

sentences, imposed in 2006 after they were convicted of murder, were confirmed by both the Appeal Court and the Supreme Court.

■ Ahmed Omar al-Abbadi al-Markashi was at risk of execution after his death sentence was confirmed by the Appeal Court in June. A security guard at the Sana'a home of Hisham Bashraheel, chief editor of *al-Ayyam* newspaper, he was convicted of murder in June 2010 in connection with an incident in 2008 when one of several armed men who fired shots at the editor's house was killed when his security guards returned fire. His trial was unfair.

Amnesty International visits/reports

✈ The government did not accede to Amnesty International's requests to visit Yemen in 2011.

📄 Yemen: Human rights activist threatened, Tawakkol Karman (MDE 31/003/2011)

📄 Moment of truth for Yemen (MDE 31/007/2011)

📄 Yemen transition tainted by "immunity" deal (PRE01/591/2011)

ZIMBABWE

REPUBLIC OF ZIMBABWE

Head of state and government:

Robert Mugabe

Death penalty:

retentionist

Population:

12.8 million

Life expectancy:

51.4 years

Under-5 mortality:

89.5 per 1,000

Adult literacy:

91.9 per cent

Discord and mistrust within the Government of National Unity (GNU) continued to undermine delivery on key objectives of the Global Political Agreement. This led to severe delays in drawing up a new Constitution and implementing electoral, media and security reforms that would lead to elections. Elements within the security forces continued to exert pressure on the two Movement for Democratic Change (MDC) parties by ordering the arrest of senior party members or unlawfully disrupting their political activities. Human rights defenders were arrested, detained and tortured in police custody, especially in the aftermath of the protests in the Middle East and North Africa. The police continued

to operate in a partisan manner, failing to take action against members of President Mugabe's ZANU-PF party when they harassed, intimidated or beat up perceived political opponents.

Background

The GNU failed to complete the process towards establishing a new Constitution, which was running more than a year behind schedule. This was mainly due to inadequate funding of the Constitution process and squabbles between the parties in the unity government. ZANU-PF continued to resist security sector and media reforms that were agreed as part of the Global Political Agreement, which was signed by the three major parties in September 2008 and led to the creation of the unity government in February 2009. On 24 November, the Broadcasting Authority of Zimbabwe awarded commercial broadcasting licences to the state-controlled Zimbabwe Newspapers Group and AB Communications. Both media houses were seen as close to ZANU-PF.

The Southern African Development Community (SADC), through President Jacob Zuma of South Africa, continued to mediate between ZANU-PF and the two MDC political parties, who agreed on an election road map. However, the implementation of agreements was again hampered by suspicion and mistrust at the top levels of the government. In June, Brigadier-General Douglas Nyikayaramba caused alarm when he was quoted in the state-controlled *Herald* newspaper, saying that ZANU-PF and the security forces were one and that the Prime Minister, Morgan Tsvangirai, was a security threat.

On 31 March the SADC's Organ Troika on Politics, Defence and Security Cooperation called for an end to the violence in Zimbabwe, including arrests and intimidation of political opponents of ZANU-PF.

Talk of a possible election in 2011, mainly by President Mugabe and ZANU-PF members, increased tensions in rural and suburban communities mainly affected by the 2008 state-sponsored violence. There were reports of harassment and intimidation by ZANU-PF supporters against perceived opponents. In some areas this led to inter-party clashes. However, police appeared to only arrest opponents of ZANU-PF, leading to a perception that ZANU-PF supporters were above the law.

During the build-up to the congress of Morgan Tsvangirai's MDC party (MDC-T) in Bulawayo in April,

some party members were involved in violent clashes as they competed for positions. Clashes within the MDC-T were reported in Manicaland, Masvingo, Bulawayo and Midlands provinces during provincial congresses.

Freedom of expression, association and assembly

Police used the Public Order and Security Act to undermine the political activities of the two MDC parties. Throughout the year they continued to interfere with their activities, blocking meetings or failing to act when ZANU-PF supporters attempted to disrupt meetings. In some instances police used excessive force, or threatened force, to block MDC meetings that had been sanctioned by the courts; no ZANU-PF meetings were blocked by the police. In instances of inter-party violence, police rarely arrested ZANU-PF supporters.

Chipangano, a gang linked to ZANU-PF, committed human rights abuses with total impunity in their base in Mbare and in other parts of Harare. On 23 July they invaded the Parliament building, disrupted a public hearing on the Zimbabwe Human Rights Commission Bill, and beat several people, including a member of Parliament and a journalist. No one was arrested despite the presence of the police. In October in Marondera and Mutare, groups of ZANU-PF supporters disrupted public consultations by Parliament on the Electoral Amendment Bill, causing further delays to the electoral reform process.

■ On 21 January, Amnesty International witnessed ZANU-PF supporters, demonstrating at Harare's town hall, beating members of the public in the presence of anti-riot police. They beat a high-school student for taking a photograph, and beat and stripped a young woman who was wearing an MDC-T T-shirt. The two were seriously injured and needed medical treatment. The police did not intervene to stop the violence.

■ In February, 23 villagers from Nyanga district in Manicaland province, and Douglas Mwonzora, the local MDC-T member of Parliament, were arrested and held in custody. They were accused of public violence following clashes between members of ZANU-PF and the MDC-T. No ZANU-PF members were arrested. The 24 detainees were granted bail, but the state used Section 121 of the Criminal Procedure and Evidence Act (CPEA) to suspend the bail order, and prolonged the detention by a further seven days. Section 121 of

the CPEA has been used in the past to prolong detention of perceived opponents of ZANU-PF.

