suggested for Chilonga, or those at Tokwe-Mukorsi, should be seen in this light, but neither do we suggest that they are trivial either.

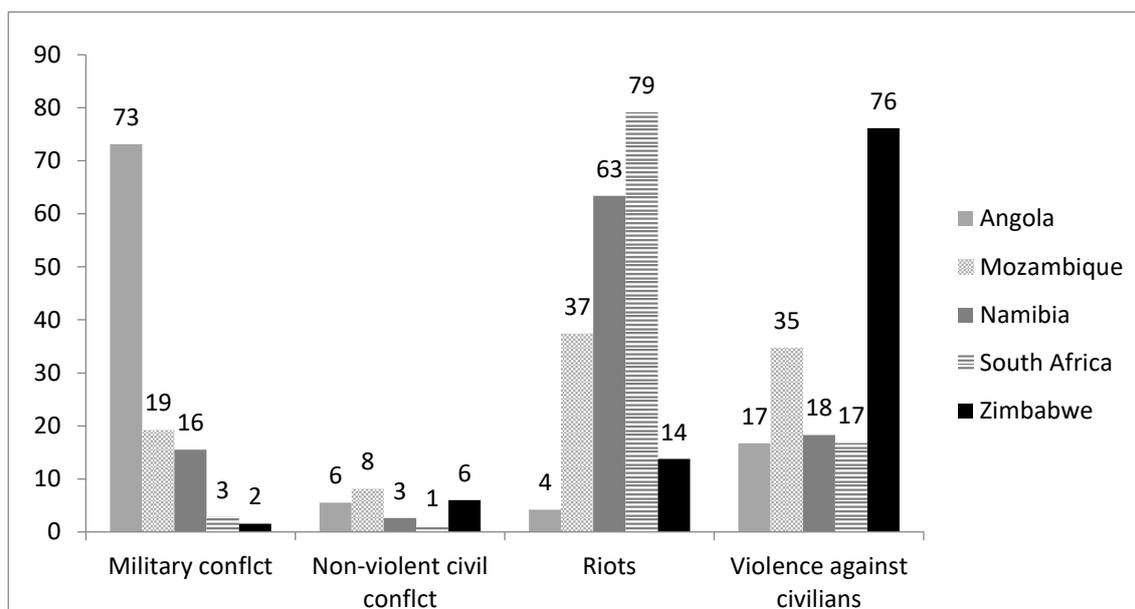
There has been excessive displacement throughout the history of this country, and perhaps no event like displacement evokes such strong reactions in the citizenry. Depriving people of their homes, livelihood from the land and their spiritual and cultural ties, is an enormous event, and can only be done with the deepest sensitivity and within a humanitarian framework. If such an approach is not adopted, people will resist, and the prospect of OVT will become more probable. It is also the case that the kinds of actions taken in OM type events are not trivial and have serious health consequences for the sufferers. No action should ever be taken without assessing the likely harm to those likely to be affected. All government action should be based on the principle of *primum non nocere*, (first do no harm): this is why we have governments – to have a monopoly of coercive control – and expect them always to have the best interests of the citizenry and minimise harm to them. This is even more relevant when, as at present, the population is already under considerable stress and strain – when international experts such as the World Bank note that 50% of the populace is “extremely poor”.

Chapter 6: Dealing with Protest

One of the key features of a democratic state is the protection of citizens' basic freedoms, usually seen in the rights to free speech, association, and movement. These are protected in the ability of citizens to hold peaceful demonstrations, and this is protected in the Zimbabwe Constitution in the Bill of Rights.¹⁵⁹ However, since 2000, and even since the passing of the new Constitution in 2013, these protections are honoured more in the breach than the observance by the Zimbabwe government.

A broad overview of the abrogation of these rights is provided in a comparative analysis of political violence in the SADC region.¹⁶⁰ Comparing countries governed currently by former liberation movements – Angola, Mozambique, Namibia, South Africa, and Zimbabwe – it was evident that Zimbabwe was the most violent of the five countries, violence was strongly associated with elections, and a disproportionate amount of the violence directed at citizens.

Fig. 8: Types of violence as percentages of total violence recorded, 1997 to 2014 (%)
 [Source: ACLED database 2015]



It is evident violence against citizens is much more common in Zimbabwe than the other four countries and, furthermore, this violence is unrelated to riots which are comparatively uncommon. South Africa, by contrast, has a very high frequency of riots. Now, obviously riots should be dealt with by the state, as was the case with the Food Riots in 1999, but the methods should be proportionate and not excessively violent.

¹⁵⁹ Constitution of Zimbabwe Amendment (No. 20) Act. 2013, Chapter 4, Part 2, Sections 48 to 78.

¹⁶⁰ RAU (2016), *Are former liberation movements inherently violent as governments?* (February 2016). Harare: Research & Advocacy Unit.

The use of disproportionate force is a continuous problem in Zimbabwe, as was seen in the 1980s in dealing with student protests at the University of Zimbabwe. However, there were also occasions where the protests of the students constituted “riotous behaviour”, for example in the demonstrations following the death of the Mozambican President, Samora Machel.¹⁶¹ On other occasions, however, the response of the Riot Squad of the ZRP was excessively brutal and the decade ended with marked antagonism between the students and the government, with many of the student leaders becoming important members of the Movement for Democratic Change (MDC).¹⁶²

Whilst the government clearly felt a threat from the students, as well as the now-assertive Zimbabwe Congress of Trade Unions (ZCTU), this paled into insignificance with the threat of the NCA, and, later and more importantly, the establishment of the MDC. The national base of both these bodies meant that protest became a more serious problem for the government, which it met with coercive power. The first event that heralded this change of attitude came on 1 April 2000 with the violent attacks by war veterans and ZANU-PF supporters on the *Peace March* in Harare.¹⁶³

Ordinary citizens marching peacefully were attacked by war veterans, wielding sticks and branches, who were deployed from ZANU-PF headquarters. They indiscriminately assaulted men and women, old and young, with many receiving serious injuries. It turned out that this was the last large scale protest by civil society organisations and citizens on any “political” issue for nearly ten years. Those who wished to protest thereafter were aware of the possible consequences and were forced to become more imaginative and frequently did not announce the protest in advance. This latter course of action, of course, then led to claims about “unlawful” demonstrations and, in any event, the ZRP only allowed demonstrations or marches that were benign in their socio-political implications.

Perhaps the best evidence about the continuous use of violence against peaceful protest and demonstrations has come from the documentation of the OVT meted out to the National Constitutional Association (NCA) and Women of Zimbabwe Arise (WOZA). Both these civil society organisations frequently exercised their rights to the basic freedoms underpinning peaceful protest and frequently met with violence and ill-treatment. This is shown in the two following sections, where we pay particular attention to the violations against women.

¹⁶¹ “Machel’s death sets off riot in Zimbabwe” (22 October 1986) *New York Times*,
[<https://www.nytimes.com/1986/10/22/world/machel-s-death-sets-off-a-riot-in-zimbabwe.html>]

¹⁶² Hodgkinson, D (2013), “The ‘Hardcore’ Student Activist: The Zimbabwe National Students Union (ZINASU), State Violence, and Frustrated Masculinity, 2000–2008”. *Journal of Southern African Studies*, 39:4, 863–883, [<http://dx.doi.org/10.1080/03057070.2013.858538>]

¹⁶³ ZHRNGOF (2000), *The Unleashing of Violence: A report on violence against peaceful protestors in Harare* A report compiled by the Zimbabwe Human Rights Non-Governmental Organisations Forum. (April 2000). Harare: Zimbabwe Human Rights NGO Forum.

Violence against the National Constitutional Association (NCA)

The NCA became powerful in the late 1990s through its advocacy for a new constitution. This resulted in the organisation developing a large national constituency of churches, labour organisations, the women's movement, civil society organisations and ordinary citizens. Its impact on the 2000 Referendum was a stunning demonstration of this national constituency and the movement of many of the NCA's leaders into positions of leadership in the newly formed Movement for Democratic Change (MDC) meant that the government saw the NCA as a major support base for the MDC. In practice, this meant that the civic action of the NCA was treated a threat by the government.

It is important to understand that the NCA had roots right around the country and drew crucial support from women. In fact, the women's movement was a key stakeholder in the formation of both the NCA and the MDC. This support was predicated on the desire by women to ensure that gender equality was more firmly enshrined in a constitution than was the case under the Lancaster House Constitution at Independence in 1980. This desire had been given a boost by the Beijing Conference in 1995, a conference attended by many of the leading feminists in Zimbabwe.¹⁶⁴ The Beijing Declaration and Platform for Action was adopted by 189 countries, including Zimbabwe.

The Beijing Conference was preceded in 1979 by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).¹⁶⁵ The Beijing Conference flagged 12 critical areas of risks to women that needed to be addressed, amongst these were *Violence Against Women* and *Women and Armed Conflict*. Zimbabwe only acceded to CEDAW in 1991, at the same time that it acceded to the International Covenant on Civil and Political Rights (ICCPR), International Convention on the Elimination of All Forms of Racial Discrimination, and the International Covenant on Economic, Social and Cultural Rights (ECOSOC).

Whilst both CEDAW and the Beijing Declaration had very broad aims, it was evident also that violence against women was a deep concern for the feminist movement in Zimbabwe. Further, that women took very seriously the rights to express themselves in pursuit of the domestication of the rights enshrined in the international instruments noted above.

Thus, women had the expectation that their full participation in civil action would be met by a government intent of meeting its obligations, especially under CEDAW and the Beijing Declaration. This was not the case, as is shown by a 2010 report on violations experienced by

¹⁶⁴ UNWomen (1995), *Beijing Declaration and Platform for Action*. United Nations. [https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/pfa_e_final_web.pdf?la=en&vs=1203]

¹⁶⁵ The Convention on the Elimination of All Forms of Discrimination against Women. United Nations. 1979. [<https://www.un.org/womenwatch/daw/cedaw/>]

the women of the NCA. ¹⁶⁶ The report was the result of interviews in 2009 with 231 female members of the NCA. It should be pointed out it was not merely female members of the NCA who experienced OVT, both men and women experienced these abuses. The sample was mostly composed of mature women, the average age being 39 years, mostly married (56%), but a fair number (17%) were widowed. These were therefore not hot-headed youths.

Table 35: Violations alleged by NCA Women
 [Source: NCA 2009]

Violations	Number [%]
Abduction of self or family member	108 [47%]
Assault 185[80%]	185 [80%]
Death threats 204 [88%]	204 [88%]
Forced to attend political meeting	217 [94%]
Forced to remove underwear	23 [10%]
Had house burnt	69 [30%]
Had property destroyed	142 [62%]
Harassed at work	103 [45%]
Held against your will	77 [33%]
Humiliating & degrading treatment	94 [41%]
Insults by police officers	106 [46%]
Murder of family member	104 [45%]
Political threats	218 [94%]
Rape	19 [8%]
Refused medical treatment	79 [34%]
Refused right to receive food	173 [75%]
Refused right to see lawyer	30 [13%]
Torture [physical abuse]	196[85%]
Torture [psychological]	197[85%]
Unlawful detention	68 [29%]

In multiple peaceful protests and demonstrations, the women were met with OVT. As can be seen in Table 35 the frequencies of reported violations are very high indeed. In fact, the frequencies of very serious violations such as torture (physical abuse and psychological torture), assault, and death threats are disturbingly high. This study was carried out in 2009 after probably the most violent election in Zimbabwe's history, and hence the women's responses are clearly coloured by their experiences during that election. However, it is possible to distinguish between the effects of elections and the effects of civil protest, deduced from the differences in the frequency of violations experienced by "activists" compared with ordinary members (Table 36 over).

¹⁶⁶ NCA (2009), *Fighting for a New Constitution: Human Rights Violations experienced by Female Members of the National Constitutional Assembly*. Report prepared by RAU (December 2009). Harare: National Constitutional Assembly.

Table 36: Comparing violations against ordinary members & activists (No. & %)
 [Source: NCA 2009]

Violation	Ordinary member	Activist
Assault	33 [69%]	152 [83%]
Torture [physical]	32 [67%]	164 [89%]
Unlawful detention	4 [8%]	64 [35%]
Insults by police officers	12 [25%]	94 [51%]
Abductions of self or family	12 [25%]	96 [52%]
Police use of whips	16 [33%]	91 [50%]
Number of violations	9.5 [2.9]	10.7 [2.7]

**All these differences are statistically significant [p=0.001]*

It is immediately evident from Table 35 that activist women members of the NCA were at much greater risk of OVT. Activist members were more likely to participate in protests, as well as more likely identified for retribution or intimidation during elections. In particular, activist members were more likely to have more severe abuse than ordinary members, despite not have more types of violation.

The question about the relationship between protest and OVT is partially answered through the data related to where the violation took place: those that took place at “bases” and those that took place at police stations.

Table 37: Place where violation took place.
 [Source: NCA 2009]

Violation	Base	Police Station
Murder of family member	46 [20%]	2 [0.9%]
Assault	111 [48%]	21 [9%]
Physical torture	107 [46%]	18 [8%]
Psychological torture	107 [46%]	18 [8%]
Rape	13 [6%]	1 [0.4%]
Humiliating or degrading treatment	53 [23%]	13 [6%]
Death threats	75 [32%]	15 [7%]
Forced to attend political meetings	70 [30%]	2 [0.9%]
Political threats	77 [33%]	7 [3%]
Refused right to receive food	36 [16%]	12 [5%]

It is evident that the likelihood of experiencing OVT is much greater during elections when “bases” are present.¹⁶⁷ This is because the OVT at bases has little scrutiny and was protected by practical impunity: few charges were ever brought against the perpetrators. OVT occurring in police stations has much greater scrutiny, the victims can more easily seek legal and medical support, and hence there are greater inhibitions in perpetrating OVT on the part of the ZRP.

This reticence by the police to commit human rights violations in police stations is encouraged by the deliberate policy of human rights organisations, such as the Human Rights Forum and Zimbabwe Lawyers for Human Rights (ZLHR), of instituting civil actions

¹⁶⁷ See again Reeler, AP (2003), *The Perpetrators of Gross Human Rights Violations in Zimbabwe from February 2000 to March 2003*, Paper presented to “Civil Society and Justice in Zimbabwe: A Symposium”, organised by the Zimbabwe Human Rights NGO Forum, Themba LeSizwe and the International Bar Association, Holiday Inn, Johannesburg, 11-13 August 2003

against state agents such as the police or the army. However, this is only a partial inhibition as has been shown by the propensity for open violence in recent years (See Section below on *After the Coup*).

Table 38: Alleged perpetrators of OVT against NCA women (No. & %)
 [Source: NCA 2009]

Perpetrator	Number [%]
Police [Uniform Branch]	91 [39%]
Police [Riot Squad]	46 [20%]
Police [CID]	26 [11%]
Police [PISI]	30 [13%]
Youth Militia	167 [72%]
War Veterans	194 [84%]
Political party members	216 [93%]
Army	101 [44%]

The profile of the alleged perpetrators corresponds to that seen in all other human rights reports. Youth militia (72%), war veterans (84%) and political party members (93%), overwhelmingly ZANU-PF, are the most frequently identified. Amongst the ZRP branches, the Uniformed Branch and the Riot Squad reported more frequently, both obviously implicated in dealing with protests. The ZNA are reported with a high frequency, which probably is related to the 2008 elections, as seen in other human rights reports.

Thus, it is evident that an organisation that publicly prides itself on peaceful protest has not received the respect that it deserves from state agents, and, furthermore, receives worse treatment from non-state agents. It is invidious that this OVT is aimed at women, belying the commitment that the government makes to CEDAW or the Beijing declaration.

Violence against Women of Zimbabwe Arise (WOZA)

WOZA has until recently been one of the most public women’s organisations protesting mainly for women’s rights, as well as abuses against women. Established in 2003, scarcely a month went past without WOZA mounting a protest in either Harare or Bulawayo, or both. Publicly and continuously espousing the rights to peaceful protest, WOZA members were frequent victims of OVT, some members arrested on multiple occasions.¹⁶⁸

¹⁶⁸ WOZA (2008) (a), *The effects of fighting repression with love* (March 2008). A report by Women of Zimbabwe Arise (WOZA). Harare: Women of Zimbabwe Arise.

Table 39: OVT against WOZA members (No. & %)
 [Source: WOZA 2008 (a)]

Alleged Violations	Number [%]
Assault	832 [42%]
Death threats	949 [48%]
Forced to attend political meetings	1347 [68%]
Humiliating and degrading treatment	1262 [64%]
Insults by ZRP officers	1254 [63%]
Political threats	1544 [78%]
Torture (physical)	647 [33%]
Torture (mental)	732 [37%]
Unlawful detention longer than 48 hours	741 [37%]
Forced removal of underwear in custody	267 [14%]

Much a similar picture emerges in respect of WOZA as found for the NCA. Very serious human rights abuses are reported: assault (42%), physical torture (33%), mental torture (37%) and death threats (48%). The frequencies are lower than those reported by the NCA, but the difference is that the members are largely urban and protesting in the urban areas of Harare and Bulawayo. Thus, the WOZA experience documents more clearly the relationship between OVT and protest.

The profile of the perpetrators further supports this view.

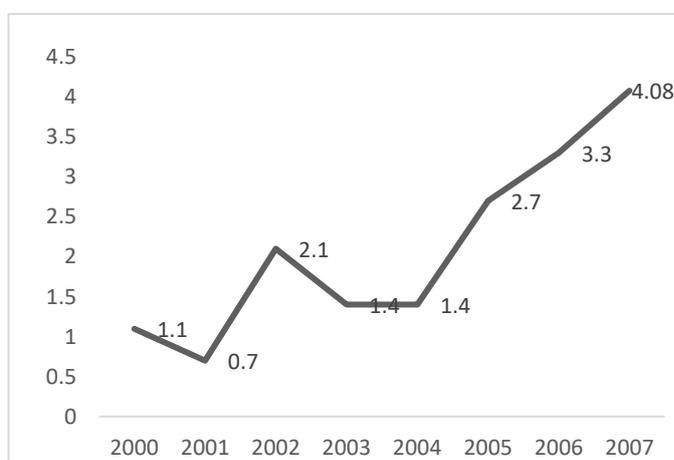
Table 40: Alleged Perpetrators (No. % %)
 [Source: WOZA 2008 (a)]

Alleged Perpetrator	Number [%]
Uniformed Branch	851 [57%]
ZRP Riot Squad	725 [49%]
ZRP CID Law and Order Section	416 [28%]
ZANU-PF members	366 [25%]
ZRP PISI	145 [10%]
War veterans	380 [26%]
Youth militia	205 [14%]
Members of Presidents Office/Central Intelligence Organisation (CIO)	97 [7%]
District Administrator	78 [5%]
Zimbabwe National Army	58 [4%]
Member of Parliament	99 [7%]
Provincial Administrator	73 [5%]
Traditional leaders	380 [26%]
Others	180 [12%]

It is immediately evident that the most frequently reported perpetrators mentioned by the NCA women are not the same as those mentioned by the WOZA women. For the WOZA women it is the ZRP most frequently identified: Uniformed Branch (57%), Riot Squad (49%), and the Law-and-Order Section of the CID (28%). This is a profile commensurate with the practices of dealing with protest. The ZRP are more than half (53%) of all perpetrators mentioned. In contrast to the NCA, the WOZA women report the Zimbabwe National Army (ZNA) with very low frequency, 4% as opposed to 44%. This is probably due to the violations experienced by the NCA women during the 2008 election.

One additional issue covered in the WOZA data is the kinds of trauma experienced by these women. In a subsequent report, the WOZA women were administered a trauma questionnaire, the same instrument that was used in the ActionAid study on Operation Murambatsvina.¹⁶⁹ The instrument, the Harvard Trauma Questionnaire (HTQ), measures 17 different types of trauma in two ways: respondents are asked whether they have *experienced* and/or *witnessed* each of the 17 trauma types. The trauma types range from serious events such as torture, rape, and kidnapping (abduction) through to imprisonment, having property destroyed, and deprived of food or medical care. The study also looked at trauma historically, the period pre-1980 to 1999, and more contemporarily, 2000 to 2007. Here we report only on the 2000 to 2007 period.

Fig 9: Average total HTQ score, 2000 to 2007



It is evident that the number of trauma events rises linearly from 2000 to 2007: the WOZA women experienced more trauma as they were more active. There are fluctuations that correspond to election years. The frequency drops in 2001, 2003 and 2004, but increases steadily, year by year, from 2005.

It is also noteworthy that the frequency increases in 2006 and 2007, a non-election period, but a period in which WOZA was very active in protests primarily about socio-economic rights, and a period in which Zimbabwe went through enormous hyperinflation.

Finally, it is important to point out that there is a strong relationship between trauma events and subsequent trauma disorders, PTSD, Depression and Anxiety. It was pointed out earlier that psychological disorder was more probable the greater the trauma experienced, with survivors of the liberation war of the 1970s having had worse OVT, and greater likelihood of psychological disorder, than survivors of the election violence between 2000 and 2002.¹⁷⁰ However, this study pointed out also that the victims and survivors of the post-2000 OVT were not likely to be unscathed, and at least 20% of these developed a psychological disorder as consequence of their ill-treatment. The WOZA report suggested that such rates

¹⁶⁹ WOZA (2008) (b), *Counting the Costs of Courage. The traumatic consequences of gross human rights violations suffered by WOZA women*. Harare: Women of Zimbabwe Arise.

¹⁷⁰ See again RAU & CSU (2020), *Severity of Violence and the Long-term Effects: Comparison of Survivors of the Liberation War (1972 to 1980) with Survivors of Political Violence (2000 to 2002)* (October 2020). Harare: Research & Advocacy Unit.

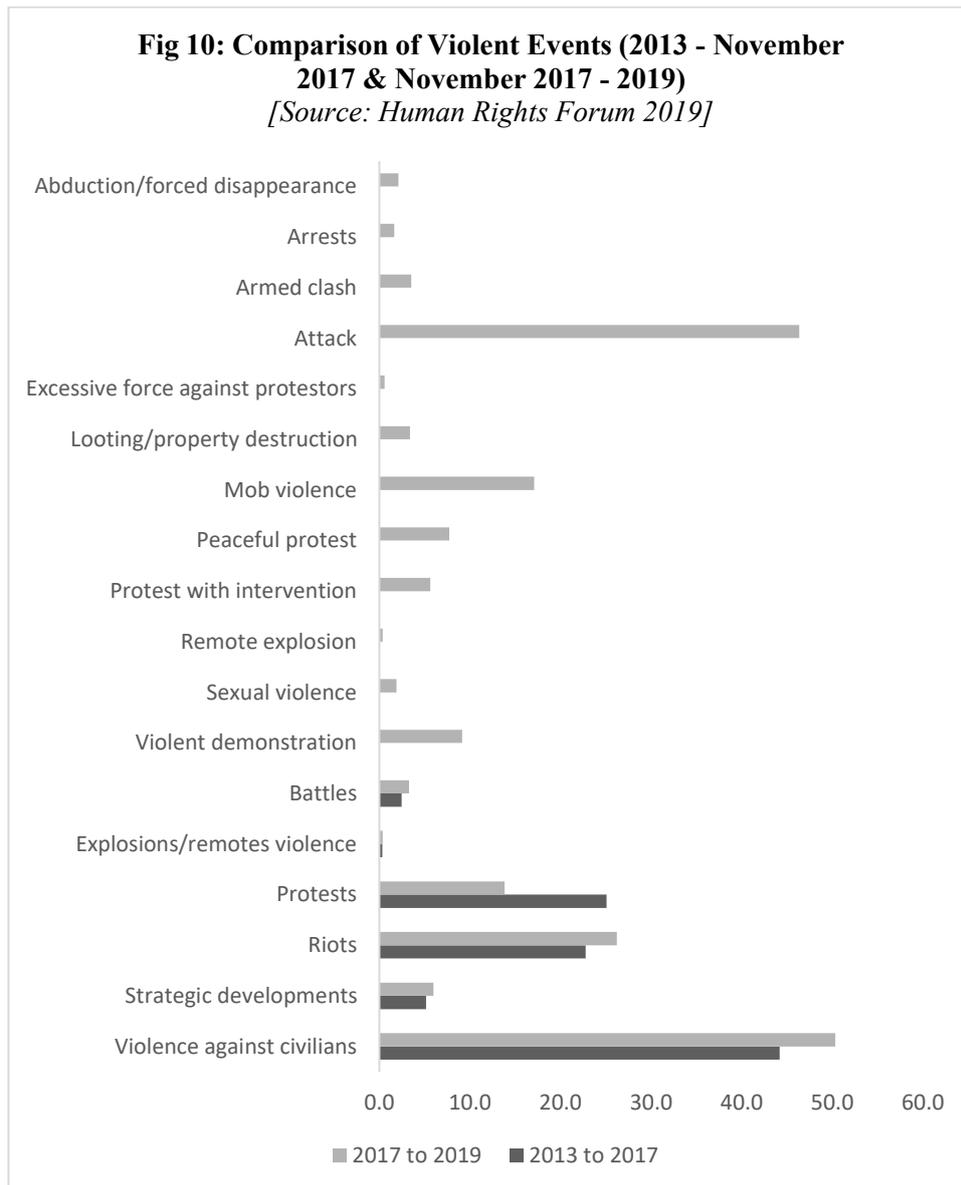
were not found in the women, postulating that the preparations made for managing peaceful protest and the support given, woman-to-woman, ameliorated the suffering. This has been noted in studies elsewhere. It is no consolation that the WOZA women coped with the OVT experienced. The major point must be that there is no possible justification for OVT and trauma inflicted on women peacefully protesting. Such treatment violates the Constitution and is in direct contradiction of the government's endorsement of CEDAW and the Beijing Declaration.

