

Zimbabwe Human Rights NGO Forum- Celebrating 10 years of working for the observance of human Rights in Zimbabwe

The Founding and the development of the Zimbabwe Human Rights NGO Forum

The Zimbabwe Human Rights NGO Forum (Human Rights Forum) was established after the Food Riots in 1998 as human rights groups and NGOs in Harare swung into action following the many reports of human rights violations. This group, a loose alliance of NGOs, provided assistance to detainees, persons complaining of human rights violations and ill-treatment, and produced a report on the riots which was forwarded to the President and Parliament in support of the request for an independent commission of inquiry. At its inception, the Forum was constituted by

- Amani Trust
- Catholic Commission for Justice and Peace
- Legal Resources Foundation
- University of Zimbabwe (Legal Advice Centre)
- Transparency international
- Zimbabwe Women Lawyers Association
- Zimbabwe Lawyers for human Rights
- ZimRights

There was no response from the government, and the Human Rights Forum lobbied the UN Human Rights Committee at its meeting in 1998 to consider the implementation by Zimbabwe of the *International Covenant on Civil and Political Rights*. When the Committee produced its final report in September 1998, it made a strong statement endorsing the call by the Human Rights Forum for an independent commission of inquiry. The government took no steps either to constitute a commission of inquiry or to compensate those who suffered human rights violations, so the Human Rights Forum decided to go ahead and support the request by survivors for civil claims against the government. Forty-two suits were filed in Zimbabwean courts against the Zimbabwe Republic Police, the Minister of Home Affairs, and the Minister of Defence. The government, through the office of the Attorney-General's Civil Division, indicated that it would contest all claims. The majority of these cases have been concluded, with the government either settling the matters out of court or through judgments handed down by the High Court.

As the human rights situation continued to deteriorate, the Human Rights Forum was not disbanded after the Food Riots but continued to monitor the human rights situation. From the year 2000 violence escalated in Zimbabwe, with the aftermath of the Referendum,¹ invasion of white-owned commercial

¹ Civil society led by the National Constitutional Assembly began a constitutional reform process and this caused tension between the sector and government in 1999. The government tried to take over the process by forming a

farms, and, for the first time in Zimbabwe's history, there was a real opposition party, the Movement for Democratic Change (MDC), that gave ZANU(PF) a run for its money in the June 2000 parliamentary elections. The election period in 2000 was fraught with violence, and the Human Rights Forum continued to give support to the victims and write reports both for the government to consider and for the wider international community.

In 2000, the government instituted a National Youth Service, widely believed to be a paramilitary force for the ruling ZANU(PF). This group is referred to as the 'youth militia' or 'Green Bombers' because of the colour of their uniforms. The militia unleashed a reign of terror on the nation and it was evident that their actions were condoned by the State; a report by the Solidarity Peace Trust details the activities of this group.² Allegations of murder, torture, rape, arson, destruction of property and denial of food aid and health care by the militia have been documented by local and international rights groups. The Amnesty International Report on Zimbabwe in 2003, *Zimbabwe: Rights under Siege* (AFR 46/012/2003), stated:

'ZANU-PF youth militia, trained in national youth service camps established throughout the country, were deployed to suburbs and rural areas in the run-up to elections and were implicated in the widespread harassment and torture of the political opposition. The number of reported cases of rape and other forms of sexual torture perpetrated against women suspected of supporting the political opposition increased. This intimidation and political violence created a climate of fear, and of impunity for perpetrators of human rights abuses.'

The government's violent campaign continued in 2001 through to the Presidential Election in March 2002. This phase saw the persistent decline of the economy, rule of law, and the independence of the judiciary.

In 2003, human rights violations continued with the same intensity during mayoral, local, and parliamentary by-elections. The police began to use more sophisticated forms of torture, including electric shock³. Electric wires were placed on the genitals of MDC MP Job Sikhala and prominent human rights lawyer Gabriel Shumba, and electric shocks were administered, among other forms of physical abuse. Violence escalated again in mid-2003, when the MDC began mass protests with the stay-aways; the army being called in to buttress the riot squad even though the mass protests were largely peaceful. There has been no improvement in the adherence to human rights between 2003 and the present. Although it is noteworthy that the pre-election period of 2005 saw a decrease in actual violence and torture, the levels of intimidation towards citizens were still far too high for the elections to be deemed free and fair.

Constitutional Commission that drafted a constitution, which was put to a vote in a Referendum in February 2000 and resulted in the government's historic defeat.

² Solidarity Peace Trust, "Shaping Youths in a Truly Zimbabwean Manner" <http://www.kubatana.net/docs/chiyoyouth_militia_030905_pix_sml.pdf>. The report covered the period October 2000 to August 2003

³ See Gabriel Shumba's statement presented to the United States Congress, House Committee on International Relations, Subcommittee on International Terrorism, Nonproliferation and Human Rights, Washington DC, 10 March 2004: <http://wwwc.house.gov/international_relations/108/shu031004.htm>.