■ On 10 July, Professor Welshman Ncube, leader of the MDC, the smaller of the two MDC parties, and several members of the party's executives, were detained in Hwange after being stopped at a police checkpoint. They were released after a couple of hours without charge.

■ Police in Matabeleland North province blocked two MDC-T rallies in Lupane and Victoria Falls on 29 and 30 October respectively. The rallies were to be addressed by Morgan Tsvangirai.

■ On 6 November, ZANU-PF followers disrupted a rally planned by the MDC-T at Chibuku Stadium in the town of Chitungwiza, and allegedly attacked supporters. Violence ensued and the meeting was abandoned. The police, who had been notified of the rally, were present but made no arrests. Following this incident, police spokespeople stated that they would not police MDC-T political activities, effectively preventing the MDC-T from holding rallies due to concerns about the safety of people attending. However, police subsequently provided a presence at an MDC-T rally at the same venue, effectively allowing it to go ahead.

Arbitrary arrests and detentions

Politically motivated arrests of senior members of the MDC parties persisted. Scores of MDC supporters were also arrested, some spending months in custody on politically motivated charges. Similar arrests over the years have ended in acquittals or the dropping of charges.

■ On 10 March, the Minister of Energy and Power Development, Elton Mangoma, of the MDC-T party, was arrested on trumped-up charges of corruption. He was later acquitted in court.

■ On 14 April, Moses Mzila, Minister of National Healing and Reconciliation and a member of the MDC, was arrested for allegedly failing to notify the police about a meeting held the day before in Lupane, Matabeleland North. On the same day, a Roman Catholic priest, Father Marko Mabutho Mnkandla, was arrested for holding mass in memory of the victims and survivors of the *Gukurahundi*, the atrocities committed by state security forces in Matabeleland in the 1980s.

■ In June, Jameson Timba, Minister of State in the Prime Minister's office, was arrested after allegedly writing in a local newspaper that President Mugabe had lied about the outcome of the SADC summit held in Johannesburg earlier in the month.

■ More than 25 people were arrested in connection with an incident in Glen View in Harare on 29 May, when a police officer, Petros Mutedza, was beaten to death by a mob. Without carrying out proper investigations, police issued statements blaming MDC-T supporters, and clamped down on the party's supporters in the area. Some of those arrested were tortured in police custody. Seven were denied bail and at the end of the year were still in remand prison. Cynthia Manjoro, a human rights defender, was arrested after her car was reportedly seen being driven near where the violence took place; she herself was not in the area at the time and is not an MDC-T official.

Human rights defenders

Human rights defenders continued to face arbitrary arrests, unlawful detention, politically motivated charges, and even torture in police custody. Community-based activists faced harassment and intimidation by members of ZANU-PF because of their human rights work. Such threats and intimidation increased as ZANU-PF started making pronouncements of a possible election in 2011.

On 19 February, Munyaradzi Gwisai and 44 other activists were arrested by police in Harare while holding a meeting to discuss the implications of the protests in Egypt and Tunisia. They were detained beyond the 48 hours allowed by law and, just minutes before being taken to court on 23 February, told that they were being charged with treason. They were denied medical treatment and access to their lawyers and some reported being tortured by police. Thirty-nine of the activists were acquitted on 7 March. The treason charges were dropped in July but they continued to face charges of "conspiracy to commit violence or alternatively inciting public violence or participating in a gathering with intent to promote public violence, breaches of peace and bigotry."

On 28 February, seven members of the campaigning organizations Women of Zimbabwe Arise (WOZA) and Men of Zimbabwe Arise were arrested in Bulawayo. They were reportedly tortured at Bulawayo Central police station. Two days later they were released on US\$50 bail and told to report to the police twice a week.

On 1 March, another 14 WOZA activists were arrested in Bulawayo while holding meetings on social issues. They were released the same day without charge.

Forced evictions

The government failed to provide education for thousands of children affected by the 2005 mass forced evictions, known as Operation Murambatsvina. In Hopley and Hatcliffe Extension, two settlements created by the government to rehouse the victims of the evictions in Harare, more than 2,000 children were attending unregistered primary schools, in inadequate buildings without trained teachers or stationery. More than six years after the forced evictions, most victims have been driven deeper into poverty because of the government's failure to find effective remedies.

Rights of lesbian, gay, bisexual and transgender people

Persecution of people based on their sexual orientation continued.

■ On 20 October two men, Lionel Girezha, aged 27, and Ngonidzashe Chinya, aged 28, were arrested in the suburb of Mbare in Harare and charged with sodomy. They deny the charges. They were beaten by the people who reported them before being taken into police custody. When the trial started, members of the ZANU-PF-linked Chipangano gang harassed and threatened the lawyers with violence for representing people suspected of being gay. Police failed to protect the lawyers, who had to appeal to the High Court to have the location of the trial changed from Mbare.

In October, Morgan Tsvangirai said in an interview with the BBC that he supported the rights of gay people. He was criticized by the state-controlled media, who tried to politicize the statement and incite hatred against "homosexuals".

Amnesty International visits/reports

✈️ Amnesty International visited Zimbabwe in January, August, September, October and November/December.

📄 Zimbabwe: Briefing to the pre-session working-group of the UN Committee on the Elimination of Discrimination Against Women – 51st Session (AFR 46/014/2011)

📄 Zimbabwe: Continued clampdown on dissent – Amnesty International submission to the UN Universal Periodic Review, March 2011 (AFR 46/016/2011)

📄 Left behind: The impact of Zimbabwe's mass forced evictions on the right to education (AFR 46/019/2011)