Conclusions

Overall, this report has demonstrated, largely through the reports on women activists, that there is no such thing as peaceful protest in Zimbabwe. These case studies corroborate the more general point made earlier (Figure 8), violence against civilians is the most common form of OVT. This is perpetrated not merely during elections but extends into the domain of normal civic activity and impacts the right to protest peacefully. Clearly, when a government sees peaceful protest as a threat then something is deeply wrong in that country, and Zimbabwe clearly exemplifies this.

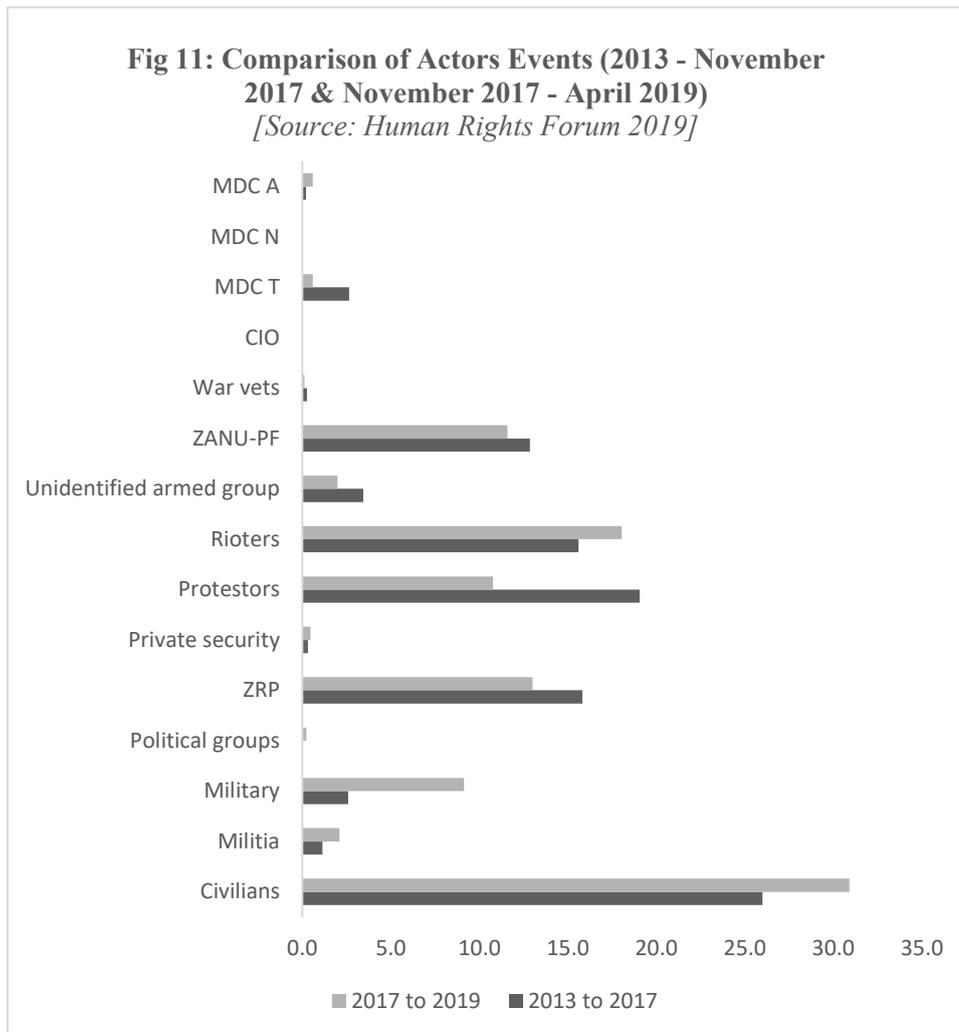
Chapter 7: OVT since the Coup (2019 to 2021)

When the Zimbabwe Human Rights NGO Forum, produced its report in 2019 looking at Organised Violence and Torture (OVT) since the coup, the so-called *military-assisted transition*, it was evident that things were not improving.¹⁷¹ The analysis of OVT before and after the coup showed a very worrying trend. In comparison with the data on OVT for the period 2013 to 2017, the data for the period 2017 to 2019 showed marked increases in virtually every form of OVT except for protests (Figure 10).



¹⁷¹ ZHRNGOF (2019), *The New Deception: What has Changed? A Baseline Study on the Record of the Zimbabwe's "New Dispensation" in Upholding Human Rights*. Harare: Zimbabwe Human Rights NGO Forum.

It is also evident from Figure 11 that there was a substantial increase in the involvement of civilians in violent acts since the coup, as well as an increase in rioters and, more seriously, in the military. Thus, it was concluded in this report that things were not getting better and there were many signs that OVT was getting worse. Since that time Zimbabwe entered the throes of the Covid-19 pandemic with all the associated control of civic space, and this may have had an effect of lowering violent acts.



However, as has been documented frequently, the propensity for OVT to increase during elections is common, and Zimbabwe now is in the full throes of the election season ahead of 2023.¹⁷² Unlike some previous elections, however, the country is in a very parlous state—very much like the run-up to the elections in 2008. Some things are very different to the situation in 2008. The ruling party, ZANU-PF, seems beset by serious internal conflicts, with some suggesting that there are those in the party who do not believe that Emmerson

¹⁷² CSVr (2009), *Subliminal Terror? Human rights violations and torture in Zimbabwe during 2008* (June 2009). Johannesburg: Centre for the Study of Violence and Reconciliation
 [https://www.csvr.org.za/subliminal-terror-human-rights-violations-and-torture-in-zimbabwe-during-2008/]

Mnangagwa, the current president, can win the presidential poll in 2023. This may give the forthcoming elections a much greater tension and raise the possibility of a return to violence.

Methods

As with the Human Rights Forum report in 2019, we made use of the Armed Conflict Local Event Data (ACLED).¹⁷³ ACLED has a standard coding system for violent events, categorising the data from public sources in such a way as to allow comparisons across countries, and within countries over time. The ACLED data on Zimbabwe was used (entered on a spreadsheet) created expanded (binary) fields, and then examined the data for the period from 2019 to 2022. ACLED provides definitions for violent events,¹⁷⁴ as well as the breakdown of the violations that comprise each event, the persons involved, and the perpetrators. There were 697 violent events recorded for the period January 2019 to May 2022.

One comment should be made about the ACLED data in relation to the sources of this data. In the past, most of the data was derived from reports by Zimbabwean human rights organisations (about 80%) but the data for the period 2019 to 2022 is mostly derived from press reports (96%). This is not to suggest that the ACLED data is inaccurate as there is always a strong correlation between press reports and the reports of human rights organisations. However, there is greater credibility with the reports from Zimbabwean NGOs as these are generally verified by both legal statement and frequently medical assessment.

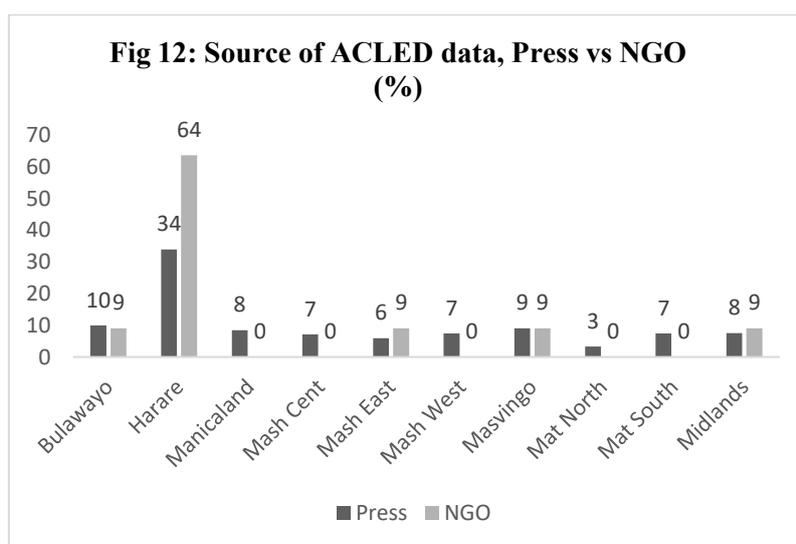
The monthly reports of the Zimbabwe Peace Project (ZPP) were used as well. ZPP, in these monthly reports, provides information on the type of violation, the victims, and the perpetrators, as well as a gender breakdown and the place where the violation took place. The data was compiled in a spreadsheet and cleaned so that there was compatibility

¹⁷³ Raleigh, Clionadh, Andrew Linke, Håvard Hegre and Joakim Karlsen. (2010). "Introducing ACLED-Armed Conflict Location and Event Data." *Journal of Peace Research* 47(5):651-660. <https://acleddata.com/#/dashboard>

¹⁷⁴ **Battles:** violent interaction between two politically organized armed groups at a particular time and location. **Protests:** Events involving individuals and groups who peacefully demonstrate against a political entity, government institution, policy, group, tradition, businesses, or other private institutions are "Protests". **Violence against civilians:** A deliberate violent act perpetrated by an organized armed group against unarmed non-combatants. **Riots:** Spontaneous acts of violence by disorganised groups, which may target property, businesses, other disorganised groups, or security institutions, are coded as "Riots", and their participants are "Rioters".

between all the months.¹⁷⁵ At the time of compiling this data, the data for 2022 was not included, merely because of time constraints.

In previous reports using the ACLED data,¹⁷⁶ it was evident that most of their data was derived from the reports of Zimbabweans NGOs, mainly the Zimbabwe Human Rights NGO Forum and the Zimbabwe Peace Project. However, recent Zimbabwe data on ACLED derives mostly from press and media reports: reports from sources comprise only 3% of the total reports used by ACLED between 2019 and 2022. We will comment on the trend seen in Figure 12 later.



ACLED data (2019 to 2022)

For ease of comparison with the ZPP data, we organise the reporting of the ACLED data in several sections. First, we take a quick look at the overall trends described in the ACLED data.

Table 41: Frequency of violent events, 2019 to 2022

	2019	2020	2021	2022
Total no. of violent events	111	255	213	118
% of total	19	44	36	20

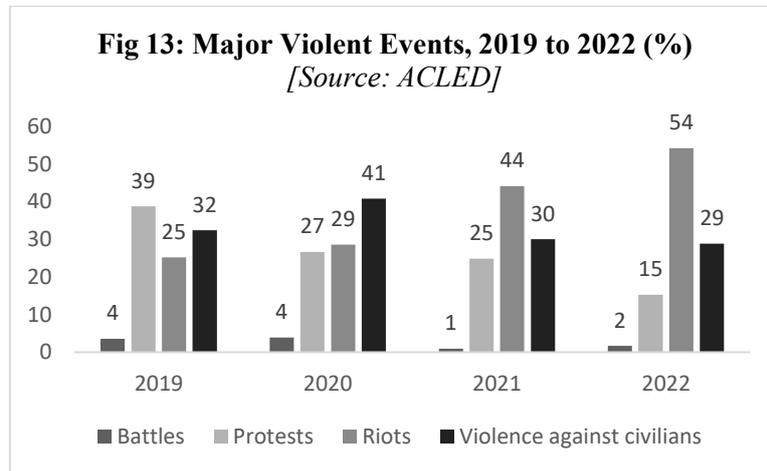
Overall, according to the ACLED data, there is some evidence of a declining trend in violent events. The total number rises substantially in 2020, probably mostly around events related to enforcement of Covid regulations, but thereafter declines to the same level as in 2019.

¹⁷⁵ The ZPP reports on occasion describe some data as numbers and at other times as percentages. We converted all data to percentages so that there was comparability for all months between 2018 and 2021.

¹⁷⁶ ZHRNGOF (2019), *The New Deception: What has Changed? A Baseline Study on the Record of the Zimbabwe's "New Dispensation" in Upholding Human Rights*. Harare: Zimbabwe Human Rights NGO Forum; RAU (2016), *Are former liberation movements inherently violent as governments?* (February 2016). Harare: Research & Advocacy Unit.

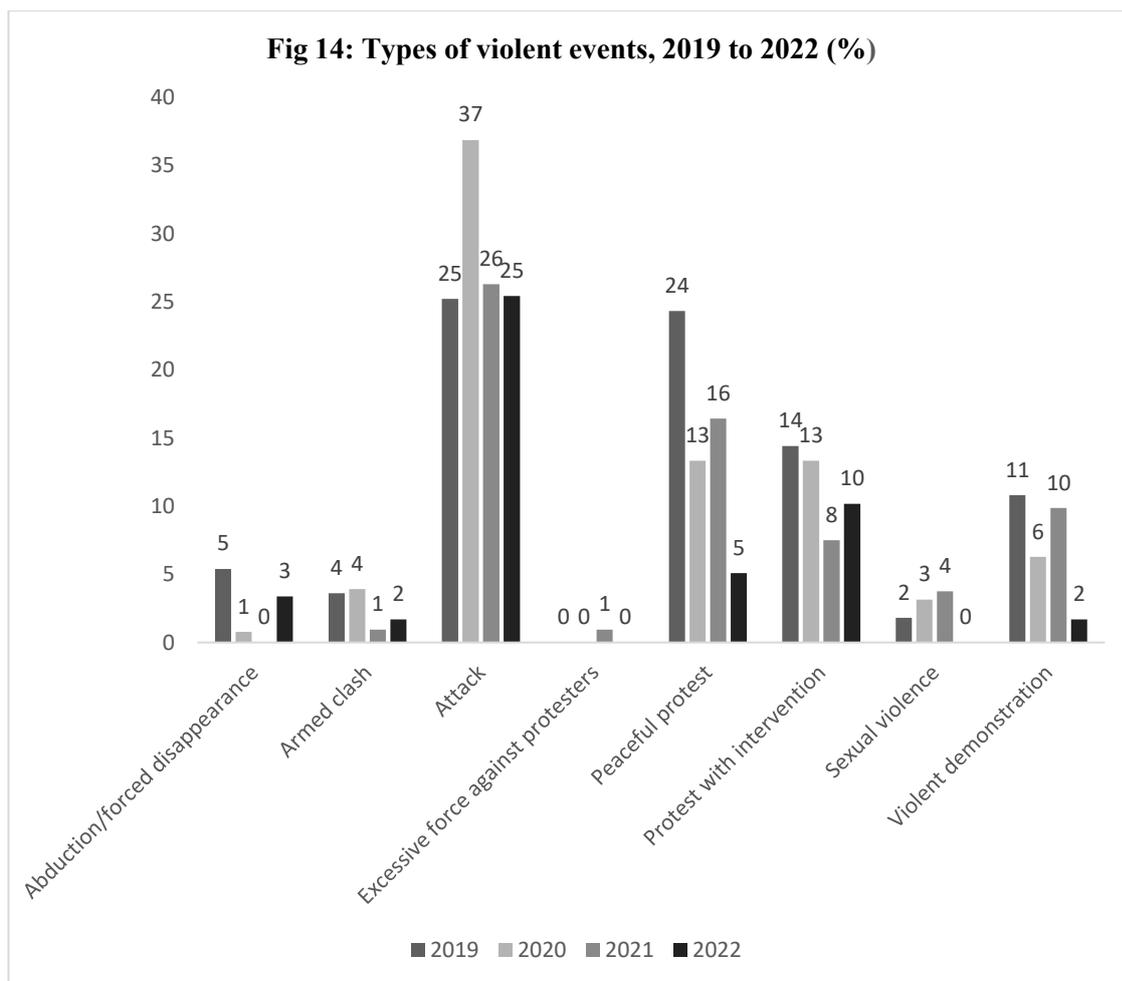
Here it should be borne in mind that this is not an unusual pattern for violent events in Zimbabwe over the years. There is usually a decline after an election in the frequency of OVT which tends to rise again closer to the next election, and the ACLED data only covers the period until May 2022. We may still witness an increase in 2023 as the election temperature rises.

Violations



As can be seen in Figure 13, *battles* – clashes between armed groups – were very infrequent amongst the four categories of violent events. This would be expected since Zimbabwe is not a country in which low intensity conflict or civil war is present.

What is also evident is the steady increase in *riots* from 2019 to 2022, and a trend to *violence against civilians* with *protests* decreasing. These latter two trends would conform to the closing of public spaces due to Covid lock-down regulations. But the increase in riots can be interpreted as being due to the growing dissatisfaction of citizens with their current living circumstances. This would be consonant with an enormous literature on the relationship between economic hardship and civil disturbance.

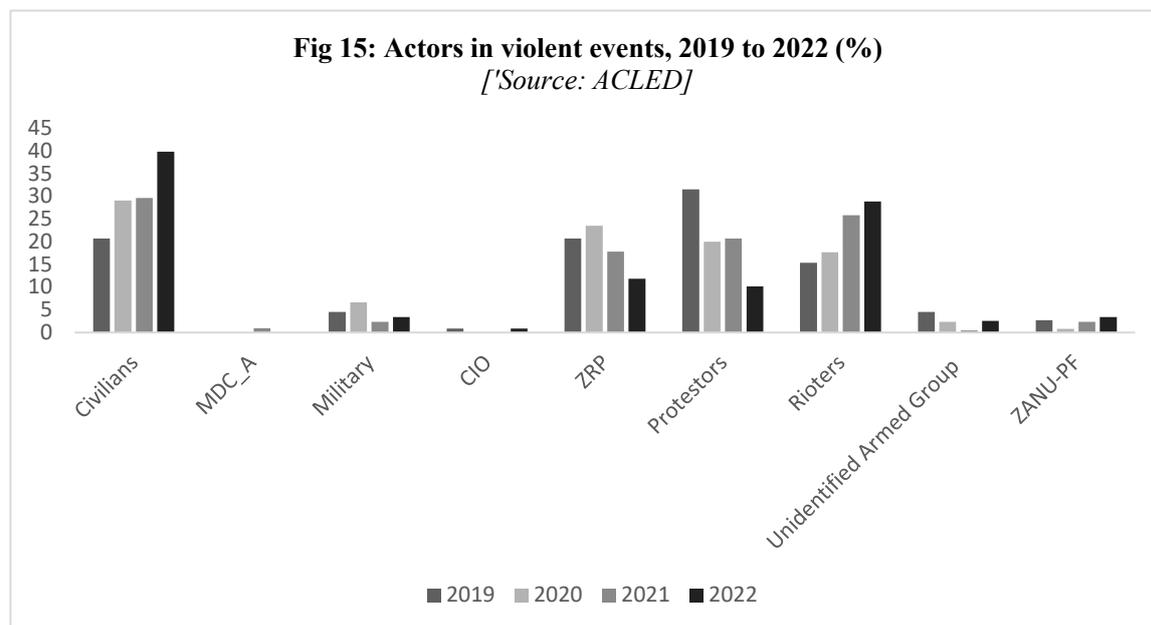


The absence of *battles* is given further explanation in Figure 14. *Armed clashes* between armed groups are rare in the period under discussion. The most reported violent event is *attacks*, representing around 25% of the total events, and rising markedly in 2020. Most of the attacks were related to violence meted out to people who were perceived to be violating Covid regulations. *Attacks* were comparatively more frequent, with *violence against civilians* in the previous (2019) report.

It can also be seen that there are trends of decreasing *peaceful protest* and *violent demonstrations*. These are all consistent with the closing of public space due to Covid. But it is also interesting, especially in the light of increasing hardships faced by Zimbabweans, that the most marked decrease is seen in 2022. It is not clear why this is the case: is it due to sustained repression or the fact that citizens are so preoccupied with survival that this precludes any possibility of participating in any organised protest. However, we should note here the intensifying peaceful protests over the cost of living by civil servants such as health workers and teachers.

As was the case in the Human Rights Forum (2019) report, in the period 2017 to April 2019, the most common actors were *civilians* (25%), the *Zimbabwe Republic Police (ZRP)*, *protestors*,

and *rioters*, but there is a dramatic reduction in the incidence of ZANU-PF supporters from 2019 to 2022 (Figure 15).



The trend seen in the 2019 report – of diminishing presence of the military in violent events – has continued in the period 2019 to 2022. This is obviously encouraging. However, the changes seen in the reduction in *peaceful protest* as against *rioters* is not so encouraging, even worrying in the context of increasing economic hardship, more so with the very large youth bulge and the huge numbers of unemployed youth. Here it is worth pointing out an apparent trend of an increase in violent crime.¹⁷⁷ Anecdotally, the trend has been increasing over the period but the absence of detailed data from the Zimbabwe National Statistics Agency (ZimStat) Quarterly Digests precludes testing this impression.