The Human Rights Forum still exists today as there has been no significant change in the commission of human rights violations by State officials or State sanctioned institutions or individuals.

Below is a schedule of cases of human rights violations recorded by Zimbabwe Human Rights Forum over the years

	2001	2002	2003	2004	2005	2006	2007	Totals
Abductions	116	223	52	62	18	11	19	501
Unlawful arrest and detention	670	274	627	389	1286	2917	3352	9515
Assault	0	86	388	401	530	509	855	2746
attempted murder	0	2	10	8	1	3	0	24
death threats	0	12	80	35	9	7	7	150
disappearance	0	28	4	0	0	0	0	32
displacement	0	11	208	189	609	55	6	1078
Freedoms	12	39	809	760	1036	1866	3 477	7999
Murder	34	61	10	3	4	1	3	117
Political discrimination	194	388	450	514	488	296	980	3290
property violation	356	807	153	132	79	58	13	1577
Rape	0	7	6	3	4	1	0	21
school closure	0	45	1	0	0	0	0	46
Torture	903	1172	497	160	136	368	586	3822
Total	2285	3155	3295	2656	4200	6092	9298	30 918

Achievements/milestones

Through the Public Interest Unit (Legal Unit), the Forum has

- Filed the 1st Communication (Zimbabwe Human Rights NGO Forum vs The Government of Zimbabwe Communication number 245/02) ever from Zimbabwe with the African Commission on Human and Peoples Rights. The Communication (245/02) averred gross human rights violations during the 2000 and 2002 Parliamentary and Presidential Elections respectively. The African Commission's findings were that Government of Zimbabwe had violated clauses 1 and 7 of the African Charter on Human and Peoples rights. It recommended the setting up of a Commission of Inquiry to investigate, prosecute the perpetrators and compensate the victims of violence and torture. The Forum has filed more communications before the Commission and they are at various stages in the proceedings.

- Successfully engaged the African Human Rights Organs resulting in pronouncements on Zimbabwe such as the resolution on the Human Rights Situation in Zimbabwe by the African Commission.
- Successfully represented victims of organised violence and torture and filed claims for delictual damages on their behalf. Since its inception, the Human Rights Forum has filed more than 500 cases and 90 % of these cases had favourable judgements resulting in payment of compensatory awards.
- Successfully set up a database on all its cases. This has enabled production of various analytical reports on trends of violence

Through the Research Unit, the Forum has managed to

- Set up a database for victims of torture and organised violence
- Research, verify and document cases of organised violence and torture.
- Produce and publish more than 84 Monthly Political Violence Reports since 2001.
- Produce and publish close to 40 special/ ad hoc reports on specific political events

For instance after the infamous clean up exercise by the government in 2005, the Forum condemned the operation through the publication of two reports entitled

Order out of Chaos, or Chaos out of Order? A Preliminary Report on Operation "Murambatsvina" (June 2005)

The Aftermath of a Disastrous Venture: A Follow-up report on "Operation Murambatsvina" (September 2005)

The Human Rights Forum continues to interact with regional human rights bodies such as The African Commission on Human and Peoples Rights. Following wide spread reports of human rights violations, the Commission conducted a fact- finding mission to Zimbabwe in 2002 and made some recommendations. Pursuant to this, the Human Rights Forum produced a report titled

Zimbabwe Facts and Fictions: An Audit of the Recommendations of the Fact-Finding Mission of the ACHPR (November 2005)

Following an orgy of political violence in March 2007, the government through the Ministry of Home Affairs, published two reports absolving the police from the heavy handed use of violence and accusing the opposition and civil society of perpetrating violence during that period. As a result of these apparent inaccuracies and falsehoods, the Forum produced a report titled

“At Best A Falsehood, At Worst A Lie. Comments on the Zimbabwe Republic Police (ZRP) reports ‘Opposition forces in Zimbabwe: A trail of Violence” (August 2007)

These are but just a few examples of the publications of the Human Rights Forum. A full list of the reports published can be obtained on the following website link http://www.hrforumzim.com/frames/inside_frame_special.htm

The Forum has managed to lobby various international bodies concerning the human rights situation in the country. This has been achieved through direct representation at regional and international meetings.

Current Membership

The Current member organisations of the Human Rights Forum are:

- Amnesty International (Zimbabwe)
- Catholic Commission for Justice and Peace
- Gays and Lesbians of Zimbabwe
- Human Rights Trust of Southern Africa
- Legal Resources Foundation
- Media Institute of Southern Africa
- Media Monitoring Project of Zimbabwe
- Nonviolent Action and Strategies for Social Change
- Transparency International (Zimbabwe)
- Women of Zimbabwe Arise
- Zimbabwe Association for Crime Prevention and the Rehabilitation of the Offender
- Zimbabwe Association of Doctors for Human Rights
- Zimbabwe Civic Education Trust
- Zimbabwe Human Rights Association
- Zimbabwe Lawyers for Human Rights
- Zimbabwe Peace Project
- Zimbabwe Women Lawyers Association