The decline in the involvement of ZANU-PF supporters is interesting, but this is not unusual in the interregnum between elections. All human rights reports show that ZANU-PF supporters are the major perpetrators of alleged OVT during elections.¹⁷⁸

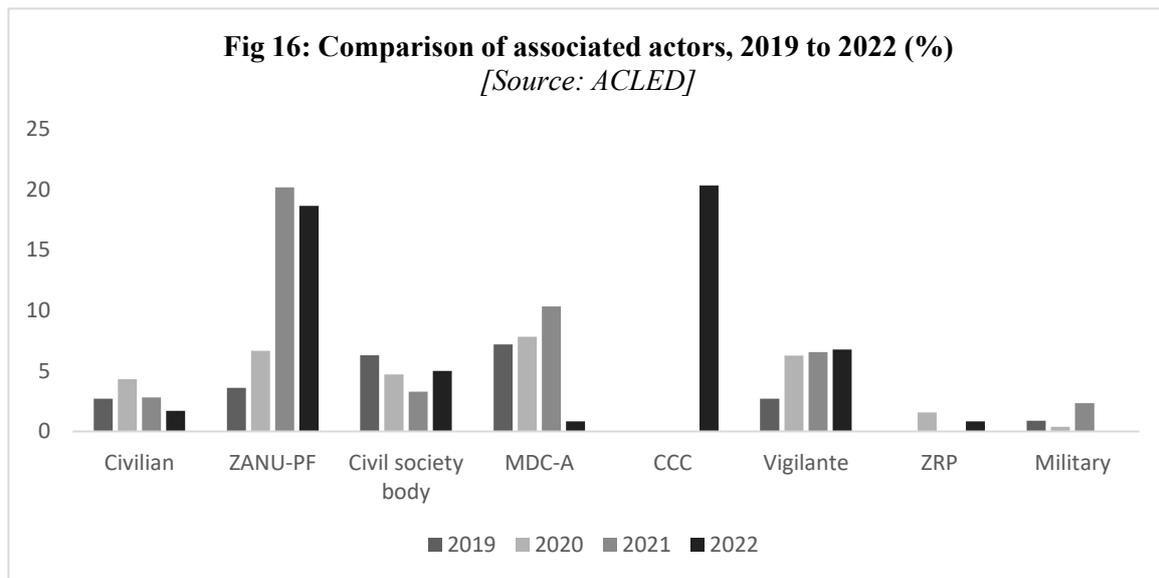
Victims

The ACLED data allows some specification of the victim, defined as an *associated actor*. In the previous report in 2019 (Figure 8 above), these were predominantly *civilians* (25%),

¹⁷⁷ ZHRNGOF (2021), *Who Guards the Guards? Monitoring Crime and Security Force Involvement in Crime* (September 2021). Harare: Zimbabwe Human Rights NGO Forum.

¹⁷⁸ RAU (2021), *Organised Violence and Torture and Elections in Zimbabwe* (June 2021). Harare: Research & Advocacy Unit; CSV (2009), *Subliminal Terror? Human rights violations and torture in Zimbabwe during 2008* (June 2009). Johannesburg: CSV; ZHRNGOF (2001), *Who was responsible? A consolidated analysis of pre-election violence in Zimbabwe*. Harare: Zimbabwe Human Rights NGO Forum; ZHRNGOF (2002), *Are They Accountable? Examining alleged violators and their violations pre and post the Presidential Election March 2002*. Harare: Zimbabwe Human Rights NGO Forum.

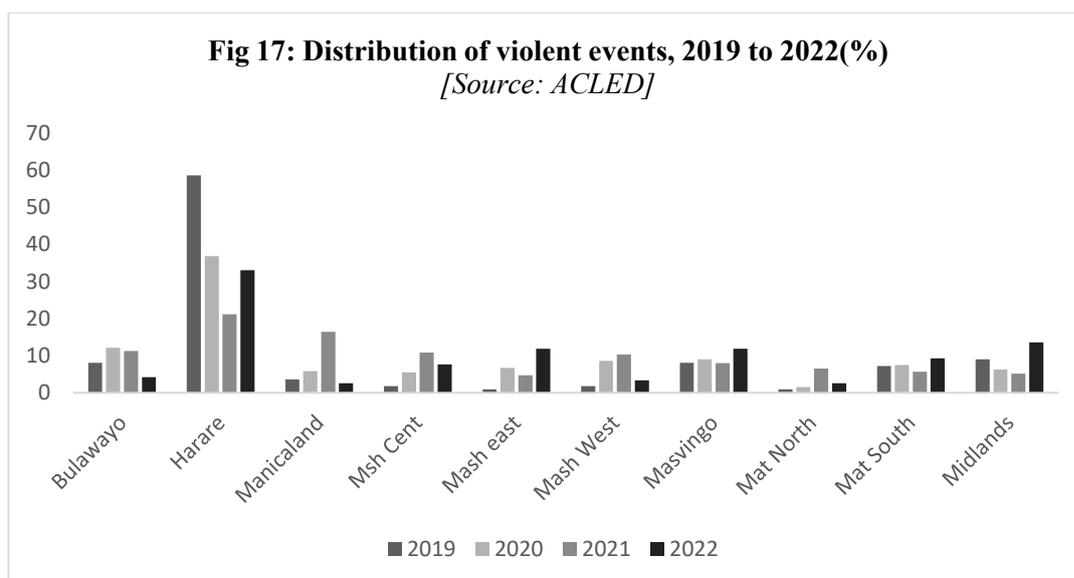
protestors (19%), rioters (17%), the ZRP (16%), and ZANU-PF (13%). This has changed to some extent in the period 2019 to 2022 (Figure 16).



Notably, there is a reduction of the military and the ZRP as associated actors in violent events since 2019, but a large increase in ZANU-PF supporters being associated with violent events. The reduction of the military as primary actors was noted above, but they are clearly not even operating in a support role to any marked degree. The most interesting changes over time are the steady increase in violent events (mostly as victims) of the MDC-A, followed by a dramatic drop in 2022, and the sudden shift to violent events involving the Citizens Coalition for Change (CCC). This is a worrying change ahead of elections, as it suggests a shift towards targeting the most likely opponent for ZANU-PF in the forthcoming elections.

Distribution of violent events

Finally, as seen in Figure 17 (over), we looked at the distribution of violent events from 2019 to 2022, and it is evident that Harare is the major focus for violent events, and overall, 74% of all violent events were in urban areas.



Of course, and as pointed out above, much of this was related to events around implementing Covid regulations, but it must also be pointed out that the urban areas are where opposition political parties are generally dominant. It remains to be seen whether violent events begin to increase in rural areas in the run-up to the 2023 elections, but violent events are still very common in Harare during elections, nonetheless. It should also be noted that there is trend for many areas to show an increase in violations from 2021 to 2022. This is evident for Harare, Mashonaland East, Masvingo, Matabeleland North and the Midlands. This is reminiscent of previous pre-election periods.

Table 42: Fatalities (2019 to 2022)
 [Source: ACLED]

	2019 <i>n=111</i>	2020 <i>n=215</i>	2021 <i>n=213</i>	2022 <i>n=118</i>
No	10	23	21	13
% of total events	9.0	10.7	9.9	11.0

Fatalities are clearly not trivial, with these accounting for a significant percentage of the total violations in each of the four years, and the trend remains flat across the years.

Table 43: Perpetrators of fatalities
 [Source: ACLED]

	ZPF	ZRP	ZNA	Civilian
No.	7	8	8	25
% of total violent events	15	17	17	52

When the identities of the perpetrators are identified, civilians are frequently identified, mostly as mob attacks on suspected criminals.

The ACLED data suggests a declining trend in overall violent events, with violence against civilians remaining a steady third or more of the total violent events, declining protests (and peaceful protests), and a rise in riots. Harare is consistently the geographical area where

most violent events take place. Much of this evidence suggests a populace becoming more fractious as hardship rises.

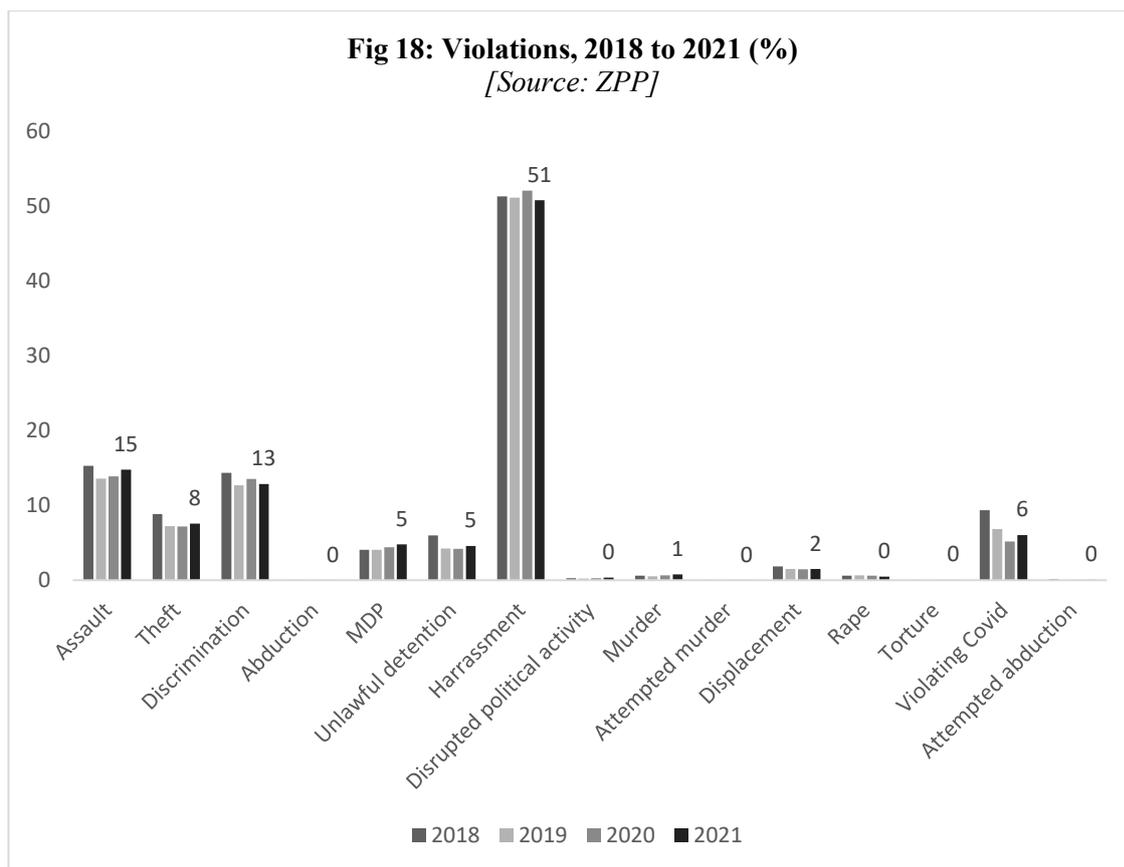
Zimbabwe Peace Project (2018 to 2021)

The Zimbabwe Peace Project (ZPP) is the only regular (monthly) local source of data on OVT since the end of the *Political Monthly Violence Reports* of the Human Rights Forum in 2009. In the period under discussion, ZPP produced 48 reports from January 2018 to December 2021, and the quantitative data – violations, victims, perpetrators, and distribution – were compiled from these reports and entered in an Excel spreadsheet. It should be noted here that the ZPP reporting is mostly on events involving human rights violations, whereas the ACLED data focuses on violent events more generally and will include criminal violence such as mob justice. Thus, the ZPP data has a more exclusive focus.

There was one methodological complication for the analysis. The ZPP reports mostly are mixture of actual numbers for the violations and percentages for the victims and perpetrators, but some reports give numbers for the perpetrators as well as percentages. Thus, in order to have complete comparisons for all the years under discussion, we converted all data to percentages. In this way we were able to compare the trends reported by the ZPP with those reported in ACLED.

Violations

Unlike ACLED, the Zimbabwe Peace Project classifies violations under a variety of different categories as is usual in human rights reporting. ZPP uses 15 different categories as seen below in Figure 18.



179

Overall, ZPP reported a total of 9 953 violations over the period 2019 to 2021. In past years the monthly average of violations in non-election years was 365 reported violations as opposed to 706 in election years.¹⁸⁰ The monthly average reported by ZPP is lower than the non-election average reported, around 200 cases per month on average, but as pointed out in a previous report, this does not suggest that OVT has disappeared since the coup.¹⁸¹

Bearing in mind the focus of ZPP reporting, it is immediately evident that reported murders are considerably lower than in the ACLED data and that harassment is the most frequent reported violation by a considerable measure, consistently over all four years. The most serious violations – *torture*, *rape*, *abduction*, and *displacement* – are very infrequent. However, harassment, assault and discrimination are commonly reported outside of elections years. It

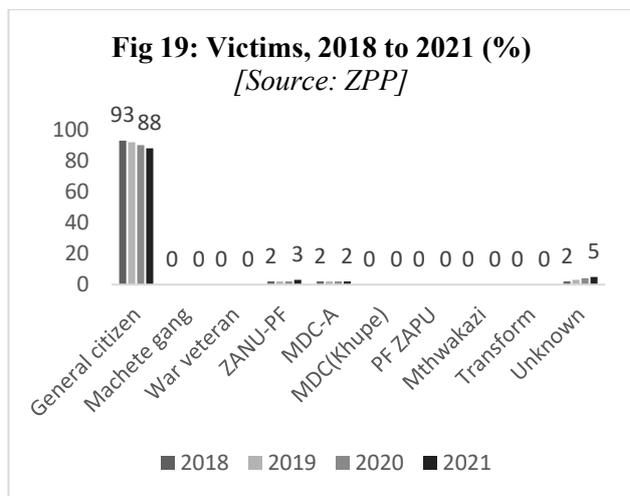
¹⁷⁹ We have given just those for 2021 as a basis for comparison and to make the graph less cluttered.

¹⁸⁰ CSVr (2009), *Subliminal Terror? Human rights violations and torture in Zimbabwe during 2008* (June 2009). Johannesburg: Centre for the Study of Violence and Reconciliation [https://www.polity.org.za/article/subliminal-terror-human-rights-violations-and-torture-in-zimbabwe-during-2008-june-2009-2009-06-23].

¹⁸¹ ZHRNGOF (2019), *The New Deception: What has Changed? A Baseline Study on the Record of the Zimbabwe's "New Dispensation" in Upholding Human Rights*. Harare: Zimbabwe Human Rights NGO Forum [https://www.hrforumzim.org/wp-content/uploads/2019/08/The-New-Deception_What-has-changed.pdf]

is worth noting that the trends for all the reported violations remain relatively static across all the four years: the frequencies of each violation do not change much year to year.

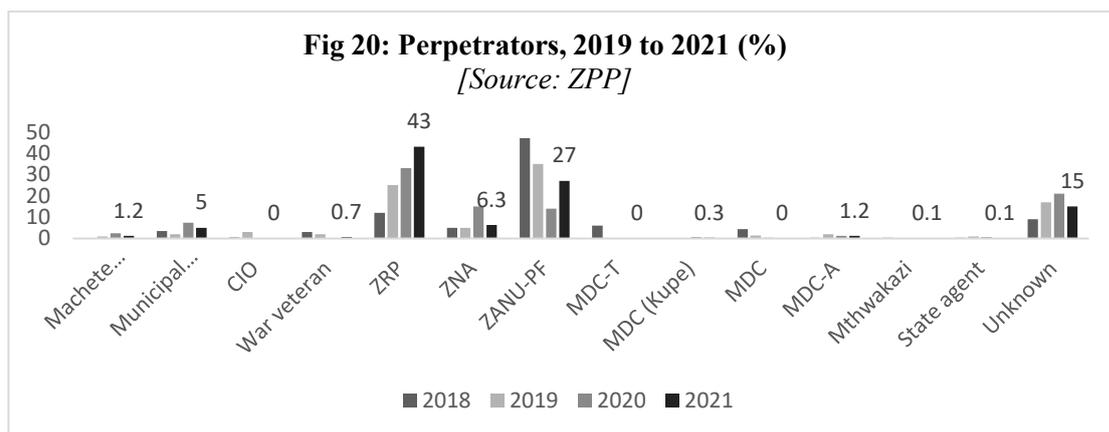
Victims



It is evident in Figure 19 that, as was found in the ACLED data, general citizens (civilians) are virtually the only victims according to the ZPP data. This is consonant with the period under examination where the enforcement of Covid regulations has been a major preoccupation of state agents, as has been the case in other SADC countries such as South Africa.

However, we should also point out that the usual clashes between political parties, and particularly actions against opposition political parties, have also been very low – mainly because of the internal conflicts in the MDC factions. This conflict posed the likelihood that the opposition was now so split as to no longer pose any threat to ZANU-PF, but it should be noted here that this is no longer the case and there are repeated instances of harassment and violence against the Citizens Coalition for Change (CCC).¹⁸²

Perpetrators

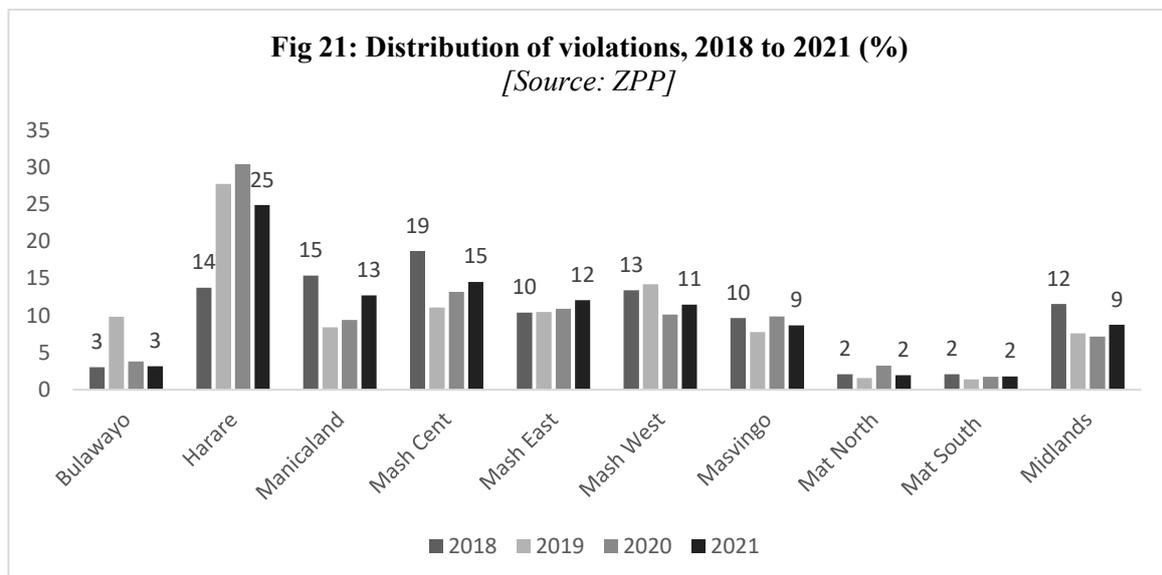


¹⁸² For example, the arrest and denial of bail to Job Sikhala (<https://www.newsday.co.zw/2022/06/sikhala-sithole-denied-bail/>) and the multiple reports of harassment of CCC members engaged in normal political activity (<https://www.thezimbabwemail.com/main/chamisas-ccc-rally-blocked/>)

As can be seen in Figure 20, what is notable about the alleged perpetrators is the consistent increase in reports about the Zimbabwe Republic Police (ZRP), presumably with many reports dealing with events linked to the enforcement of Covid regulations. Violations of human rights during lockdown periods is amply detailed throughout the ZPP reports in 2020 and 2021. There is also a decline in reports of alleged violations by ZANU-PF supporters, from being the most frequent alleged perpetrators in 2018, but a resurgence is noted in 2021, presumably because of looming elections and reforming of the major opposition under the CCC as pointed out above in the previous section.

Distribution of violent events

The distribution of violent events in the ZPP data shows much the same pattern as in the ACLED data (see Figure 17 above). It was clear from this latter (ACLED) data that violent events were most frequent in Harare, and that there was a trend towards violations increasing from 2021 to 2022.



The ZPP data (Figure 21) shows Harare as the most frequent site of violations and, apart from Harare, a small trend towards increasing rates of violations in Manicaland, Mashonaland East and West, and the Midlands. These are not dramatic increases, but as pointed out earlier, consonant with the frequently seen pattern of violations increasing towards elections.

Conclusions

Comparing different data sources can be difficult, and here we have only been able to draw general conclusions, but even these general conclusions show consistent patterns in respect of OVT over the past five years. One comment is that the ACLED data for the period we are looking at here has made much less use of reports from Zimbabwean human rights

organisations than it did in the past. The ACLED data used here was of 697 violent events, whereas the ZPP had 48 monthly reports, reporting on 9 953 events. However, the trends are little different between the sources of information.

First, both data sources show that human rights violations, including OVT, have not been eradicated since the coup in 2017, despite all the public assurances by the government. Whilst the frequency may be less that it was in the years leading up to 2008 and there have been far fewer serious violations, it is not evident that the Zimbabwe government can claim to be human rights respecting.

Second, there are small trends in both data sources for violations to be increasing, and not explained by the enforcement any longer of Covid regulations. This trend needs careful monitoring as the country moves towards elections and the usual process of violence associated with elections taking place. Here note the violent events against the CCC in 2022 (Figure 16) beginning from the time that the reformed party became active, with violence and harassment being reported during the March by-elections.¹⁸³

Third, both sources show Harare as the area of most frequent violations. Harare, together with the three Mashonaland Provinces, generally reported much higher rates of violations in the past. During this period, it is undoubtedly the case that over-zealous enforcement of Covid regulations by the ZRP contributed to this comparatively higher figure, but also that ZANU-PF has been making strenuous efforts to win a base in the urban areas of the country.¹⁸⁴

Fourth, the numbers of fatalities are low, but not trivial when compared with previous years. For example, the Human Rights Forum documented 224 murders between 2001 and 2008, but 202 of these occurred in 2001, 2002 and 2008 – years in which elections were taking place or about to take place. The numbers of murders were low outside these years, about four (4) per year. The ACLED data records 67 murders, with 25 (52%) allegedly committed by civilians, but still about either (8) a year by the ZRP, the ZNA and alleged ZANU-PF supporters (Table 3 above). This is double the rate seen between 2003 and 2007.

The Zimbabwe Peace Project recorded a total of 52 murders between 2018 and 2021, 71% of which were allegedly committed by the ZRP, the ZNA, and ZANU-PF supporters, and 46% by ZANU-PF supporters of these three groups. However, the ZPP reports have a much higher rate of murders than ACLED, about 13 per year, and not involving civilians as reported by ACLED. Whatever the differences between the two data sources, the numbers of deaths involving state agents or political party supporters is unacceptably high, and

¹⁸³ ZESN (2022), *Report on the 26 March 2022 By-Elections*. Harare: Zimbabwe Election Support Network [<https://kubatana.net/2022/05/04/report-on-the-26-march-2022-by-elections/>]

¹⁸⁴ “2023 Poll: Zanu PF Targets Urban Vote” (29 March 2022), *NewZimbabwe* [<https://www.newzimbabwe.com/2023-poll-zanu-pf-targets-urban-vote/>]

recent events suggest that this may worsen as the political temperature rises before elections in 2023.

Fifth, and to return to the points made at the outset, the removal of Robert Mugabe and the coming to power of the “*New Dispensation*” has not brought the creation of a human rights observing state. When the Human Rights Forum published its 2019 analysis of human rights observance since the coup in 2017, it clearly did so in order to push the government to take a more forceful approach towards human rights observance. As seen in the present report, this has not taken place and violent events and OVT continue to plague the country, and all the usual suspects are implicated.

The recommendations of the Universal Periodic Review on Zimbabwe in 2022 do not suggest that the view of the United Nations Human Rights Council is of a country that places a strong emphasis on human rights observance.¹⁸⁵ Recommendations of the Report of the Working Group on the Universal Periodic Review all suggest that the issues referred to in this present report have led to the view that Zimbabwe needs to do much more to be seen as a worthy member of the international community.

Finally, it is evident that the conclusions of the Human Rights Forum in its 2019 report are still relevant in 2022:

The analysis of political violence shows that the situation is worsening under the “new dispensation”, not only because there seems a greater tendency by the government to employ much greater violence, but also because the citizenry is showing a greater proclivity for participating in violent events. This latter may well be driven by anger and despair, but it is deeply worrying that the conditions for serious civil strife are present in Zimbabwe today: political polarisation, a declining economy and a frustrated citizenry are not the ingredients to peace. It is this poisonous mixture that is leading many to call for a genuine national dialogue, mediation between the political actors, and some form of transitional arrangement. [Human Rights Forum 2019 p 32]¹⁸⁶

¹⁸⁵ Report of the Working Group on the Universal Periodic Review: Zimbabwe, Human Rights Council Fiftieth session 13 June–8 July 2022 Agenda item 6 Universal periodic review, A/HRC/50/9 [<https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F50%2F9&Language=E&DeviceType=Desktop&LangRequested=False>]

¹⁸⁶ See again ZHRNGOF (2019), *The New Deception: What has Changed? A Baseline Study on the Record of the Zimbabwe’s “New Dispensation” in Upholding Human Rights*. Harare: Zimbabwe Human Rights NGO Forum.: http://www.hrforumzim.org/wp-content/uploads/2019/08/The-New-Deception_What-has-changed.pdf

Chapter 8: Helping the Victims and Survivors

One of the deeply troubling aspects about OVT is the apparent lack of awareness of the serious consequences for victims' health, and especially their mental health. It was this lack of awareness that was the motive for the ground-breaking conference held in Zimbabwe in 1990. The theme, *The Health Consequences of Organised Violence and Torture in Southern Africa*, made this concern plain and led to the establishment of a number of initiatives in the SADC region to push for both available services, greater awareness and, of course, prevention. In South Africa, several small initiatives became established organisations, making important contributions to the Truth and Reconciliation Commission process. These included the Project for the Study of Violence and Reconciliation at the University of the Witwatersrand (now CSVR), Cowley House (now the Trauma Centre for Survivors of Violence and Torture), the KwaZulu-Natal Programme for Survivors of Violence (now Sinani), and the National Peace Accord Trust. (NPAT). These developments were echoed all around the world under the umbrella of the International Rehabilitation Council for Torture Victims (IRCT).

Helping the Victims and Survivors of OVT in Zimbabwe

In Zimbabwe, the Amani Trust (established in 1993) was amongst the first of the African centres dealing with OVT and one of the first members of the Council of the IRCT. The Amani Trust began its work in Mashonaland Central in 1994, working in the hospitals and clinics of the Province with the victims and survivors of the Liberation War. The success of its community-based programme, then an international novelty in approaches to working with OVT, led to the organisation being invited to launch a programme in Matabeleland in 1997. Amani also worked with war veterans, producing one of the first reports on the mental health consequences of the liberation war for the veterans.¹⁸⁷

Apart from the importance of documenting the consequences of the OVT, the Amani Trust's main work was in developing strategies for assisting the victims and survivors, both through direct assistance to victims and training of health workers,¹⁸⁸ as well as developing community-based livelihood projects for the survivors and their families.¹⁸⁹ The Trust was involved in developing programmes of assistance to the tens of thousands of Mozambican refugees in the five camps dotted around Zimbabwe's borders.¹⁹⁰

¹⁸⁷ Reeler, AP & Mupinda, M (1996), "Investigation into the sequelae of Torture and Organised Violence amongst Zimbabwean War Veterans", *Legal Forum* 8: 12-27.

¹⁸⁸ Amani (2000), *Training nurses in the assessment and management of psychological disorders: Report of Amani Trust's programme in Mashonaland Central Province, Zimbabwe*. Harare: Amani Trust.

¹⁸⁹ Amani (1998), *The Psycho-Social Needs of Survivors of Organised Violence and Torture in the Community*. Harare: Amani Trust.

¹⁹⁰ Reeler, AP & Immerman, R (1994), "An initial investigation into psychological disorders in Mozambican refugees: Prevalence and clinical features", *Cent Af JMed*, 40,309-315; Reeler, AP

This pioneering work led to an understanding of the need: early work showing that one adult in ten over the age of 30 years, was a survivor with a clinically significant psychological disorder.¹⁹¹ It also led to the development of clinical approaches for the management of the trauma disorders suffered by the survivors. One novel approach developed was a brief intervention, the Single Therapeutic Interview¹⁹² and this brief form of psychotherapy was adapted to a similar brief intervention for the general mental health population.¹⁹³ This latter method has much in common with that developed by the Friendship Bench.¹⁹⁴

The early work in Matabeleland by the Amani Trust led to a deep understanding about the significance of disappearances on the families affected by *Gukurahundi*, and especially the importance of properly conducted, community-based exhumations. There was an earlier indication of this importance in the work being done in Mashonaland Central.¹⁹⁵ The first work done on exhumations was carried out by the Amani Trust in 1997,¹⁹⁶ and now is carried on by the Ukuthula Trust in Matabeleland.¹⁹⁷

The point in outlining this brief history is to demonstrate that civil society organisations have been the primary bodies undertaking the task of providing assistance to the victims and survivors of OVT and that this work has been going on, largely unnoticed, for three decades. However, this early work has been taken up by many new and not so new organisations over the years. Space will not allow a very detailed description of all this work, but it is useful to describe some of the learnings and the key areas that have developed.

(1995), "Trauma in Mozambican refugees: Findings from a training programme for refugee workers" *Torture* 5:18-21.

¹⁹¹ Reeler, AP, Mbape, P, Matshona, J, Mhetura, J & Hlatywayo, E (2001), "The prevalence and nature of disorders due to torture in Mashonaland Central Province, Zimbabwe" *Torture* 11:4-9.

¹⁹² Reeler, AP & Mbape, P (1998), "A pilot study of a brief form of psychotherapy for survivors of torture: The Single Therapeutic Interview" *Torture* 8:120-126.

¹⁹³ Amani (2002), *A Pilot Study on the Effectiveness of Problem Solving Therapy on Primary Care Patients with Psychological Problems*. A Report prepared by the Mashonaland Programme of the AMANI Trust. Harare: Amani Trust.

¹⁹⁴ Chibanda, D, et al (2016), "Effect of a Primary Care-Based Psychological Intervention on Symptoms of Common Mental Disorders in Zimbabwe. A Randomized Clinical Trial" *JAMA* 2016;316(24):2618-2626. [doi:10.1001/jama.2016.19102]

¹⁹⁵ Mupinda, M (1997), "Loss and grief among the Shona: the Meaning of Disappearances" *Legal Forum* 9: 41-49.

¹⁹⁶ Amani (1999), *A Report on the Exhumation and Reburial Exercise Overseen by the AMANI Trust in Gwanda District, 25 July to 3 September 1999*. Bulawayo: Amani Trust.

¹⁹⁷ Eppel, S (2014), "'Bones in the Forest' in Matabeleland, Zimbabwe: Exhumations as a Tool for Transformation" *IJTJ*, 8(3):404-42; Eppel, S (2019), "Healing the dead in Matabeleland Zimbabwe" in E Benyera, (Ed), *Indigenous, traditional and non-state transitional justice in Southern Africa*. Lexington.

What are the needs of the victims and survivors?

One of the key learnings has been the understanding about the scale of the rehabilitation need. This is provided for in the Constitution in Section 252(e), under the functions of the National Peace and Reconciliation Commission (NPRC): “to develop programmes to ensure that persons subjected to persecution, torture and other forms of abuse receive rehabilitative treatment and support”. Unfortunately, there has been very little progress by the NPRC in coming up with a strategy that takes into account the scale. Of course, it is very difficult to come up with an estimate of need in the absence of a national epidemiological study, which is the only method for calculating the actual need. An indication can be gathered from the work of the Zimbabwean organisations that have been trying to assist the victims and survivors.¹⁹⁸

Table 44 (below) shows a range of the studies done over the years, both for trauma and for Common Mental Disorders (CMD). The term CMD refers to the kinds of disorders typically seen in primary health care facilities – usually depression or anxiety disorders, or a mixture of both. The first comment about this table is the rise in CMD over the years since the late 1980s, and the very large increase from 1991 to 2005 – from between 24 to 28% to 39%. The study in 2006 indicated that the important risk factors for acquiring CMD were an experience of violence, increasing with the number of times a person experienced violence, and having property destroyed. The latter was the most serious risk factor, obviously at that time related to the recent displacements under Operation *Murambatsvina*: property destruction increased the risk by 14 times. This is corroborated by the work done by ActionAid. It can be seen in Table 44 that this study found a prevalence rate of 69% for psychological disorder amongst the respondents.

It can be seen also that the prevalence rates for psychological disorder are much greater when groups of OVT survivors are examined, ranging from a very low estimate of 13% amongst community survivors to the very high rates amongst war veterans (73%), displaced commercial farmworkers (81%) and female Zimbabwean refugees in South Africa (71%). It seems fair, therefore, to conclude that the population that needs assistance in Zimbabwe will number in tens of thousands, perhaps hundreds of thousands, given that this information dates back to 2011 and there has been considerably more OVT since then.

¹⁹⁸ Parsons, R, Reeler, A, Fisher, J & Mpande, E (2011), *Trauma and Mental Health in Zimbabwe*. November 2011. Harare: Research & Advocacy Unit.

Table 44: Zimbabwean studies of the prevalence of CMD and Trauma*[Source: Parsons et al 2011]*

Study	Sample	Prevalence
Community mental health:		
Williams & Hall [1987]	District Hospitals	11%-37%
Reeler, Williams & Todd [1991]	Primary care clinics	24%-28%
Community survey [2006. unpublished]	Primary care clinics	39%
Trauma samples:		
Amani Trust [1996]	War veterans	73%
Amani Trust [1997]	Community survivors	13%
Reeler et al [1998]	Primary care clinics	51%
Human Rights Forum [1998]	Food riots victims	36%
Amani Trust [2002]	Commercial farmworkers	81%
Action Aid International [2005]	Victims of Operation Murambatsvina	69%
Idasa [2006]	Zimbabwe refugees in South Africa	47%
ZTVP [2007]	Women refugees in South Africa	71%
SACST [2008]	Zimbabwe refugees in South Africa	49.5%
WOZA women [2007]	WOZA members	53%

It is relevant to point out here that, since 2000, the kind of assistance that was given publicly by the Amani Trust has been less possible. Victims are frequently unable to access public health facilities, not because there are no services but because health workers are reluctant or fearful to treat “political cases” or are even intimidated themselves for doing so. The denial of treatment is one of the most damaging effects of the “practical impunity” that has accompanied state sponsored OVT. This has meant that victims and survivors are reliant on the non-governmental organisations to provide this kind of care, and obviously they are very restricted themselves in their capacity to deal with illness on the scale that is found in Zimbabwe.

The effects of OVT

Why this focus on psychological disorder? Many assume that the consequences of OVT are always physical injuries and indeed such injuries should not be seen as unimportant, especially when untreated and result in sustained disability. One of the Amani Trust studies on the victims of the liberation war found high rates of disability amongst the survivors who had not received effective rehabilitation at the time.¹⁹⁹ In a small sample, 38 survivors, examined by a medical doctor, a physiotherapist and an occupational therapist, 52% had long-term injuries to the spine, probably a result of the beatings received.

However, the international literature on OVT is unequivocal about the findings that the most persistent long-term consequence is psychological disorder, predominantly Post-

¹⁹⁹ Amani (1998), *Survivors of Torture and Organised Violence from the 1970 War of Liberation*. Harare: Amani Trust.

Traumatic Stress Disorder (PTSD) and depression.²⁰⁰ This is recognised by the World Health Organisation (WHO),²⁰¹ and guidelines have been developed for the kinds of assistance needed by the survivors of OVT.²⁰² It is also the case that within these guidelines, countries must develop culturally appropriate methods. This was stressed by Zimbabwean organisations in 2011:²⁰³

A key learning from the last decades of experience across the world is the strong link between psychological well-being and social agency; while outside input and help may be needed during a transition period, it is likely to be counter-productive if local control and initiatives sustainable within communities are not supported and developed. It is also highly questionable whether effective (individual, family and community) approaches to healing can be initiated and sustained in the absence of the end of conflict and new legal and political dispensations. (Parsons et al. 2011 p 13)

This is well illustrated by several Zimbabwean studies. An early study of war veterans showed very high rates of psychological disorders.²⁰⁴ Of a total sample of 175 war veterans assessed, 129 (73%) were suffering from a psychological disorder and, of these 129 cases, 46 (64%) were “severe”; that is, clearly needing specialist psychiatric assistance.

A similar finding was obtained in a study of survivors of the Liberation War in Mashonaland Central Province.²⁰⁵ In an epidemiological study in Mashonaland Central Province (one of the worst affected areas of the Liberation War) survivors of OVT were 12% of all persons screened at primary care clinics but were 39% of all the cases of psychological disorder identified.²⁰⁶

²⁰⁰ Steel, Z, Chey, T, Silove, D, Marnane, C, Bryant, RA & van Ommeren, M (2009), “Association of Torture and Other Potentially Traumatic Events With Mental Health Outcomes Among Populations Exposed to Mass Conflict and Displacement. A Systematic Review and Meta-analysis” *JAMA* 302:537-549.

²⁰¹ WHO (2003), *Mental health in emergencies: mental and social aspects of health of populations exposed to extreme stressors*. Geneva: Department of Mental Health and Substance Dependence. World Health Organisation.

²⁰² IASC (2007), *IASC Guidelines on Mental Health and Psychosocial Support in Emergency Settings*, Geneva: Inter-Agency Standing Committee. [https://www.who.int/mental_health/emergencies/guidelines_iasc_mental_health_psychosocial_june_2007.pdf]

²⁰³ See again Parsons, R, Reeler, AP, Fisher, J, & Mpande, E (2011), *Trauma and Mental Health in Zimbabwe*. November 2011. Harare: Research & Advocacy Unit.

²⁰⁴ Reeler, AP, & Mupinda, M (1996), “An Investigation into the Sequelae of Torture and Organised Violence in Zimbabwean war veterans”, *Legal Forum* 8:12-27.

²⁰⁵ Amani (1998), *Survivors of Torture and Organised Violence from the 1970 War of Liberation*. Harare: Amani Trust

²⁰⁶ Reeler, AP, Mbape, P, Matshona, J, Mhetura, J & Hlatywayo, E (2001), “The prevalence and nature of disorders due to torture in Mashonaland Central Province, Zimbabwe” *Torture* 11:4-9.

Both the war veterans and the community survivors were all being assessed nearly two decades after their ill-treatment and had been frequent visitors to health care facilities. Few health personnel were able to identify their problems as being psychological in nature or as being the consequence of OVT. Whilst the inability (without training) of primary health care personnel to identify most psychological disorders was (and is) a common problem, these two studies show that this is even the case in areas where the health personnel are very familiar with the brutality that took place during the war. Thus, this early work on assisting survivors of OVT had a strong emphasis on the training of health workers to identify and manage survivors of OVT.²⁰⁷

Helping the Victims and Survivors

It is fortunate that Zimbabwe has a wealth of experience and a wealth of small organisations that are doing this work already, providing the base from which a comprehensive national rehabilitation system can be built. These range from the high care, tertiary service such as the Counselling Services Unit (CSU), through to the wide range of community-based organisations dealing with very different populations and using different methods. It is invidious to mention only a few, but these latter range from survivor-support models to organisations focused on community healing, such as the Tree of Life, Grace to Heal, Solidarity Peace Trust, and Heal Zimbabwe Trust, and organisations dealing with the crucial problem of mass graves, such as Ukuthula Trust. In addition, there are many other organisations, such as the Friendship Bench, whose work may include the victims and survivors of OVT but do not have an explicit focus on survivors of OVT.

It should be clear from the previous reports issued during the year that the need for assistance and rehabilitation for the victims and survivors of OVT far exceeds any current capacity. There is an urgent need for the establishment of a comprehensive national mental health service capable of meeting the general mental needs of the country, including the victims and survivors. There is urgency as the work done with the survivors of the liberation war shows very clearly the consequences of delayed assistance leading to chronic ill health.

Assistance to individuals

Early work with the victims and survivors of the Liberation War showed that simple, cost-effective methods could be used to assist these people.²⁰⁸ Most treatment of survivors of OVT previously had taken place at specialist facilities using highly trained professionals and it was evident that neither was appropriate in Zimbabwe. The number of trained

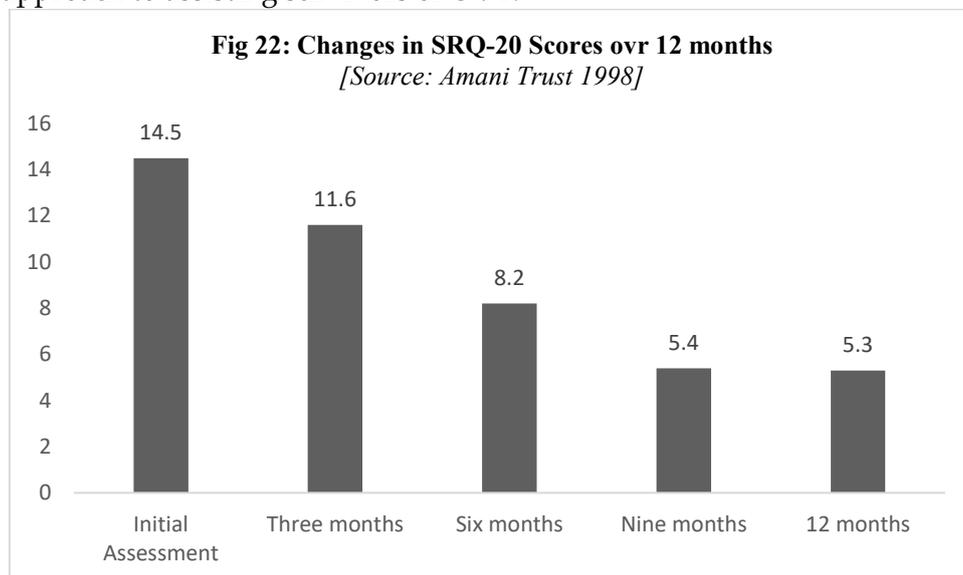
²⁰⁷ Amani (2000), *Training nurses in the assessment and management of psychological disorders: Report of Amani Trust's programme in Mashonaland Central Province, Zimbabwe*. Harare: Amani Trust.

²⁰⁸ Reeler, AP, & Mbape, P (1998), "A pilot study of a brief form of psychotherapy for survivors of torture: The Single Therapeutic Interview" *Torture* 8:120-126.

mental health professionals was (and still is) very small and very few will be found outside the two major urban centres of Harare and Bulawayo.

The approach developed by the Amani Trust aimed at providing primary care health professionals with a simple psychotherapy model for survivors of OVT. It was developed from an approach previously developed in South Africa for survivors of political violence during the apartheid era²⁰⁹ and, as can be seen from Figure 22 (below), the outcome was successful. The approach was refined to enable primary care health workers to deal with general mental (non-OVT) problems²¹⁰ and, as pointed out earlier, this approach has much in common with the widely used Friendship Bench.²¹¹

As seen in Figure 22, there is a linear decline in the SRQ-20 scores over the twelve months, with the average score dropping below the cut-off of 7/20 by nine months, and this was the effect of a single focused counselling session. This was therefore a very cost-effective approach to assisting survivors of OVT.



What is important about this work, in the context of a paucity of mental professionals (especially in rural areas), is that low-cost, paraprofessional approaches can be of great assistance to the survivors of OVT. This work is complemented by community-based models, such as the Tree of Life, which follows the considered views of Zimbabwean mental health professionals.²¹²

²⁰⁹ Straker, G (1987), "The continuous traumatic stress syndrome - the single therapeutic interview" *Psychology in Society* 8:48-78.

²¹⁰ Amani (2002), *A Pilot Study on the Effectiveness of Problem-Solving Therapy on Primary Care Patients with Psychological Problems*. August 2002, Harare: Amani Trust.

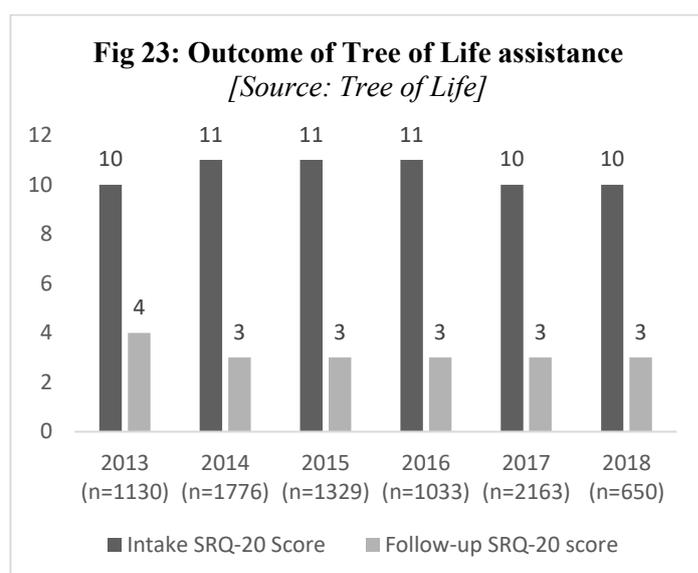
²¹¹ Chibanda, D et al (2016), "Effect of a Primary Care-Based Psychological Intervention on Symptoms of Common Mental Disorders in Zimbabwe. A Randomized Clinical Trial" *JAMA* 2016;316(24):2618-2626.

²¹² See again Parsons, R, Reeler, AP, Fisher, J & Mpande, E (2011), *Trauma and Mental Health in Zimbabwe*, (November 2011). Harare: Research & Advocacy Unit.

Community approaches to healing

The value of the approach developed by the Tree of Life and several other organisations working with the survivors of OVT, such as the Ukutula Trust and Grace to Heal, is the decided emphasis on a community-based approach. This grew out of the awareness that not only were communities affected as well as the index survivors, that community healing was as important as individual treatment, but also that the paucity of mental health professionals in facilities close to where the survivors live required the engaging of para-professional workers as well as active community support.

The Tree of Life is Zimbabwean approach for the assistance of trauma survivors was first developed to assist Zimbabwean refugees suffering from trauma, but later developed within Zimbabwe as a community-based model for assisting survivors of trauma, including survivors of OVT. The Tree of Life approach uses a three-day intensive workshop and was shown to be potentially helpful in an early pilot study.²¹³ The Tree of Life model has been used by other organisations as well with similar findings.²¹⁴ It is also important to point out the work dealing with the victims whose remains require exhumation in order that the families can find closure.²¹⁵



The Tree of Life data shows that the organisation provided assistance to 8,081 trauma survivors over six-year period.

As was seen with the Amani Trust study, the Tree of Life findings show firstly that the average initial score was mostly in the “severe” range – scores of 10/20 or more – and the average score on follow-up was way below the cut-off indicating psychological disorder. In other words, the clients were all getting better.

The Tree of Life also developed a more general model for sensitising community members to the effects of trauma – Psycho-education and Coping Skills (PACS) intervention, which

²¹³ Reeler, AP, Chitsike, KC, Maisva, F & Reeler, BM (2009), “The Tree of Life: a community approach to empowering and healing survivors of torture in Zimbabwe” *Torture* 19(3):184-193.

²¹⁴ Dumisani, D (2016) “‘Our Branches Are Broken’: Using the Tree Of Life Healing Methodology with Victims of Gukurahundi in Matabeleland, Zimbabwe,” *Peace and Conflict Studies* 23:1(2). Available at: <https://nsuworks.nova.edu/pcs/vol23/iss1/2>

²¹⁵ Eppel, S (2014), “‘Bones in the Forest’ in Matabeleland, Zimbabwe: Exhumations as a Tool for Transformation”, *IJTJ* 1-22.

has also been shown to be therapeutically effective.²¹⁶ The work of the Tree of Life thus is another example of the way in which low cost, para-professional delivered assistance can significantly improve the lives of survivors of trauma and OVT.

Conclusions

It has been evident from all the reports in this series of reports that extremely large numbers of Zimbabweans have been affected by OVT over the past four decades: the numbers are likely to run into hundreds of thousands. There has been very little attention given to their needs, with the major psycho-social assistance being provided by non-governmental organisations. The major long-term consequence from experiencing OVT is the probability that the victims will suffer from some form of psychological disorder, and one study has shown this can persist for decades.²¹⁷

The one clear conclusion is that too little has been done for the survivors of OVT over the past decades. Because of this, the number of survivors grows with each new episode of OVT, leaving the country with an enormous backlog of people needing assistance. This is made more complicated by the tendency in the past few decades to deny victims any help at all, mostly because, as is evident from all the previous reports, OVT carries criminal implications for the perpetrators. The practical impunity that has become a feature of the political violence since 2000 has, therefore, profound implications for the well-being of victims and survivors, and runs contrary to recommendations of many conventions and human rights bodies. For example, the “Joinet Principles”, the backbone of most work done on transitional justice, indicates in the *Right to Reparation* the centrality of rehabilitation: the assistance to survivors is not any less important than truth, justice, or non-recurrence, and is probably a critical factor for creating peace in the future.

Knowing that the scale of the problem is enormous, but also knowing that there are reliable, efficacious, and cost-effective methods for helping, it must surely be the case that there should be no impediment to developing a mental health system for the country that will explicitly include survivors of OVT. This should, in fact, already be within the purview of the National Peace and Reconciliation Commission (NPRC) but, disappointingly, little substantive work has been done to date. We say “disappointingly” because, unlike many areas within the mandate of the NPRC, the issue of developing a service for survivors has considerably fewer political difficulties than other areas under the rubric of transitional justice. For example, having to talk about one’s trauma from OVT obviously means having

²¹⁶ ToL & CVT (2012), *Report on the Tree of Life Impact Evaluation/Research Study, 2011-2012*. Tree of Life & Centre for Victims of Torture.

²¹⁷ RAU & CSU (2020), *Severity of Violence and the Long-term Effects: Comparison of Survivors of the Liberation War (1972 to 1980) with Survivors of Political Violence (2000 to 2002)*. October 2020. Harare: Research & Advocacy Unit.

to talk about the violation, but the survivor still has the choice to give testimony or not. Having to give testimony in order to get assistance does not give the survivor the same freedom of choice. This is why assistance must be the first point of entry for many survivors into the transitional process.

Chapter 9: Overview, Conclusions & Recommendations

This brief history of Organised Violence and Torture in Zimbabwe since 1972 cannot do justice to the deeper story that lies beneath these bald statistics. It would take several volumes to include the lived stories of all these tens of thousands of victims and survivors of the political violence that has afflicted this country these past fifty years. These stories belie the apparently peaceful public face of the country, but it is hoped that this short history will allow some to look a little deeper under the surface and behind the ever-smiling faces of the citizens of Zimbabwe.

Concerted work on OVT really began with the 1990 Conference in Harare. The conference brought together participants from every country in Southern Africa, health workers from East Africa, and a wide range of international experts. It took place in a region in which organised violence and torture were still taking place on a mass scale in Angola and Mozambique, had just ended in Namibia, and where the first steps to ending apartheid were taking place in South Africa. The seeds of an African wide movement were sown at the conference, and, with the assistance of the International Rehabilitation Council for Torture Victims (IRCT) soon there were small centres right across Africa with health workers beginning to provide assistance to the victims in their countries.

Currently, there are 23 centres in 13 African countries working to document OVT and assist the victims and survivors. This, of course, does not include the many centres that provide legal assistance and challenge impunity. It is fair to say that few African countries can now escape the scrutiny of civil society for their egregious acts of OVT. And we must not forget the Third Estate, the courageous journalists who also shine a light on the dark spaces where OVT takes place.

In Zimbabwe, the place where it might be said that this movement was born, civil society has been assiduous in documenting OVT and in providing assistance to the victims and survivors. The scale of this documentation is exceptional: currently there are close to 600 individual reports on OVT alone, covering the period from 1972 to date. This enormous archive is appended to this report. It is this immense volume of work that allows a report such as this to be written, and this terse history that enables us to give an authoritative overview, draw some powerful conclusions, and make recommendations.

Zimbabwean organisations have also been pioneers in helping victims, and especially in developing community-based approaches. From the early work of the Amani Trust, largely clinic-based in rural clinics, there has been steady development through the work of the Ukuthula Trust in exhumations and community healing, the survivor-driven work of the Tree of life, and the sustained work of the Counselling Services Unit maintaining the initiative of the Amani trust.

There has also been a strong and consistent push for transitional justice, beginning with the ground-breaking civil society conference in 2003 and the creation of the National

Transitional Justice Working Group (NTJWG) in 2014, following several important conferences on transitional justice (in 2008, 2012, and 2013). This sustained pressure by civil society undoubtedly was a strong contributory factor for the inclusion of transitional justice in the 2013 Constitution and the establishment of the National Peace and Reconciliation (NPRC). However, where is Zimbabwe today in 2022?

The Overview of OVT

One thing is clear from this summary of OVT since 1972 – the resort to violent political problem bedevils the country. Every decade since the 1970s has seen significant amounts of OVT, ranging from frank civil war, the inevitable consequence of the settler state of Rhodesia failing to meet the legitimate aspirations of the majority of its citizens, through the low intensity civil conflict of the 1980s, and two decades of very violent elections. In every decade, perhaps excepting the Liberation War, the state and the government has been identified as the major perpetrator. The right to commit OVT was enshrined in the prospective (and retroactive) impunity granted under the foul Indemnity and Compensation Act by the Rhodesian government, and the OVT in subsequent decades has frequently fallen foul of amnesties (as in 1987) or merely been ignored, as has been the case with the Motlanthe Commission’s recommendations. The OVT perpetrated since 2000 has mostly been dealt with through what can be termed “practical impunity”: either by the state failing to prosecute alleged perpetrators or by counterattacking through prosecuting those complaining themselves about OVT for offences – the treatment of Joanna Mamombe is an obvious example amongst many others.

The effect of this has been the resort by civil society to using civil litigation to overcome the state failure, and it has thus been shown in multiple cases that the claims of the victims are legitimate. The Human Rights Forum has documented this innovative approach to contesting practical impunity in several reports.²¹⁸ In fact, as with the remarkable documentation of OVT, Zimbabwean civil society has attempted almost every single transitional justice mechanism that is available, short of a formal transitional justice process, and in the context of a pre-transitional context.²¹⁹ This is a remarkable achievement.

However, none of this work detracts from the sober analysis, albeit a mere summary, of the extensive OVT over the past five decades. We cannot discount the death toll over the years and the suffering this has caused to tens of thousands of families: if the crude statistics are

²¹⁸ ZHRNGOF (2006), *An Analysis of the ZHRNGOF Legal Cases, 1998–2006* (June 2006), Harare: Zimbabwe Human Rights NGO Forum; ZHRNGOF (2021), *The wheels of justice for victims of Organised Violence and Torture: Analysis of Legal Cases: Zimbabwe Human Rights NGO Forum (2007-2020)* (August 2021). Harare: Zimbabwe Human Rights NGO Forum.

²¹⁹ ZHRNGOF (2016), *Transitional Justice in Pre-Transitional Times: Are there any lessons for Zimbabwe?* Harare: Zimbabwe Human Rights NGO Forum.

correct, this means at least 80 000 dead between the Liberation War and *Gukurahundi* alone, but the actual figures can only come from a fully-fledged transitional justice process. Outside of the deaths, however, there has been a staggering number of victims of torture, and the available data is a very poor indicator of the scale. The Amani Trust in 1997 found that one person in ten over the age of 30 years was a victim of torture during the Liberation War in Mount Darwin alone and, if extrapolated to the entire country, the numbers would beggar description. As pointed out in a more general review of OVT and the need for a comprehensive rehabilitation programme, the prevalence of OVT over the decades can only mean that there are hundreds of thousands of torture victims in the country. This can only be described as an epidemic from a health perspective.

This is a shameful history, and the fact that it persists today in the 21st Century, in a country that has been independent for forty years, is unacceptable. No amount of rhetoric about the threats of neo-colonialism or imperialism can disguise the fact that OVT continues in a country that claims to be democratic and playing by the rules of the democratic game: the continuous OVT belies these claims.

General Conclusions

The biggest problem is that OVT has become normalised. It is a normal part of political problem solving and frequently advocated as normal and necessary. The evidence for this comes from the violent rhetoric that always follows challenges to the political power of ZANU-PF. This has been the case since 1980, with the use of hate speech and violent rhetoric being comprehensively documented over the decades. The reference to “cockroaches” during the *Gukurahundi* times, the assertion that bullets are more powerful than ballots and, even today in 2022, the statement that Nelson Chamisa and his family should be killed, these are all examples of the belief that violence can justify political ends. It is the demonstration that the ideology of war has never left the ruling party. One commentator has even argued that this is all characteristic of a fascist state.²²⁰

As several reports have shown in detail, the resort to hate speech and violent rhetoric are part of the envelope of OVT.²²¹ In the comprehensive report on *Gukurahundi*, “*Breaking the Silence*” senior members of the ZANU-PF government, including Robert Mugabe and Emmerson Mnangagwa, made statements that betrayed the views that violence beyond necessary and reasonable force in curtailing a relatively minor threat to the state is

²²⁰ Scarrnechia, T (2006), “The ‘Fascist’ Cycle in Zimbabwe, 2000 – 2005”, *Journal of Southern African Studies* 32:2, 221-237.

²²¹ CCJP & LRF (1997), *Breaking the Silence – Building True Peace: A Report on the Disturbances in Matabeleland and Midlands 1980 to 1988*. Harare: Catholic Commission for Justice and Peace in Zimbabwe & Legal Resources Foundation; ZHRNGOF (2007), *Their Words Condemn Them: The Language of Violence, Intolerance and Despotism in Zimbabwe* (May 2007), Harare: Zimbabwe Human Rights NGO Forum; ZHRNGOF (2021), *The Language of Intolerance, Intransigence, Authoritarianism and Violence in the “New Dispensation” in Zimbabwe*, (February 2021), Harare: Zimbabwe Human Rights NGO Forum.

acceptable. Such a statement by Emmerson Mnangagwa presaged the kind of rhetoric found later in the Rwandan genocide:

“... the campaign against dissidents can only succeed if the infrastructure that nurtures them is destroyed.” The dissidents were, in his words, “cockroaches” and 5th Brigade was the “DDT” brought in to eradicate them.” (The Chronicle 5 March 1983)

The use of hate speech and inflammatory state statements cannot be divorced from the overall package that is OVT in Zimbabwe. When opposing political parties are characterised as “enemies”, then violence is surely justified in the eyes of those that support the ruling party. As just one of many examples, the statements by Phillip Chiyangwa in 2001 leave little to the imagination about ZANU-PF’s attitude to OVT:

“If you get hold of MDC supporters, beat them until they are dead. Burn their farms and their workers’ houses, then run away fast and we will then blame the burning of the workers’ houses on the whites. Report to the police, because they are ours.” (Source: Standard 9 September 2001)

The Human Rights Forum report in 2007 contains dozens of such statements by senior government ministers, senior party officials and war veterans.²²² As the report pointed out, the hate speech revealed the attitudes of the ruling party to opposition:

- It is deeply antagonistic to all opposition and dissent.
- It is prepared to incite violence and vengeful action against its political opponents and critics.
- It uses virulent language to condemn its opponents and critics, and the vituperation is aimed at intimidating and silencing these persons.
- Using its control over the broadcast media, it disseminates a constant stream of pro-government and anti-opposition propaganda.
- It constantly attempts to suppress the independent media.
- Not infrequently its rhetoric contains racial and ethnic slurs or anti-Semitic language.

Little has changed over the years, and the more recent report by the Human Rights Forum in 2020²²³ details, amongst other problematic and denialist views by the government, blunt examples of hate speech:

“I told other people that if you are a sell-out, and if you wake up and pursue your sell-out activities while people are sleeping, this country has something that it will do to you. You will disappear

²²² See again ZHRNGOF (2007), *Their Words Condemn Them: The Language of Violence, Intolerance and Despotism in Zimbabwe* (May 2007), Harare: Zimbabwe Human Rights NGO Forum

²²³ See again ZHRNGOF (2021), *The Language of Intolerance, Intransigence, Authoritarianism and Violence in the “New Dispensation” in Zimbabwe* (February 2021) Harare: Zimbabwe Human Rights NGO Forum.

*without anyone touching you. This country will deal with you mysteriously. This country is a mystery, you just can't do as you please."*²²⁴

However, since the publication of the more recent (2020) report and leading to an election in 2023 with a credible threat to the ruling party by the Citizens Coalition for Change (CCC), the country is again witnessing a resurgence of hate speech and violent statements.

The importance of raising the problem of hate speech is obviously its link to OVT, and the frequent manner in which such hate speech is followed by OVT. This sequence is part of a more general cycle in Zimbabwe – that of OVT followed by impunity which is covered over by practical impunity. This impunity provides the basis for future OVT.²²⁵ To this cycle must be added several other steps: hate speech facilitates OVT, OVT then requires impunity, and then impunity through preventing transitional justice allows the next cycle to begin.

There are some changes over the decades since 1987: one is the care taken to avoid extra-judicial killings and also the resort to mass torture and the careful steps to cover this up through practical impunity. As the quote from Justice Browne-Wilkinson in the Pinochet trial in 1990 points out, torture (and OVT as Southern Africa has extended) is never acceptable in any situation and at any time and must always be subject to criminal proceedings no matter how long this may take. This is the future that Zimbabwe must address if the cycle of OVT and impunity is to be eradicated forever.

General Recommendations

It is difficult to provide a comprehensive list of all the changes needed to political life in Zimbabwe that would prevent recurrences of OVT, but a few seem fundamental.

The most basic need is for the government to ratify the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman and Degrading Forms Treatment or Punishment (UNCAT) as well as the Optional Protocol to the Convention Against Torture and Other Forms of Cruel, Inhuman and Degrading Forms Treatment or Punishment (OPCAT). These steps will be a first, and long overdue, step towards the elimination of OVT in Zimbabwe. It is the logical and required step for government to take given that the *right to freedom from torture or cruel, inhuman or degrading treatment or punishment* is enshrined as one of the Fundamental Human Rights and Freedoms in the Constitution (Section 53). It is scandalous that signing and ratifying has not taken place since the promulgation of UNCAT, when 157 countries have already done so, and even more since the insertion of the right to freedom from torture was included in the amended Constitution in 2013.

²²⁴ "Sell-outs will disappear mysteriously, says Minister Matemadanda", *Savanna News*, 8 [https://savannanews.com/sell-outs-will-disappear-mysteriously-says-minister-matemadanda/]

²²⁵ Reeler, AP (2000), "Can you have a reparations policy without justice?" *Legal Forum* 12:202-209.

The next logical and necessary step after signing UNCAT and OPCAT is the need to domesticate UNCAT in the criminal law of Zimbabwe. There is substantial pressure on the government to do this and a draft anti-torture bill has been prepared by Zimbabwean human rights organisations. This has great importance and would signal that torture would be treated in law as considerably worse than aggravated assault and should attract extremely severe penalties for a crime that must be punished internationally and domestically.

These steps would indicate that the government was serious in an attempt to stop political violence and would respond to the recommendations of the UN Human Rights Council through several reviews under the Universal Periodic Review processes. This will be extremely important for elections where the majority of OVT takes place since 1987. It will also be the necessary counter to any attempt at impunity in the future.

These steps are to take care of the future, but Zimbabwe also needs to take care of its past. This is where a genuine, inclusive transitional justice process is needed, which was the major recommendation of the 2003 civil society conference.²²⁶ The current attempt under the Constitution has fallen woefully short of a genuine transitional justice process. Given that the life span of the NPRC ends in 2023, it started late with the Commissioners only appointed in 2015, and the enabling legislation only passed in 2018. The mandate of the NPRC is extremely broad, and its role as an organ of peace building is as strong as its role as an organ of justice. As can be seen, the Constitution creates a very wide mandate:

- (a) to ensure post-conflict justice, healing and reconciliation;
- (b) to develop and implement programmes to promote national healing, unity and cohesion in Zimbabwe and the peaceful resolution of disputes;
- (c) to bring about national reconciliation by encouraging people to tell the truth about the past and facilitating the making of amends and the provision of justice;
- (d) to develop procedures and institutions at a national level to facilitate dialogue among political parties, communities, organisations, and other groups, in order to prevent conflicts and disputes arising in the future;
- (e) to develop programmes to ensure that persons subjected to persecution, torture and other forms of abuse receive rehabilitative treatment and support;
- (f) to receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate;
- (g) to develop mechanisms for early detection of areas of potential conflicts and disputes, and to take appropriate preventive measures;

²²⁶ See again Themba LeSizwe (2004), *Civil Society and Justice in Zimbabwe*, Proceedings of a symposium held in Johannesburg (11-13 August 2003) Pretoria: Themba LeSizwe.

- (h) to do anything incidental to the prevention of conflict and the promotion of peace;
- (i) to conciliate and mediate disputes among communities, organisations, groups, and individuals; and
- (j) to recommend legislation to ensure that assistance, including documentation, is rendered to persons affected by conflicts, pandemics, or other circumstances.

This mandate has allowed the NPRC to pick and choose from all these options and there has been virtually no work done on (a), and on post-conflict justice. As multiple reports of the NTJWG have pointed out, the NPRC has focused on some areas, such as *Gukurahundi*, but achieved very little in any other area.²²⁷ A scholarly analysis of the NPRC and the then mooted NPRC Bill concluded that without a comprehensive enabling law the NPRC was likely to be “*a victim of its own failure*”.²²⁸ Despite the enabling legislation, the same conclusion can be made in 2022.

Since the NPRC will cease in 2023 and the serious matters for a transitional justice process have been barely touched, it is critical to consider what will be done in future. Civil society and the nation as a whole will need to give this problem serious attention.

Two other points are relevant for the future – and even the immediate present – and these are linked to the politics of the country. The first is to deal very seriously with the issue of hate speech, primarily because of its relationship to OVT. The second is to address the culture of politics itself, and to create a culture of *mutual toleration* and *institutional forbearance*.

The former is self-evident and, in fact, is proscribed in the Electoral Act, but needs to have a much wider canvas than merely elections. Across the globe the awareness is growing that the old adage, that “*sticks and stones may break my bones, but words will never harm me*”, is wholly false, and that words are the frequent precursor of sticks and stones: Rwanda is perhaps the grossest example of this. Thus, hate speech must be penalised whenever and wherever it occurs, and nobody should be able to suggest that a politician and his family should be killed without serious consequences.

The latter, *mutual toleration and institutional forbearance*, must become the basis under which politics is conducted: in fact, these are the deep structures of democracy, and as important in

²²⁷ See reports from the NTJWG under NPRC Watch [<https://ntjwg.org.zw/nprc-watch-downloads/>]. See also the Annual Reports of the NTJWG [<https://ntjwg.org.zw/annual-reports/>]

²²⁸ Maribha, S K (2017), *An Evaluation of the National Peace and Reconciliation Commission Bill 2017*, Cape Town: University of the Western Cape [<https://etd.uwc.ac.za/handle/11394/6369>]

the final analysis as constitutionalism, rule of law and human rights.²²⁹ The diminution of these practises has become a problem even for the most developed democracies, and as Steven Levitsky and Daniel Ziblatt have pointed out, are demonstrated most graphically in the US under Donald Trump.²³⁰ **Mutual toleration** refers to the notion that political opponents are just that, *opponents*, and not *enemies*, and the link with eliminating hate speech is obvious. **Institutional forbearance** means not using the political power of government to disadvantage your political opponents and keeping the game of politics even and equal. Neither are evident in Zimbabwean politics and the need for a general code of political conduct is desperately needed.

There is much more that can be said about OVT and how to counter it, but these four steps can probably ensure that OVT becomes a thing of the past and, with due humility, are eminently possible to do in a very short time if there is the political will.

²²⁹ RAU (2022), *Mutual Toleration and Institutional Forbearance: The Deep Structure of Democracy* (February 2022). Harare: Research & Advocacy Unit
[<https://researchandadvocacyunit.org/report/2501/>]

²³⁰ Levitsky, S & Ziblatt, D (2018), *How Democracies Die. What History Reveals About Our Future*, Penguin Press.

Reports on Organised Violence and Torture in the Public Domain

This list has been compiled over several years and is continually updated as new reports are published. It covers only reports that are available in the public domain.

Zimbabwean Organisations

Zimbabwe Human Rights NGO Forum (ZHRNGOF):

General Reports:

ZHRNGOF (1998), *Human Rights in Troubled Times: An Initial Report on Human Rights Abuses During and After Food Riots in January 1998*. Harare: Zimbabwe Human Rights NGO Forum.

ZHRNGOF (1999), *A Consolidated Report on the Food Riots 19-23 January 1998*. Harare: Zimbabwe Human Rights NGO Forum.

ZHRNGOF (1999), *Organised Violence and Torture in Zimbabwe in 1999*. Harare: Zimbabwe Human Rights NGO Forum.

ZHRNGOF (2000), *The Unleashing of Violence: A report on violence against peaceful protestors in Harare (April 2000)*. A report compiled by the Zimbabwe Human Rights Non-Governmental Organisations Forum., Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2000), *Report on political violence in Bulawayo, Harare, Manicaland, Mashonaland West, Masvingo, Matabeleland North, Matabeleland South and Midlands*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2000), *Report on Pre-election Political Violence in Mberengwa*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2000), *Who is responsible? A preliminary analysis of pre-election violence in Zimbabwe*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2000), *A report on Post-Election Violence*. Harare: Zimbabwe Human Rights NGO Forum.

ZHRNGOF (2000), *Organised Violence and Torture in Zimbabwe in 2000*. Harare: Zimbabwe Human Rights NGO Forum.

ZHRNGOF (2001), *Evaluating the Abuja Agreement*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2001), *Evaluating the Abuja Agreement: Two Months Report*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2001), *Human Rights and Zimbabwe's June 2000 election, Special Report No. 1*. Harare: Zimbabwe Human Rights NGO Forum.

ZHRNGOF (2001), *Politically motivated violence in Zimbabwe 2000–2001. A report on the campaign of political repression conducted by the Zimbabwean Government under the guise of carrying out land reform*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2001), *Report on Election-related Political Violence in Chikomba*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2001), *Who was responsible? A consolidated analysis of pre-election violence in Zimbabwe*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2001), *Enforcing the Rule of Law in Zimbabwe* (September 2001). Harare: Zimbabwe Human Rights NGO Forum.

ZHRNGOF (2001), *Organised Violence and Torture in Zimbabwe in 2001*. Harare: Zimbabwe Human Rights NGO Forum.

ZHRNGOF (2002), *Are They Accountable?: Examining alleged violators and their violations pre and post the Presidential Election March 2002*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2002), *Human Rights and Zimbabwe's Presidential Election: March 2002*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2002), *Teaching them a lesson. A report on the attack on Zimbabwean teachers*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2003), *Zimbabwe, the Abuja Agreement and Commonwealth Principles: Compliance or Disregard?* (8 September 2003). Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2003), *Torture by State Agents in Zimbabwe: January 2001 to August 2002*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2005), *It's the Count that Counts: Food for Thought. Reviewing the Pre-election Period in Zimbabwe* (March 2005). Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2005), *Of Stuffed Ballots and Empty Stomachs. Reviewing Zimbabwe's 2005 Parliamentary Election and Post-Election Period* (July 2005). Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2005), *Order out of Chaos, or Chaos out of Order? A Preliminary Report on Operation "Murambatsvina"* (June 2005). Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2005), *The Aftermath of a Disastrous Venture. A Follow up report on "Operation Murambatsvina"* (August 2005). Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2006), *Exploring Transitional Justice Options in Contemporary Zimbabwe* (January 2006). Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2006), *An Analysis of the ZHRNGOF Legal Cases, 1998–2006* (June 2006). Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2006), *Zimbabwe's Failure to meet the Benchmarks in the Cotonou Agreement* (November 2006). Harare: Zimbabwe Human Rights NGO Forum.

ZHRNGOF (2006), *Meeting the EU'S Benchmark's – Zimbabwe and the Cotonou Agreement*. Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2006), *Political Repression Disguised as Civic Mindedness. Operation Murambatsvina One Year Later* (November 2006). Harare: Zimbabwe Human Rights NGO Forum

ZHRNGOF (2006), *A Woman's Place is in the Home? Gender Based Violence and Opposition Politics in Zimbabwe* (December 2006). Harare: Zimbabwe Human Rights NGO Forum.

ZHRNGOF (2006), *Who Guards the Guards? Violations by Law Enforcement Agencies in Zimbabwe, 2000 to 2006* (December 2006). Harare: Zimbabwe Human Rights NGO Forum.

- ZHRNGOF (2006), *Exploring Transitional Justice Options in Contemporary Zimbabwe*. Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2007), *Revisiting the Commonwealth and Zimbabwe: What is to be done? An Assessment of Zimbabwe's Performance since its Withdrawal from the Commonwealth & Suggestions for Re-engagement by the Commonwealth* (February 2007). Harare: Zimbabwe Human Rights NGO Forum
- ZHRNGOF (2007), *Their Words Condemn Them: The Language of Violence, Intolerance and Despotism in Zimbabwe* (May 2007). Harare: Zimbabwe Human Rights NGO Forum
- ZHRNGOF (2007), *A Case note and Comment on the African Commission's Decision on Communication 245/2002* (May 2007). Harare: Zimbabwe Human Rights NGO Forum
- ZHRNGOF (2007), *Adding Insult to Injury. A Preliminary Report on Human Rights Violations on Commercial Farms, 2000 to 2005* (June 2007). ZHRNGOF and the Justice for Agriculture Trust (JAG) in Zimbabwe. Harare: Zimbabwe Human Rights NGO Forum
- ZHRNGOF (2007), *At Best a Falsehood, At Worst a Lie? Shooting Oneself in the Foot? Comments on the Zimbabwe Republic Police Report "Opposition Politics in Zimbabwe. A Trail of Violence* (June 2007). Harare: Zimbabwe Human Rights NGO Forum
- ZHRNGOF (2008), *Can the elections in Zimbabwe be Free and Fair?* Paper produced by the Research and Advocacy Unit (RAU) for the Human Rights Forum. Harare: Zimbabwe Human Rights NGO Forum
- ZHRNGOF (2008), *If you can't join them, beat them! Post-election violence in Zimbabwe* (5 May 2008). An alert of the Human Rights Forum & the Research and Advocacy Unit Harare: Zimbabwe Human Rights NGO Forum
- ZHRNGOF (2008), *Damned Lies? Post-Election Violence in Zimbabwe* (August 2008). Report produced by the Research & Advocacy Unit. Harare: Zimbabwe Human Rights NGO Forum
- ZHRNGOF (2009), *Only Bruises on the Soles of their Feet? Torture and Falanga in Zimbabwe* (February 2009). Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2010), *Taking Transitional Justice to the People. Vol. 1*. Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2010), *Taking Transitional Justice to the People. Vol. 2*. Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2011), *Transitional Justice National Survey. A Report on the People's Perceptions and Recommendations*. Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2012), *International Conference on Transitional Justice Zimbabwe*. Conference Report. Nyanga, 4 to 6 October 2012. Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2013), *Second International Conference on Transitional Justice in Zimbabwe*. Conference Report, Johannesburg, 9 to 11 October 2013. Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2014), *Structural Violence and Organised Violence and Torture in Zimbabwe*. A Special Report of the Zimbabwe Human Rights NGO Forum. Harare: Zimbabwe Human Rights NGO Forum.

- ZHRNGOF (2016), *Transitional Justice in Pre-Transitional Times: Are there any lessons for Zimbabwe?* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2018), *Post-Election Violence Monitoring Report. 1 to 31 August 2018.* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2019), *“Burdened by Disgrace”. An Analysis of Rape and Sexual Violence During the January 2019 Protests.* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2019), *A Legal Analysis of The Subversion of Due Process from August 2018 To February 2019.* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2019), *“The New Deception: What has Changed?” A Baseline Study on the Record of the Zimbabwe’s “New Dispensation” in Upholding Human Rights.* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2020), *“Ruled by Violence”. An Analysis of the Nature, Patterns and Execution of Violence in Zimbabwe since 1998.* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2020), *Guns Run Amok. A Review of the 1 August 2018 and 14 January 2019 Crackdown on Civilians by the Security Forces.* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2020), *Political and Human Rights Violations Report April to September 2020.* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2021), *The wheels of justice for victims of Organised Violence and Torture: Analysis of Legal Cases: Zimbabwe Human Rights NGO Forum (2007-2020) (August 2021).* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2021), *TRIAL BY PRE-TRIAL INCARCERATION. Targeted Arrests of Perceived Opposition Figures and Undue Delays in Pre-trial Processes (Trends in Zimbabwe) (August 2021).* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2021), *Who Guards the Guards? Monitoring Crime and Security Force Involvement in Crime (September 2021).* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2021), *The Language of Intolerance, Intransigence, Authoritarianism and Violence in the “New Dispensation” in Zimbabwe (February 2021).* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2022), *Punching holes into a Fragile Economy? (February 2022).* Harare: Zimbabwe Human rights NGO Forum, Southern Defenders & Accountability Lab.
- ZHRNGOF (2022), *Organised Violence and Torture and Elections. What will happen in 2023? (June 2022).* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2022), *The “Fear Factor”: Is this the reason why Zimbabwean citizens show little agency? (July 2022).* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2022), *Targeting the professionals: OVT and Lawyers, Medical Practitioners, Teachers, and Trade Unions in Zimbabwe (August 2022).* Harare: Zimbabwe Human Rights NGO Forum.
- ZHRNGOF (2022), *Organised Violence and Torture (OVT) and Structural Violence: The Risks ahead of the 2023 Elections (September 2022).* Harare: Zimbabwe Human Rights NGO Forum.

Political Violence Reports:

[2009 Reports]:

ZHRNGOF (2009), *Political Violence Reports for January 2009.*

ZHRNGOF (2009), *Political Violence Reports for February 2009.*

ZHRNGOF (2009), *Political Violence Reports for March 2009.*

ZHRNGOF (2009), *Political Violence Reports for April 2009.*

ZHRNGOF (2009), *Political Violence Reports for May 2009.*

[2008 Reports]:

ZHRNGOF (2008), *Political Violence Reports for January 2008*

ZHRNGOF (2008), *Political Violence Reports for February 2008.*

ZHRNGOF (2008), *Political Violence Reports for March 2008.*

ZHRNGOF (2008), *Political Violence Reports for April 2008.*

ZHRNGOF (2008), *Political Violence Reports for May 2008.*

ZHRNGOF (2008), *Political Violence Reports for June 2008.*

ZHRNGOF (2008), *Political Violence Reports for July 2008.*

ZHRNGOF (2008), *Political Violence Reports for August 2008.*

ZHRNGOF (2008), *Political Violence Reports for September 2008.*

ZHRNGOF (2008), *Political Violence Reports for October 2008.*

ZHRNGOF (2008), *Political Violence Reports for November 2008.*

ZHRNGOF (2008), *Political Violence Reports for December 2008.*

[2007 Reports]:

ZHRNGOF (2007), *Political Violence Reports for January 2007.*

ZHRNGOF (2007), *Political Violence Reports for February 2007.*

ZHRNGOF (2007), *Political Violence Reports for March 2007.*

ZHRNGOF (2007), *Political Violence Reports for April 2007.*

ZHRNGOF (2007), *Political Violence Reports for May 2007.*

ZHRNGOF (2007), *Political Violence Reports for June 2007.*

ZHRNGOF (2007), *Political Violence Reports for July 2007.*

ZHRNGOF (2007), *Political Violence Reports for August 2007.*

ZHRNGOF (2007), *Political Violence Reports for September 2007.*

ZHRNGOF (2007), *Political Violence Reports for October 2007.*

ZHRNGOF (2007), *Political Violence Reports for November 2007.*

ZHRNGOF (2007), *Political Violence Reports for December 2007.*

[2006 Reports]:

ZHRNGOF (2006), *Political Violence Reports for January 2006.*
ZHRNGOF (2006), *Political Violence Reports for February 2006.*
ZHRNGOF (2006), *Political Violence Reports for March 2006.*
ZHRNGOF (2006), *Political Violence Reports for April 2006.*
ZHRNGOF (2006), *Political Violence Reports for May 2006.*
ZHRNGOF (2006), *Political Violence Reports for June 2006.*
ZHRNGOF (2006), *Political Violence Reports for July 2006.*
ZHRNGOF (2006), *Political Violence Reports for August 2006.*
ZHRNGOF (2006), *Political Violence Reports for September 2006.*
ZHRNGOF (2006), *Political Violence Reports for October 2006.*
ZHRNGOF (2006), *Political Violence Reports for November 2006.*
ZHRNGOF (2006), *Political Violence Reports for December 2006.*

[2005 Reports]:

ZHRNGOF (2005), *Political Violence Reports for January 2005.*
ZHRNGOF (2005), *Political Violence Reports for February 2005.*
ZHRNGOF (2005), *Political Violence Reports for March 2005.*
ZHRNGOF (2005), *Political Violence Reports for April 2005.*
ZHRNGOF (2005), *Political Violence Reports for May 2005*
ZHRNGOF (2005), *Political Violence Reports for June 2005*
ZHRNGOF (2005), *Political Violence Reports for July 2005.*
ZHRNGOF (2005), *Political Violence Reports for August 2005.*
ZHRNGOF (2005), *Political Violence Reports for September 2005.*
ZHRNGOF (2005), *Political Violence Reports for October 2005.*
ZHRNGOF (2005), *Political Violence Reports for November 2005.*
ZHRNGOF (2005), *Political Violence Reports for December 2005.*

[2004 Reports]:

ZHRNGOF (2004), *Political Violence Reports for January 2004.*
ZHRNGOF (2004), *Political Violence Reports for February 2004.*
ZHRNGOF (2004), *Political Violence Reports for March 2004.*
ZHRNGOF (2004), *Political Violence Reports for April 2004.*
ZHRNGOF (2004), *Political Violence Reports for May 2004.*
ZHRNGOF (2004), *Political Violence Reports for June 2004.*
ZHRNGOF (2004), *Political Violence Reports for July 2004.*
ZHRNGOF (2004), *Political Violence Reports for August 2004.*
ZHRNGOF (2004), *Political Violence Reports for September 2004.*

ZHRNGOF (2004), *Political Violence Reports for October 2004*.
ZHRNGOF (2004), *Political Violence Reports for November 2004*.
ZHRNGOF (2004), *Political Violence Reports for December 2004*.

[2003 Reports]:

ZHRNGOF (2003), *Political Violence Reports for January 2003*.
ZHRNGOF (2003), *Political Violence Reports for February 2003*.
ZHRNGOF (2003), *Political Violence Reports for March 2003*.
ZHRNGOF (2003), *Political Violence Reports for April 2003*.
ZHRNGOF (2003), *Political Violence Reports for May 2003*.
ZHRNGOF (2003), *Political Violence Reports for June 2003*.
ZHRNGOF (2003), *Political Violence Reports for July 2003*.
ZHRNGOF (2003), *Political Violence Reports for August 2003*.
ZHRNGOF (2003), *Political Violence Reports for September 2003*.
ZHRNGOF (2003), *Political Violence Reports for October 2003*.
ZHRNGOF (2003), *Political Violence Reports for November 2003*.
ZHRNGOF (2003), *Political Violence Reports for December 2003*.

[2002 Reports]:

ZHRNGOF (2002), *Political Violence Reports for January 2002*.
ZHRNGOF (2002), *Political Violence Reports for February 2002*.
ZHRNGOF (2002), *Political Violence Reports for March 2002*.
ZHRNGOF (2002), *Political Violence Reports for April 2002*.
ZHRNGOF (2002), *Political Violence Reports for May 2002*.
ZHRNGOF (2002), *Political Violence Reports for June 2002*.
ZHRNGOF (2002), *Political Violence Reports for July 2002*.
ZHRNGOF (2002), *Political Violence Reports for August 2002*.
ZHRNGOF (2002), *Political Violence Reports for September 2002*.
ZHRNGOF (2002), *Political Violence Reports for October 2002*.
ZHRNGOF (2002), *Political Violence Reports for November 2002*.
ZHRNGOF (2002), *Political Violence Reports for December 2002*.

[2001 Reports]:

ZHRNGOF (2001), *Political Violence Reports for June 2001*.
ZHRNGOF (2001), *Political Violence Reports for July 2001*.
ZHRNGOF (2001), *Political Violence Reports for August 2001*.
ZHRNGOF (2001), *Political Violence Reports for September 2001*.
ZHRNGOF (2001), *Political Violence Reports for October 2001*.
ZHRNGOF (2001), *Political Violence Reports for November 2001*.
ZHRNGOF (2001), *Political Violence Reports for December 2001*.

Amani Trust

General reports:

- Amani (1996), *An Investigation into the Sequelae of Torture and Organised Violence in Zimbabwean war veterans*. Harare: Amani Trust.
- Amani (1997), *Survivors of Torture in Mount Darwin District, Mashonaland Central Province: Report and Recommendations*. Harare: Amani Trust.
- Amani (1997), *Report on Compensation claims made by AMANI clients (1995-1997)*,
- Amani (1997), *Report on Psychological Disorders in Clinics and Hospitals in Mount Darwin District, Mashonaland Central Province*. Harare: Amani Trust.
- Amani (1998), *Report on Psychological Disorders in Clinics and Hospitals in Muzarabani District, Mashonaland Central Province*. Harare: Amani Trust.
- Amani (1998), *The Psycho-Social Needs of Survivors of Organised Violence and Torture in the Community*. Harare: Amani Trust.
- Amani (1998), *Survivors of Torture and Organised Violence from the 1970 War of Liberation*. Harare: Amani Trust.
- Amani (1998), *Survivors of Organised Violence in Matabeleland: Facilitating an Agenda for Development - Report of the Workshop*. Bulawayo: Amani Trust.
- Amani (1999), *A Report on the Exhumation and Reburial Exercise Overseen by the AMANI Trust in Gwanda District, 25 July to 3 September 1999*. Bulawayo: Amani Trust.
- Amani (2000), *Statistical Summary of Database: After the Parliamentary Elections*. Bulawayo: Amani Trust.
- Amani (2000), *Training nurses in the assessment and management of psychological disorders: Report of Amani Trust's programme in Mashonaland Central Province, Zimbabwe*. Harare: Amani Trust.
- Amani (2002), *A Pilot Study on the Effectiveness of Problem Solving Therapy on Primary Care Patients with Psychological Problems (August 2002)*. Harare: Amani Trust.
- Amani (2002), *Heroism in the Dock: Does testifying help victims of organised violence and torture? A pilot study from Zimbabwe*. Harare: Amani Trust.
- Amani (2002), *Neither Free nor Fair: High Court decisions on the petitions on the June 2000 General Election*. Harare: Amani Trust.
- Amani (2002), *Preliminary Report of a Survey on Internally Displaced Persons from Commercial Farms in Zimbabwe*. Harare: Amani Trust.
- Amani (2002), *Beating your opposition. Torture during the 2002 Presidential campaign in Zimbabwe*. Harare: Amani Trust.
- Amani (2002), *Organised Violence and Torture in the Bye-Elections held in Zimbabwe during 2000 and 2001*. Harare: Amani Trust.
- Amani (2002), *Organised Violence and Torture in the June 2000 General Election in Zimbabwe*. Harare: Amani Trust.
- Mhetura, J (1999), *Living with trauma: justice and reparation after the Liberation Struggle in Zimbabwe*. Harare: Amani Trust.

Scientific reports:

- Amani (1997), "Survivors of Torture in Mount Darwin District, Mashonaland Central Province: Overview of Report and Recommendations" *Legal Forum*, 9, 49-60.
- Reeler, AP (1994), "Is torture a post-traumatic stress disorder?!" *Torture* 4:59-65.

- Reeler, AP (1995), "Trauma in Mozambican refugees: Findings from a training programme for refugee workers" *Torture* 5:18-21.
- Reeler, AP (1998), "Epidemic violence and the community: A Zimbabwean case study" *Community Development Journal* 33:128-139.
- Reeler, AP (1998), "Epidemic violence and the community: A Zimbabwean case study" *Journal of Social Development in Africa* 13:41-51.
- Reeler, AP (2000), "Can you have a reparations policy without justice?" *Legal Forum* 12:202-209.
- Reeler, AP & Mbape, P (1998), "A pilot study of a brief form of psychotherapy for survivors of torture: The Single Therapeutic Interview" *Torture* 8:120-126.
- Reeler, AP & Mhetura, J (2000), "The psychosocial effects of organised violence and torture: A pilot study comparing survivors and their neighbours in Zimbabwe" *Journal of Social Development in Africa* 15:137-169.
- Reeler, AP & Mupinda, M (1996), "Investigation into the sequelae of Torture and Organised Violence amongst Zimbabwean War Veterans" *Legal Forum* 8:12-27.
- Reeler, AP, Mbape, P, Matshona, J, Mhetura, J & Hlatywayo, E (2001), The prevalence and nature of disorders due to torture in Mashonaland Central Province, Zimbabwe. *Torture*, 11:4-9.

Reports on Rehabilitation:

- Amani (1998), *The Psycho-Social Needs of Survivors of Organised Violence and Torture in the Community*. Harare: Amani Trust.
- Amani (2000), *Training nurses in the assessment and management of psychological disorders: Report of Amani Trust's programme in Mashonaland Central Province, Zimbabwe*. Harare: Amani Trust.
- Amani (2001), *Healing the dead to transform the living: exhumation and reburial in Zimbabwe*. Harare: Amani Trust.
- Amani (2002), *At the boiling point of the pain*. Harare: Amani Trust.
- Amani (2002), *Heroism in the Dock: Does testifying help victims of organised violence and torture? A pilot study from Zimbabwe*. Harare: Amani Trust.
- Mbape, P (1997), *A Community based Programme for Torture survivors* (July 1997). Paper presented to "Cornerstones of Mental Health", an International Congress of the World Federation for Mental Health, Lahti & Helsinki, Finland.
- Mbape, P (1997), *The Single Therapeutic Interview* (July 1997). Paper presented to "Cornerstones of Mental Health", an International Congress of the World Federation for Mental Health, Lahti & Helsinki, Finland.
- Mhetura, J (2000), *The neglected issues in rehabilitation of old victims of organised violence and torture: Areas of importance with regards to Zimbabwe victims of organised violence from 1972 to 1980*. Harare: Amani Trust.
- Mhetura, J (2000), *A multi-stage approach to rehabilitation of trauma survivors in Zimbabwe: the case of the Amani Trust*. Harare: Amani Trust.
- Mupinda, M (1997), *Loss and grief among the Shona: the Meaning of Disappearances*. Paper presented to VIIth International Symposium 14-17 November 1995 on "Torture as a Challenge to the Medical Profession", Cape Town.

- Reeler, AP (1995), *Community-based care of survivors: The AMANI experience in Mount Darwin, Zimbabwe*. Harare: Amani Trust.
- Reeler, AP (1995), *Surviving Torture: A Zimbabwean Experience*. Paper presented to "Old Ways - New Theories: Traditional and Contemporary Family Therapy. Connect in Africa", an International Conference. Harare, 31 July-3 August 1995.
- Reeler, AP (1997), *Epidemic violence and the community: A Zimbabwean case study*. Paper based on a presentation to: "Conflict Management and Peace Building Through Community Development", A Colloquium of the International Association for Community Development, Pretoria, 5-9th May 1997.
- Reeler, AP (1997), *Psychological disorders due to torture and their management: A Zimbabwean experience*. Paper presented to a Conference on "The Sexual Harassment of Women in the Workplace". Harare, 23-24th July 1997.
- Reeler, AP (1999), *Community-based rehabilitation services for survivors of organised violence and torture: Outcome and evaluation*. Paper presented to "Traumatic Stress in South Africa: Working Towards Solutions", African Society of Traumatic Stress Studies, Johannesburg, 27-29th January 1999.
- Reeler, AP (1998)(e), *Social and Community Consequences of Torture*. Paper presented to "Caring for Torture Survivors", a Conference organised by The Centre for Victims of Torture, Radisson Hotel Metrodome, Minneapolis, Minnesota, 7 October 1998.
- Reeler, AP (1998)(g), *Individual and Family Psychotherapy*. Paper presented to "Caring for Torture Survivors", a Conference organised by The Centre for Victims of Torture, Radisson Hotel Metrodome, Minneapolis, Minnesota, 7 October 1998.
- Reeler, AP (2003), "The role of militia groups in maintaining ZanuPF's political power" (March 2003) *ZWNNews*
- Reeler, AP (2003), *Old wine in new bottles: A human rights-based paradigm for victim empowerment?* Paper presented to 2nd National Victim Empowerment Conference, Temba LeSizwe, MidRand, January 2003.

Manuals:

- Amani (1995), *Assessment of the Consequences of Torture and Organised Violence: A manual for field workers*. Harare: Amani Trust.
- Amani (1997), *Assessment of the Consequences of Torture and Organised Violence: A manual for field workers, (revised)*. Harare: Amani Trust.
- Amani (1998), *A Trauma Counselling Handbook*. Harare: Amani Trust.

Catholic Commission for Justice and Peace in Zimbabwe

- Auret, D (1992), *Reaching for Justice: The Catholic Commission for Justice and Peace, 1972-1992*. Gweru: Mambo Press.
- CCJP (1975), *The Man in the Middle: torture, resettlement and eviction*. Salisbury: Catholic Commission for Justice and Peace in Rhodesia.
- CCJP (1976), *Civil War in Rhodesia: Abduction, Torture and Death in the Counter-Insurgency Campaign*. Salisbury: Catholic Commission for Justice and Peace in Rhodesia.
- CCJP & LRF (1997), *Breaking the Silence-Building True Peace: A Report on the Disturbances in Matabeleland and Midlands 1980 to 1988*. Harare: Catholic Commission for Justice and Peace in Zimbabwe & Legal Resources Foundation.

CIIR (1978), *Rhodesia After the Internal Settlement*. Catholic Institute for International Relations & Catholic Commission for Justice and Peace in Rhodesia.

Legal Resources Foundation

CCJP & LRF (1997), *Breaking the Silence-Building True Peace: A Report on the Disturbances in Matabeleland and Midlands 1980 to 1988*. Harare: Catholic Commission for Justice and Peace in Zimbabwe & Legal Resources Foundation.

National Constitutional Association

National Constitutional Assembly, 2005. *Consolidated Election Climate Report No 1 February 2005*. Harare: National Constitutional Assembly.

National Constitutional Assembly, 2005. *Consolidated Election Climate Report No 2 March 2005*. Harare: National Constitutional Assembly.

National Constitutional Assembly, 2005. *The 2005 Parliamentary Election: Flawed, Unfree, and Unfair!* April 2005. Harare: National Constitutional Assembly.

Research & Advocacy Unit

Political Violence against Women:

CSVSR (2006), *Women on the run: Women survivors of torture amongst refugees in South Africa*. Report produced for the Centre for the Study of Violence and Reconciliation and the Crisis in Zimbabwe Coalition. Zimbabwe Torture Victims/Survivors Project: Centre for Study of Violence & Reconciliation.

NCA (2010), *Fighting for a New Constitution: Human Rights Violations experienced by Female Members of the National Constitutional Assembly* (December 2009). Report prepared by RAU. Harare: National Constitutional Assembly.

RAU (2008), *The Treatment of Women Activists in Police Custody* (November 2008). A Report by the Research and Advocacy Unit (RAU). Harare: Research & Advocacy Unit;

RAU (2010), *Women, Politics and the Zimbabwe Crisis* (May 2010). Report produced by Idasa (An African Democracy Institute), the International Center for Transitional Justice (ICTJ), the Research and Advocacy Unit (RAU), and the Womens' Coalition of Zimbabwe (WCoZ). Harare: Research & Advocacy Unit;

RAU (2010), *Preying on the "Weaker" Sex: Political Violence against Women in Zimbabwe* (November 2010). Report produced by IDASA (An African Democracy Institute), the International Center for Transitional Justice (ICTJ) and the Research and Advocacy Unit (RAU). Harare: Research & Advocacy Unit.

RAU (2010), *"When the going gets tough the man gets going!" Zimbabwean Women's views on Politics, Governance, Political Violence, and Transitional Justice* (November 2010). Report produced by the Research and Advocacy Unit (RAU), Idasa (Institute for Democracy in Africa), and the International Center for Transitional Justice (ICTJ). Harare: Research & Advocacy Unit.

RAU (2010), *No Hiding Place. Politically Motivated Rape of Women in Zimbabwe*. Report produced by the Research and Advocacy Unit (RAU) and the Zimbabwe Association of Doctors for Human Rights (ZADHR) . December 2010. Harare: Research & Advocacy Unit;

RAU (2011), *Politically Motivated Rape in Zimbabwe* (May 2011). Report produced for the Women's Programme of the Research and Advocacy Unit. Harare: Research & Advocacy Unit.

RAU (2011), *Women and Political Violence: An Update*. July 2011. Harare: Research & Advocacy Unit.

RAU (2011), *Politically Motivated Violence against Women in Zimbabwe 2000-2010. A review of the public domain literature* (August 2011). Report produced by the Women's Programme, Research & Advocacy Unit. Harare: Research & Advocacy Unit.

RAU (2020), *Politically Motivated Rape in Zimbabwe* (May 2020). Harare: Research & Advocacy Unit.

RAU (2020), *Political Violence against Women: A Summary of Previous Research* (June 2020). Harare: Research & Advocacy Unit.

RAU & ZWLA (2013), *Risking Lives: the Fate of Women Human Rights Defenders in Zimbabwe* (10 December 2013). Harare: Research & Advocacy Unit and Zimbabwe Women Lawyers' Association.

Land & OVT:

GAPWUZ (2009), *If something wrong...The invisible suffering of commercial farm workers and their families due to "land reform"* (November 2009). Report prepared by the Research & Advocacy Unit and the Justice for Agriculture Trust. Harare: General Agricultural 7 Plantation Workers Union of Zimbabwe.

JAG/RAU (2008), *Land, Retribution, and Elections. Post-Election Violence on Zimbabwe's Remaining Farms 2008* (May 2008). Report prepared by the Justice for Agriculture Trust (JAG) & the Research and Advocacy Unit. Harare: Justice for Agriculture Trust.

JAG/RAU (2008), *Reckless Tragedy: Irreversible? A Survey of Human Rights Violations and Losses suffered by Commercial Farmers and Farm Workers from 2000 to 2008* (December 2008). Report prepared by the Research and Advocacy Unit (RAU). Harare: Justice for Agriculture Trust;

RAU (2021), *Human Rights and Displacements in Zimbabwe* (August 2021). Harare: Research & Advocacy Unit.

Transitional Justice:

Maisva, F (2009), *Human Rights Violations Against Women & Truth Commissions*. July 2009. Harare: Research & Advocacy Unit.

Pigou, P (2008), *Defining violation: Political violence or crimes against humanity?* Paper commissioned by the Research and Advocacy Unit. Pretoria: Idasa.

RAU (2007), *The responsibility to protect*. Harare: Research & Advocacy Unit.

RAU (2009), *Putting it Right: Reparations for Zimbabwean Women Victims of Human Rights Violations* (March 2009). Harare: Research & Advocacy Unit.

RAU (2009), *Transitional Justice in Zimbabwe: A pilot survey of the views of activists & victims* (January 2009). Report produced by the Research & Advocacy Unit. Harare: Research & Advocacy Unit.

RAU (2014), *Suggestions for setting up the National Peace and Reconciliation Commission (NPRC) Governance Programme* (May 2014). Harare: Research & Advocacy Unit.

RAU (2015), *Suggestions for establishing the National Peace and Reconciliation Commission (NPRC)* (March 2015). Harare: Research & Advocacy Unit;

RAU (2016), *"What the eye does not see, the heart cannot grieve for?" The Effects of Organised Violence and Torture*. Report produced for "Dealing with the Past: Local Dialogue on Operation Murambatsvina" 15 June 2016. Harare: Research & Advocacy Unit.

RAU (2021), *Organised Violence and Torture in Zimbabwe & the Liberation War* (May 2021). Harare: Research & Advocacy Unit.

- RAU (2021), *Organised Violence and Torture and Elections in Zimbabwe* (June 2021). Harare: Research & Advocacy Unit.
- RAU (2021), *Organised Violence and Torture in Dealing with Protests in Zimbabwe* (September 2021). Harare: Research & Advocacy Unit.
- RAU (2021), *A Short History of Organised Violence and Torture in Zimbabwe (1972 to 2020)* (December 2021). Harare: Research & Advocacy Unit.
- RAU (2022), *Organised Violence and Torture in Zimbabwe during Gukurahundi* (October 2021). Harare: Research & Advocacy Unit.
- RAU (2022), *Organised Violence and Torture after the Coup* (November 2021). Harare: Research & Advocacy Unit.
- RAU (2022), *Helping the victims and survivors of Organised Violence and Torture in Zimbabwe*. Harare: Research & Advocacy Unit.
- Reeler, AP (2013), *Gross human rights in Rhodesia and Zimbabwe, and the prospects for Transitional Justice* (5 May 2013). Paper produced for Zimbabwe Roundtable Discussion on “Building Sustainable Peace in Zimbabwe: Options for Promoting Truth, Justice, Reparations, and Accountability” Sunnyside Park Hotel, Johannesburg, 7th-8th May 2013. Harare: Research & Advocacy Unit.
- Reeler, AP (2012), *The Zimbabwean Experience of Transitional Justice, in Zimbabwe*. Conference Report for Human Rights NGO Forum “International Conference on Transitional Justice”. Troutbeck, Nyanga 4-6 October 2012. Harare: Research & Advocacy Unit.
- Reeler, AP & Mue, N (2014), *The Development of a National Transitional Justice Strategy* (May 2014). Harare: Research & Advocacy Unit.
- Chitsike, K (2008), *The Relevance of the Nairobi Declaration for Zimbabwe*. Report prepared for the Research and Advocacy Unit. Pretoria: Idasa.

Violence against Teachers:

- Pswarayi, L & Reeler, AP (2012), *“Fragility” and education in Zimbabwe: Assessing the impact of violence on education* (December 2012). Harare: Research & Advocacy Unit.
- PTUZ (2012), *Every School has a Story. A Preliminary Report on Teachers Experiences of Elections in Zimbabwe* (February 2012). Report produced by PTUZ and RAU. Harare: Progressive Teachers Union of Zimbabwe.
- PTUZ (2012), *Political Violence and Intimidation of Zimbabwean Teachers* (May 2012). Report prepared for the Progressive Teachers Union of Zimbabwe (PTUZ) by the Research and Advocacy Unit (RAU). Harare: Progressive Teachers Union of Zimbabwe.
- Reeler, AP (2013), *Organised Violence and Torture and its Effects on Children* (July 2013). Harare: Research & Advocacy Unit.
- RAU (2018), *Zimbabwe – Political Violence and Elections* (April 2018). Harare: Research & Advocacy Unit.
- RAU (2018), *Making schools zones of safety & peace* (June 2018). Harare: Research & Advocacy Unit.
- SLII (2019), *Can there be Safe Schools for children if Teachers are not safe? A report on violations against Zimbabwean teachers during industrial action in 2019* (May 2019). Report produced by RAU for the Safe Learning Institutions Initiative. Harare: Research and Advocacy Unit.

Trauma & Healing:

CSVV (2009), *Subliminal Terror? Human rights violations and torture in Zimbabwe during 2008* (June 2009). Report produced for the Centre for Violence and Reconciliation by Tony Reeler. Johannesburg: CSVV [long report];

CSVV (2009), *Subliminal Terror? Human rights violations and torture in Zimbabwe during 2008* (June 2009). Report produced for the Centre for Violence and Reconciliation by Tony Reeler. Johannesburg: CSVV [short report].

RAU (2009), *Thoughts on national healing*. Harare: Research & Advocacy Unit.

RAU (2009), *A Research Note on the Effectiveness of the Tree of Life* (June 2009). Report prepared by Tony Reeler (Director). Harare: Research & Advocacy Unit.

RAU & CSU (2020), *Severity of Violence and the Long-term Effects: Comparison of Survivors of the Liberation War (1972 to 1980) with Survivors of Political Violence (2000 to 2002)* (October 2020). Harare: Research and Advocacy Unit & Counselling Services Unit.

Parsons, R, Reeler, A, Fisher, J & Mpande, E (2011), *Trauma and Mental Health in Zimbabwe* (November 2011). Harare: Research & Advocacy Unit.

Pswarayi, L & Reeler, AP (2012), *"Fragility" and education in Zimbabwe: Assessing the impact of violence on education* (December 2012). Harare: Research & Advocacy Unit.

Reeler, AP (1994), "Is torture a post-traumatic stress disorder?" *Torture* 4:59-65.

Reeler, AP (1995), "Surviving Torture: A Zimbabwean Experience" in D Irmiler (ed), *Old Ways-New Theories: Traditional and Contemporary Family Therapy Connect in Africa*. Harare: Connect.

Reeler, AP (2008), *Dealing with the "Complex Emergency" in Zimbabwe: Thoughts on Psycho-social support to the community*. Harare: Research & Advocacy Unit;

Reeler, AP (2009), *Complex Emergencies and the Tree of Life: A community-based approach to dealing with trauma*. Paper presented to ZIMA parallel mental health session (ZIMA annual Congress. October 2009). Harare: Research & Advocacy Unit.

Reeler, AP (2013), *Gross human rights in Rhodesia and Zimbabwe, and the prospects for Transitional Justice* (5 May 2013). Harare: Research & Advocacy Unit.

Reeler, AP (2017), *Operation Murambatsvina and its effects on political participation* (May 2017). Harare: Mass Public Opinion Institute & Research and Advocacy Unit.

Reeler, AP & Immerman, R (1994), "An initial investigation into psychological disorders in Mozambican refugees: Prevalence and clinical features" *Cent Afr J Med* 40:309-315.

Reeler, AP & Mbape, P (1998), "A pilot study of a brief form of psychotherapy for survivors of torture: The Single Therapeutic Interview" *Torture* 8:120-126.

Reeler, AP, Mbape, P, Matshona, J, Mhetura, J & Hlatywayo, E (2001), "The prevalence and nature of disorders due to torture in Mashonaland Central Province, Zimbabwe" *Torture* 11:4-9.

Political violence:

RAU (2016), *Are former liberation movements inherently violent as governments?* (February 2016). Harare: Research & Advocacy Unit.

RAU (2016), *A valedictory for civil society in Zimbabwe* (February 2016). Harare: Research & Advocacy Unit.

- RAU (2016), *Conflict or Collapse? Zimbabwe in 2016* (May 2016). Report prepared by the Research & Advocacy Unit (RAU). Harare: Research and Advocacy Unit.
- RAU (2017), *Zimbabwe since the elections in July 2013: The View from 2017* (August 2017). Harare: Research & Advocacy Unit.
- RAU & CSU (2020), *Severity of Violence and the Long-term Effects: Comparison of Survivors of the Liberation War (1972 to 1980) with Survivors of Political Violence (2000 to 2002)*. October 2020. Harare: Research & Advocacy Unit.
- Reeler, AP (2020), *Authoritarian Regimes and systemic changes: A view on Zimbabwe* (28 January 2020). Report produced for the Swiss Agency for Development Co-Operation. Harare: Research & Advocacy Unit.
- Reeler, AP & Chitsike, KC (2014), *Zimbabwe since the elections in July 2013* (April 2014). Harare: Research & Advocacy Unit.
- Reeler, AP & Chitsike, KC (2015), *Zimbabwe since the elections in July 2013: The View from 2015* (May 2015). Harare: Research & Advocacy Unit.
- Reeler, AP & Njeru, SK (2019), *The Context and Relevance of Conflict in Zimbabwe* (August 2019). Report produced for the Civil Peace Service (CPS) by the Research and Advocacy Unit (RAU) for Weltfriedensdienst (WFD), Southern Africa. Harare: Research & Advocacy Unit.

Solidarity Peace Trust

General reports:

- SPT (2003), *The Suffering Church. A Summary of Observations by ten South African Church Leaders*. 19 August to 3 September 2003. Zimbabwe & South Africa: Solidarity Peace Trust.
- SPT (2003), *National youth service training – “shaping youths in a truly Zimbabwean manner”. An overview of youth militia training and activities in Zimbabwe, October 2000 – August 2003* (5 September 2003). Zimbabwe & South Africa: Solidarity Peace Trust.
- SPT (2003), *Peaceful protest and police torture in Bulawayo*. South Africa & Zimbabwe: Solidarity Peace Trust.
- SPT (2004), *“No War in Zimbabwe”. An account of the exodus of a nation's people* Solidarity Peace Trust (November 2004). Zimbabwe & South Africa: Solidarity Peace Trust.
- SPT (2004), *“Disturbing the peace”. An overview of civilian arrests in Zimbabwe: February 2003 – January 2004* (July 2004). Zimbabwe & South Africa: Solidarity Peace Trust.
- SPT (2005), *Out for the count: Democracy in Zimbabwe. 2005 Zimbabwe Parliamentary Election Fact Finding & Observer Mission By South African Church and Civil Leaders* (May 2005). Zimbabwe & South Africa: Solidarity Peace Trust.
- SPT (2005), *Subverting Justice: The role of the Judiciary in denying the will of the Zimbabwe electorate since 2000* (March 2005). Zimbabwe & South Africa: Solidarity Peace Trust.
- SPT (2005), *Discarding the Filth: Operation Murambatsvina. Interim report on the Zimbabwean government's “urban cleansing” and forced eviction campaign May/June 2005*. Zimbabwe & South Africa: Solidarity Peace Trust.
- SPT (2005), *“Crime of poverty”: Murambatsvina Part II, incorporating “Hide and seek”: An account of finding the forcibly displaced in rural Matabeleland, July – September 2005*. Zimbabwe & South Africa: Solidarity Peace Trust.
- SPT (2006), *Policing the State. An evaluation of 1,981 political arrests in Zimbabwe: 2000-2005*. Zimbabwe & South Africa: Solidarity Peace Trust.

SPT (2006), *Operation Taguta/ Sisuthi. Command Agriculture in Zimbabwe: its impact on rural communities in Matabeleland* (April 2006). Zimbabwe & South Africa: Solidarity Peace Trust.

SPT (2007), *Destructive Engagement. Violence, Mediation and Politics in Zimbabwe*. Zimbabwe & South Africa:

SPT (2008), *Punishing Dissent, Silencing Citizens: The Zimbabwe Elections 2008* (21 May 2008). Johannesburg Solidarity Peace Trust.

SPT (2008), *Desperately Seeking Sanity: What Prospects for a New Beginning in Zimbabwe?* (29 July 2008). Johannesburg: Solidarity Peace Trust.

Transitional Justice

Eppel, S (2014), "'Bones in the Forest' in Matabeleland, Zimbabwe: Exhumations as a Tool for Transformation" *IJTJ*, 8(3):404-42

Eppel, S (2019), "Healing the dead in Matabeleland Zimbabwe" in *Indigenous, traditional and non-state transitional justice in Southern Africa* E Benyera (ed),. Lexington.

Eppel, S (2020), "In Pursuit of Policies of 'Reconciliation' from an Intransigent State: An Exercise in Folly" in *The Oxford Handbook of Zimbabwean Politics*, M Tendi, J McGregor & J Alexander (eds).

Eppel, S (2020), "How Shall We Talk of Bhalagwe? Remembering the Gukurahundi Era in Matabeleland, Zimbabwe" in *Post-Conflict Hauntings Transforming Memories of Historical Trauma*, K Wale, P Gobodo-Madikizela & J Prager (eds). Springer International Publishing.

Tree of Life

Mpande, E, Higson-Smith, C, Chimatira, RJ, Kadaira, A, Mashonganyika, J, Ncube, QM., Ngwenya, S, Vinson, G, Wild, R & Ziwoni, N (2013). "'Community intervention during ongoing political violence: What is possible? What works?' *Peace and Conflict: Journal of Peace Psychology* 19(2), 196-208. Available at <https://doi.org/10.1037/a0032529>

Ngwenya, Dumisani (2016) "'@Our Branches Are Broken': Using the Tree Of Life Healing Methodology with Victims of Gukurahundi in Matabeleland, Zimbabwe", *Peace and Conflict Studies* 23(1), Article 2. Available at <http://nsuworks.nova.edu/pcs/vol23/iss1/2/>
DOI: 10.46743/1082-7307/2016.1314

Reeler, AP, Chitsike, KC, Maisva, F & Reeler, BM (2009), "The Tree of Life: a community approach to empowering and healing survivors of torture in Zimbabwe", *Torture*, 19(3): 184-193.
<https://researchandadvocacyunit.org/report/the-tree-of-life-a-community-approach-to-empowering-and-healing-survivors-of-torture-in-zimbabwe/>

Zimbabwe Lawyers for Human Rights

Zimbabwe Lawyers for Human Rights (2003), *Human Rights in Zimbabwe: a baseline report January to June 2003*. Harare: Zimbabwe Lawyers for Human Rights.

Zimbabwe Lawyers for Human Rights (2004), *An overview of the human rights situation in Zimbabwe, with specific reference to repressive legislation, impunity, the state of the administration of justice and selective application of the law*. Harare: Zimbabwe Lawyers for Human Rights

Zimbabwe Association of Doctors for Human Rights (ZADHR)

ZADHR (2003), *Victims of Organised Violence and Torture 2 - 9 June 2003*. Harare: Zimbabwe Association for Doctors for Human Rights.

Zimbabwe Peace Project

General Reports:

ZPP (2005), *March 2005 Parliamentary Election Climate Report* (May 2005). Harare: Zimbabwe Peace Project.

ZPP (2006), *Politicisation of Aid. The Manicaland Experience. Monitoring report* (August 2006). Harare: Zimbabwe Peace Project.

ZPP (2007), *Partisan Food Distribution and Other Forms of Aid: A National Report* (September 2007). Harare: Zimbabwe Peace Project.

ZPP (2008), *March 29 Harmonised Election Post Mortem. An analysis of Trends, patterns and predictions for Electoral Run-Off*. Harare: Zimbabwe Peace Project.

ZPP (2008), *Run Up to 27 June 2008 Presidential Run-Off Election* (June 2008). Harare: Zimbabwe Peace Project.

ZPP (2008), *Post Election Violence Report No. 2*. Harare: Zimbabwe Peace Project.

ZPP (2008), *Post Election Violence Report No. 3*. Harare: Zimbabwe Peace Project.

ZPP (2008), *Post Election Violence Report No. 4*. Harare: Zimbabwe Peace Project.

ZPP (2008), *ZPP Human Rights and Food Monitoring Report* (August 2008). Harare: Zimbabwe Peace Project.

ZPP Monthly Monitoring Reports:

[2003]

Monthly Monitoring Report: February to March 2003 - Zimbabwe Peace Project

Monthly Monitoring Report: March to April 2003 - Zimbabwe Peace Project

Monthly Monitoring Report: June 2003 - Zimbabwe Peace Project

Monthly Monitoring Report: July to August 2003 - Zimbabwe Peace Project

Monthly Monitoring Reports: September 2003 through December 2003 - Zimbabwe Peace Project

~~Monthly Monitoring Report: September 2003 - Zimbabwe Peace Project~~

~~Monthly Monitoring Report: October 2003 - Zimbabwe Peace Project~~

~~Monthly Monitoring Report: November 2003 - Zimbabwe Peace Project~~

~~Monthly Monitoring Report: December 2003 - Zimbabwe Peace Project~~

[2004]

Monthly Monitoring Report: January 2004 - Zimbabwe Peace Project

Monthly Monitoring Report: May 2004 - Zimbabwe Peace Project

Monthly Monitoring Report: June 2004 - Zimbabwe Peace Project

Monthly Monitoring Report: July 2004 - Zimbabwe Peace Project

Monthly Monitoring Report: August 2004 - Zimbabwe Peace Project

Monthly Monitoring Report: September 2004 - Zimbabwe Peace Project

Monthly Monitoring Report: December 2004 - Zimbabwe Peace Project

[2005]

Monthly Monitoring Report: February 2005 - Zimbabwe Peace Project

Monthly Monitoring Report: March 2005 - Zimbabwe Peace Project

Monthly Monitoring Report: May 2005 - Zimbabwe Peace Project

Monthly Monitoring Report: June 2005 - Zimbabwe Peace Project

Monthly monitoring report: July 2005- Zimbabwe Peace Project

Monthly monitoring report: August 2005- Zimbabwe Peace Project

Monthly monitoring report: September 2005- Zimbabwe Peace Project

Monthly monitoring report: October 2005- Zimbabwe Peace Project

Monthly monitoring report: November 2005- Zimbabwe Peace Project

Monthly monitoring report: December 2005- Zimbabwe Peace Project

[2006]

Monthly Monitoring Report: February 2006 - Zimbabwe Peace Project

Monthly Monitoring Report: March 2006 - Zimbabwe Peace Project

Monthly Monitoring Report: April 2006 - Zimbabwe Peace Project

Monthly Monitoring Report: May 2006 - Zimbabwe Peace Project

Monthly Monitoring Report: June 2006 - Zimbabwe Peace Project

Monthly Monitoring Report: August 2006 - Zimbabwe Peace Project

Monthly Monitoring Report: September 2006 - Zimbabwe Peace Project

Monthly Monitoring Report: October 2006 - Zimbabwe Peace Project

Monthly Monitoring Report: November 2006 - Zimbabwe Peace Project

[2007]

Monthly Monitoring Report - June 2007 - Zimbabwe Peace Project

Monthly Monitoring Report: July 2007 - Zimbabwe Peace Project

Monthly Monitoring Report: August 2007 - Zimbabwe Peace Project

[2008]

Monthly Monitoring Report: July 2008 - Zimbabwe Peace Project

Monthly Monitoring Report: August 2008 - Zimbabwe Peace Project

Monthly Monitoring Report: September 2008 - Zimbabwe Peace Project

Monthly Monitoring Report: October 2008 - Zimbabwe Peace Project

Monthly Monitoring Report: November 2008 - Zimbabwe Peace Project

Monthly Monitoring Report: December 2008 - Zimbabwe Peace Project

[2009]

Monthly Monitoring Report: January 2009 - Zimbabwe Peace Project

Monthly Monitoring Report: February 2009 - Zimbabwe Peace Project

Monthly Monitoring Report: March 2009 - Zimbabwe Peace Project

Monthly Monitoring Report: April 2009 - Zimbabwe Peace Project

Monthly Monitoring Report: May 2009 - Zimbabwe Peace Project

Monthly Monitoring Report: June 2009 - Zimbabwe Peace Project

Monthly Monitoring Report: July 2009 - Zimbabwe Peace Project

Monthly Monitoring Report: August 2009 - Zimbabwe Peace Project

Monthly Monitoring Report: September to October 2009 - Zimbabwe Peace Project

Monthly Monitoring Report: December 2009 - Zimbabwe Peace Project

[2010]

Monthly Monitoring Report: January 2010 - Zimbabwe Peace Project

Monthly Monitoring Report: February 2010 - Zimbabwe Peace Project

Monthly Monitoring Report: March 2010 - Zimbabwe Peace Project

[2011]

Monthly Monitoring Report: February 2011 - Zimbabwe Peace Project

Monthly Monitoring Report: March 2011 - Zimbabwe Peace Project

Monthly Monitoring Report: April 2011 - Zimbabwe Peace Project

Monthly Monitoring Report: May 2011 - Zimbabwe Peace Project

Monthly Monitoring Report: June 2011 - Zimbabwe Peace Project

Monthly Monitoring Report: July 2011 - Zimbabwe Peace Project

Monthly Monitoring Report: August 2011 - Zimbabwe Peace Project

Monthly Monitoring Report: September 2011 - Zimbabwe Peace Project

Monthly Monitoring Report: October 2011 - Zimbabwe Peace Project

Monthly Monitoring Report: November 2011 - Zimbabwe Peace Project

[2012]

Monthly Monitoring Report: January 2012 - Zimbabwe Peace Project

Monthly Monitoring Report: March 2012 - Zimbabwe Peace Project

Monthly Monitoring Report: April 2012 - Zimbabwe Peace Project

Monthly Monitoring Report: June 2012 - Zimbabwe Peace Project
Monthly Monitoring Report: July 2012 - Zimbabwe Peace Project
Monthly Monitoring Report: August 2012 - Zimbabwe Peace Project
Monthly Monitoring Report: October 2012 - Zimbabwe Peace Project
Monthly Monitoring Report: December 2012 - Zimbabwe Peace Project

[2013]

Monthly Monitoring Report: January 2013 - Zimbabwe Peace Project
Monthly Monitoring Report: February 2013 - Zimbabwe Peace Project
Monthly Monitoring Report: March 2013 - Zimbabwe Peace Project

[2014]

[2015]

Monthly Monitoring Report: January 2015 - Zimbabwe Peace Project
Monthly Monitoring Report: February 2015 - Zimbabwe Peace Project
Monthly Monitoring Report: March 2015 - Zimbabwe Peace Project
Monthly Monitoring Report: April 2015 - Zimbabwe Peace Project
Monthly Monitoring Report: May 2015- Zimbabwe Peace Project
Monthly Monitoring Report: June 2015 - Zimbabwe Peace Project
Monthly Monitoring Report: July 2015 - Zimbabwe Peace Project
Monthly Monitoring Report: August 2015 - Zimbabwe Peace Project
Monthly Monitoring Report: September 2015 - Zimbabwe Peace Project
Monthly Monitoring Report: October 2015 - Zimbabwe Peace Project

[2016]

Monthly Monitoring Report: January 2016 - Zimbabwe Peace Project
Monthly Monitoring Report: February 2016 - Zimbabwe Peace Project
Monthly Monitoring Report: March 2016 - Zimbabwe Peace Project
Monthly Monitoring Report: May 2016 - Zimbabwe Peace Project
Monthly Monitoring Report: June 2016 - Zimbabwe Peace Project
Monthly Monitoring Report: July 2016 - Zimbabwe Peace Project
Monthly Monitoring Report: August 2016 - Zimbabwe Peace Project
Monthly Monitoring Report: September 2016 - Zimbabwe Peace Project
Monthly Monitoring Report: October 2016 - Zimbabwe Peace Project
Monthly Monitoring Report: November 2016 - Zimbabwe Peace Project

Monthly Monitoring Report: December 2016 - Zimbabwe Peace Project

[2017]

Monthly Monitoring Report: January 2017 - Zimbabwe Peace Project

Monthly Monitoring Report: February 2017 - Zimbabwe Peace Project

Monthly Monitoring Report: March 2017 - Zimbabwe Peace Project

Monthly Monitoring Report: April 2017 - Zimbabwe Peace Project

Monthly Monitoring Report: May 2017 - Zimbabwe Peace Project

Monthly Monitoring Report: June 2017 - Zimbabwe Peace Project

Monthly Monitoring Report: July 2017 - Zimbabwe Peace Project

Monthly Monitoring Report: August 2017 - Zimbabwe Peace Project

Monthly Monitoring Report: September 2017 - Zimbabwe Peace Project

Monthly Monitoring Report: October 2017 - Zimbabwe Peace Project

Monthly Monitoring Report: November 2017 - Zimbabwe Peace Project

Monthly Monitoring Report: December 2017 - Zimbabwe Peace Project

[2018]

Monthly Monitoring Report: January 2018 - Zimbabwe Peace Project

Monthly Monitoring Report: February 2018 - Zimbabwe Peace Project

Monthly Monitoring Report: March 2018 - Zimbabwe Peace Project

Monthly Monitoring Report: April 2018 - Zimbabwe Peace Project

Monthly Monitoring Report: May 2018 - Zimbabwe Peace Project

Monthly Monitoring Report: June 2018 - Zimbabwe Peace Project

Monthly Monitoring Report: July 2018 - Zimbabwe Peace Project

Monthly Monitoring Report: August 2018 - Zimbabwe Peace Project

Monthly Monitoring Report: September 2018 - Zimbabwe Peace Project

Monthly Monitoring Report: October 2018 - Zimbabwe Peace Project

Monthly Monitoring Report: November 2018 - Zimbabwe Peace Project

Monthly Monitoring Report: December 2018 - Zimbabwe Peace Project

[2019]

Monthly Monitoring Report: January 2019 - Zimbabwe Peace Project

Monthly Monitoring Report: February 2019 - Zimbabwe Peace Project

Monthly Monitoring Report: March 2019 - Zimbabwe Peace Project

Monthly Monitoring Report: April 2019 - Zimbabwe Peace Project

Monthly Monitoring Report: May 2019 - Zimbabwe Peace Project

Monthly Monitoring Report: June 2019 - Zimbabwe Peace Project
Monthly Monitoring Report: July 2019 - Zimbabwe Peace Project
Monthly Monitoring Report: August 2019 - Zimbabwe Peace Project
Monthly Monitoring Report: September 2019 - Zimbabwe Peace Project
Monthly Monitoring Report: October 2019 - Zimbabwe Peace Project
Monthly Monitoring Report: November 2019 - Zimbabwe Peace Project
Monthly Monitoring Report: December 2019 - Zimbabwe Peace Project

[2020]

Monthly Monitoring Report: January 2020 - Zimbabwe Peace Project
Monthly Monitoring Report: March 2020 - Zimbabwe Peace Project
Monthly Monitoring Report: April 2020 - Zimbabwe Peace Project
Monthly Monitoring Report: May 2020 - Zimbabwe Peace Project
Monthly Monitoring Report: June 2020 - Zimbabwe Peace Project
Monthly Monitoring Report: July 2020 - Zimbabwe Peace Project
Monthly Monitoring Report: August 2020 - Zimbabwe Peace Project
Monthly Monitoring Report: September 2020 - Zimbabwe Peace Project
Monthly Monitoring Report: October 2020 - Zimbabwe Peace Project
Monthly Monitoring Report: November 2020 - Zimbabwe Peace Project
Monthly Monitoring Report: December 2020 - Zimbabwe Peace Project

[2021]

Monthly Monitoring Report: February 2021 - Zimbabwe Peace Project
Monthly Monitoring Report: April 2021 - Zimbabwe Peace Project
Monthly Monitoring Report: May 2021 - Zimbabwe Peace Project
Monthly Monitoring Report: June 2021 - Zimbabwe Peace Project
Monthly Monitoring Report: July 2021 - Zimbabwe Peace Project
Monthly Monitoring Report: August 2021 - Zimbabwe Peace Project
Monthly Monitoring Report: September 2021 - Zimbabwe Peace Project
Monthly Monitoring Report: October 2021 - Zimbabwe Peace Project
Monthly Monitoring Report: November 2021 - Zimbabwe Peace Project
Monthly Monitoring Report: December 2021 - Zimbabwe Peace Project

[2022]

Monthly Monitoring Report: January 2022 - Zimbabwe Peace Project
Monthly Monitoring Report: February 2022 - Zimbabwe Peace Project

ZimRights

ZimRights (1998), *Choosing the Path to Peace and Development: Coming to Terms with Human Rights Violations of the 1982-1987 Conflict in Matabeleland and Midlands Provinces*. Harare: Zimbabwe Human Rights Association.

ZimRights (2003), *Kadoma Pre Election Violence Report*. Harare: Zimbabwe Human Rights Association.

Women of Zimbabwe Arise (WOZA)

WOZA (2007), *Defending Women – Defending the Nation. A Preliminary Report on Political Violence Against Women of Zimbabwe Arise (WOZA)* (October 2007). Harare: Women of Zimbabwe Arise;

WOZA (2008), *The effects of fighting repression with love* (March 2008). A report by Women of Zimbabwe Arise (WOZA). Harare: Women of Zimbabwe Arise;

WOZA (2008), *Counting the Costs of Courage. The traumatic consequences of gross human rights violations suffered by WOZA women*. Harare: Women of Zimbabwe Arise;

Zimbabwe Human Rights NGO Forum (2006), *A Woman's Place is in the Home? Gender Based Violence and Opposition Politics in Zimbabwe* (December 2006). Published by the Zimbabwe Human Rights NGO Forum.. Harare: Zimbabwe Human Rights NGO Forum.

Miscellaneous on Zimbabwe

CRTV (2003), *Report on a Survey of Torture and Violence in Zimbabwe*. Center for Rehabilitation of Torture Victims

CZC (2003), *Organised Violence and Torture in Zimbabwe, 20-24 March 2003*. Harare: Crisis Coalition of Zimbabwe
CZC (2003), *Mastering Patience or Mastered by Apathy: An Update on the Zimbabwean Situation - July/August 2003*. Harare: Crisis in Zimbabwe Coalition.

ISC (1983), *Conflict in Zimbabwe: The Matabeleland Problem*, Institute for the Study of Conflict.

De Bourbon, A (2003), "Litigation - human rights in Zimbabwe: Past, present and future" (2003) *AHRLJ* 2:195-221

Feltoe, G (2001), *The onslaught against democracy and rule of law in Zimbabwe*. Paper presented to "Crisis in Zimbabwe: Implications for South Africa and Southern Africa", South African Institute of International Affairs, 14 February 2001, Johannesburg, South Africa.

ZWNews (2003), *Is Zimbabwe on the Brink of Genocide?* - Authors Anonymous. January 2003.

Mbape, P (1998), *Survivors of Organised Violence in Mashonaland Central Province*. Paper delivered at "Survivors of Organised Violence in Matabeleland: Facilitating an Agenda for Development" workshop held by AMANI Trust at Hotel Rio, Bulawayo, 21-22 July 1998.

Oxford Pro Bono Publico Group (2006), *Are the Activities Conducted during Operation Murambatsvina Crimes Against Humanity within the Meaning of Article 7 of the Rome Statute?* (November 2005) Legal Opinion. University of Oxford.

PAZ (1990), *Report on an International Conference on "The Consequences of Organised Violence in Southern Africa"*. Harare: Psychiatric Association of Zimbabwe.

PAZ (1991), *Regional Workshop Report on the Consequences of Organised Violence in Southern Africa*. Harare: Psychiatric Association of Zimbabwe.

Reeler, AP (1999), *Can you have a reparations policy without justice?* Paper presented to: VIIIth International Symposium on Torture: Torture as a Challenge to the Health, Legal and Other Professions, 22-25 September 1999, New Delhi, India.

- Reeler, AP (1999), *Care for Care Givers*, Paper presented to: VIIIth International Symposium on "Torture: Torture as a Challenge to the Health, Legal and Other Professions", 22-25 September 1999, New Delhi, India.
- Reeler, AP (2000), *Organised violence and torture: A Zimbabwe case study*. Paper presented to "Human Rights Monitoring and Reporting", the Southern African Human Rights NGO Network, 27-30 November. Harare, Zimbabwe.
- Reeler, AP (2001), *State Sponsored Organised Violence and Torture in Zimbabwe*. Paper presented to "Civil Society and Media Freedoms Training Workshop", Organised by MISA-Zimbabwe Chapter, Leopard Rock Hotel, 4-5 July 2001.
- Reeler, AP (2001), *The Extent of Political Violence in Zimbabwe*. Paper presented to "The Responsibility of Religions in Times of Crisis", Organised by the Catholic Commission for Justice and Peace in Zimbabwe, Great Zimbabwe Safari Lodge, 11-13 July 2001.
- Reeler, AP (2001), *The Leaders of Death: State Sponsored Violence in Zimbabwe*. Paper presented to "Crisis in Zimbabwe: Implications for South Africa and Southern Africa", South African Institute of International Affairs, 14 February 2001, Johannesburg, South Africa.
- Reeler, AP (2003), *Torture or Crimes against Humanity?* Paper presented to "Constructing Solutions for the Zimbabwean Dilemma," A Conference Organised by Idasa and Sponsored by the Netherlands Institute for Multi-Party Democracy, Zebra Country Lodge, Pretoria South Africa, 4-6 March 2003.
- Reeler, AP (2003), *The Perpetrators of Gross Human Rights Violations in Zimbabwe from February 2000 to March 2003*. Paper presented to "Civil Society and Justice in Zimbabwe: A Symposium", organised by the ZHRNGOF, Themba LeSizwe and the International Bar Association, Holiday Inn, Johannesburg, 11-13 August 2003.
- Reeler, AP (2004), *Militarised youth in Zimbabwe*. Paper presented to 2nd National Conference on Victim Empowerment, "Ten Years of Democracy: From Victims' Needs to Victims' Rights?" 31 August to 2 September 2004, ICC, Durban, Themba LeSizwe.
- Reeler, AP (2004), "Sticks and Stones; Skeletons and Ghosts" in D Harold-Berry (ed), *Zimbabwe: The Past is the Future. Rethinking Land, State and Nation in the Context of Crisis*. Harare: Weaver Press.
- Reeler, AP & Immerman, R (1993), *A preliminary investigation into psychological disorders amongst Mozambican refugees: Prevalence and clinical features*. Paper presented to VIth International Symposium on "Torture as a challenge to Doctors and other Health Professionals", Buenos Aires, October 1993.
- Reeler, AP & Immerman, R (1993), *Psychological disorders in Mozambican refugees: Report of a primary care management programme*. Paper presented to VIth International Symposium on "Torture as a Challenge to Doctors and other Health Professionals", October 1993, Buenos Aires.
- Reeler, AP & Mupinda, M (1995), *Community-based rehabilitation for survivors of organised violence: Some preliminary findings*. Paper presented to an International Conference on "Mental Health in Africa: A Multidisciplinary Approach", 3-7 April 1995, Harare.
- ZCDT (2003), *Report on Internally Displaced Farm Workers Kadoma, Chegutu and Kwekwe*. Zimbabwe Community Development Trust.
- ZimGov (1983), *Report on the National Disability Survey of Zimbabwe*. Ministry of Labour and Social Services & Unicef.
- Semwayo, M (2004), *An Investigation Into The Causes of Political Violence During the March 2002 Presidential Election In Zimbabwe, With Particular Reference To Rusitu Valley, Chimanimani District*. Mutare: Africa University.

Zimbabwe Institute (2004), *Playing with Fire*. Cape Town: Zimbabwe Institute.

Reports of International organisations

ActionAid

ActionAid (2005), *A Study on the Impact of "Operation Murambatsvina/Restore Order" in 26 Wards of Harare High Density Housing Areas* (July 2005). ActionAid International in Collaboration with Combined Harare Residents Association (CHRA).

ActionAid (2005), *A Study on the impact of "Operation Murambatsvina/Restore Order" in Zimbabwe* (August 2005). ActionAid International – Southern Africa Partnership Programme (SAPP-ZIMBABWE) in collaboration with Combined Harare Residents Association (CHRA) and Zimbabwe Peace Project (ZPP).

ActionAid (2005), *An in-depth study on the impact of Operation Murambatsvina/Restore Order in Zimbabwe* (November 2005). ActionAid International in collaboration with the Counselling Services Unit (CSU), Combined Harare Residents' Association (CHRA) and the Zimbabwe Peace Project (ZPP).

Amnesty International

AI (1977), *Rhodesia: AI campaign: use of torture in Rhodesia*. London: Amnesty International.

AI (1977), *Rhodesia: The death penalty and executions in Rhodesia*. London: Amnesty International.

AI (1977), *Rhodesia: Torture in Rhodesia: Extracts of Statements received by AI*. London: Amnesty International.

AI (1979), *Rhodesia: HR violations in Rhodesia 1978/1979*. London: Amnesty International.

AI (1980), *Rhodesia: Full report*. London: Amnesty International.

AI (1983), *Zimbabwe: Detentions, torture and killings in Matabeleland*. London: Amnesty International.

AI (2005), *Detention without trial of political prisoners in Zimbabwe*. London: Amnesty International.

AI (1986), *Zimbabwe: Some recent cases of detention without trial*. London: Amnesty International.

AI (1989), *Zimbabwe: Torture and detention without trial*. London: Amnesty International.

AI (2000), *Zimbabwe: Terror tactics in the run-up to the parliamentary elections, June 2000*. London: Amnesty International.

AI (2002), *Zimbabwe: The Toll of Impunity*. London: Amnesty International.

AI (2003), *Zimbabwe. Rights under siege*. London: Amnesty International.

AI (2005), *Zimbabwe: An assessment of human rights violations in the run-up to the March 2005 parliamentary elections*. London: Amnesty International.

AI (2007), *Zimbabwe. Between a Rock and a Hard Place – women human rights defenders at risk*. London: Amnesty International.

AI (2011), *Left behind. The Impact of Zimbabwe's Mass Forced Evictions on the Rights to Education*. London: Amnesty International.

AI (2008), *Zimbabwe. Time for Accountability*. London: Amnesty International.

AI (2019), *"Open for Business. Closed for Dissent". Crackdown in Zimbabwe during the National Stayaway, 14-16 January 2019*. London: Amnesty International.

AI & ZLHR (2006), *Zimbabwe. Shattered lives - the case of Porta Farm*. 31 March 2006. London: Amnesty International.

Centre for Study of Violence and Reconciliation

CSV (2009), *Subliminal Terror? Human rights violations and torture in Zimbabwe during 2008* (June 2009). Johannesburg: Johannesburg: Centre for Study of Violence and Reconciliation.

Human Rights Watch

HRW (2002), *Fast track land reform in Zimbabwe*. New York: Human Rights Watch.

HRW (2003), *The Politics of Food Assistance in Zimbabwe*. A Human Rights Watch Briefing Paper. August 12, 2004. New York: Human Rights Watch.

HRW (2003), *Under a Shadow: Civil and Political Rights in Zimbabwe*. A Human Rights Watch Briefing Paper. June 6, 2003. New York: Human Rights Watch.

HRW (2004), *Not a Level Playing Field: Zimbabwe's Parliamentary Elections in 2005*. A Human Rights Watch Briefing Paper. March 21, 2005. New York: Human Rights Watch.

HRW Watch (2006), *"You Will Be Thoroughly Beaten". The Brutal Suppression of Dissent in Zimbabwe*. A Human Rights Watch Briefing Paper. November 2006. New York: Human Rights Watch.

HRW (2008), *All Over Again. Human Rights Abuses and Flawed Electoral Conditions in Zimbabwe's Coming General Elections* (March 2008). A Human Rights Watch Briefing Paper. New York: Human Rights Watch.

HRW (2008), *"They Beat Me like a Dog". Political Persecution of Opposition Activists and Supporters in Zimbabwe* (2008). A Human Rights Watch Briefing Paper. New York: Human Rights Watch.

HRW (2009), *Crisis without Limits Human Rights and Humanitarian Consequences of Political Repression in Zimbabwe* (2009). A Human Rights Watch Briefing Paper. New York: Human Rights Watch.

HRW (2017), *Political Violence on the Rise in Zimbabwe*. New York: Human Rights Watch.

HRW (2019), *Zimbabwe: Excessive Force Used Against Protesters: Investigate, Prosecute Responsible Security Forces*. New York: Human Rights Watch.

International Parliamentary Union

IPU (2004), *Committee on the Human Rights of Parliamentarians: Report of its mission to Zimbabwe, 28 March - 2 April 2004*. Geneva: International Parliamentary Union.

International Rehabilitation Council for Torture Victims (IRCT)

IRCT (2000), *Organised Violence and Torture in Zimbabwe* (6 June 2000). Copenhagen and Harare: International Rehabilitation Council for Torture Victims & Amani Trust :International Rehabilitation Council for Torture Victims & Amani Trust.

IRCT (2001) *Organised Violence and Torture in Zimbabwe* (24 May 2001). Copenhagen and Harare: International Rehabilitation Council for Torture Victims & Amani Trust.

Idasa

Reeler, AP & Chitsike, KC (2005), *Trick or Treat? The effects of the pre-election climate on the poll in the 2005 Zimbabwe Parliamentary Elections* (June 2005). Pretoria: Idasa.

Physicians for Human Rights

PHR (2002), *Zimbabwe 2002. The Presidential Election: 44 days to go* (24 January 2002). Physicians for Human Rights, Denmark.

PHR (2002), *Zimbabwe: Post Presidential Election – March to May 2002 “We’ll make them run”* (21 May 2002). Physicians for Human Rights, Denmark.

PHR (2002), *Zimbabwe: Voting ZANU for Food: Rural District Council and Insiza Elections* (August to October 2002). Physicians for Human Rights, Denmark.

Redress Trust

Redress (2003), *Reparation for Torture: A Survey of Law and Practice in 30 Selected Countries (Zimbabwe Country Report)* (May 2003). London: Redress Trust.

Redress (2004), *The Case of Henry Dowa: The United Nations and Zimbabwe under the spotlight* (January 2004). London: Redress Trust.

Redress (2004), *Zimbabwe: From Impunity to Accountability. Are reparations possible for victims of gross and systematic violations?* (March 2004). London: Redress Trust.

Redress Trust (2004), *Zimbabwe. Tortuous Patterns Destined to Repeat Themselves in Upcoming Election Campaign: Preliminary Study of Trends and Associations in the Pattern of Torture and Organised Violence in Zimbabwe, July 2001 - December 2003*. London: Redress Trust.

Redress (2005), *Torture in Zimbabwe, Past and Present Prevention, Punishment, Reparation? A Survey of Law and Practice* (June 2005). London: Redress Trust.

Redress (2005), *Zimbabwe: The Face of Torture and Organised Violence. Torture and Organised Violence in the run-up to the 31 March 2005 General Parliamentary Election*. London: Redress Trust.

Themba LeSizwe

Themba LeSizwe (2004), *Civil Society and Justice in Zimbabwe*. Proceedings of a symposium held in Johannesburg, 11-13 August 2003, Pretoria: Themba LeSizwe.

Themba LeSizwe (2004), *Out of the Frying Pan into the Fire. A report on Zimbabwean political refugees in South Africa* (May 2004). Pretoria: Themba LeSizwe.

Zimbabwe Human Rights NGO Forum

Physical Address: 18 Wanganui Avenue, Meyrick Park, Harare, Zimbabwe

Telephone: +263 867 700 8773

Email: admin@hrforum.co.zw

Website: <https://www.hrforumzim.org/>

Counselling Services Unit

Physical Address: Suite 1, 1 Raleigh Street, Harare, Zimbabwe, PO Box 5465, Harare, Zimbabwe

Telephone: +263 (0) 4 773 496, 772 843, 772 883, 792 222, (0) 772 260 378

Email: csu@medco.co.zw

Heal Zimbabwe Trust

Physical Address: 36 Arundel School Rd, Mt Pleasant, Harare

Telephone: +263 771 333 135 / 0779449071

Email: info@healzimbabwe.co.zw

Website: www.healzimbabwe.co.zw

Research & Advocacy Unit

Physical Address: 4 Donaldson Lane, Avondale, Harare, Zimbabwe

Telephone: +242 302 764; +263 777 224 476

Email: info@rau.co.zw, admin@rau.co.zw

Website: www.researchandadvocacyunit.org

Veritas

Email: veritaszim@gmail.com

Website: www.veritaszim.net