

ZIMBABWE HUMAN RIGHTS NGO FORUM

POLITICAL VIOLENCE REPORT

January 2005

29 March 2005

A report by the Zimbabwe Human Rights NGO Forum

OVERVIEW

The month of January 2005 saw a number of assaults on people who were exercising their constitutional right to freedom of expression, assembly and association as guaranteed by Section 21¹ of the Constitution. This right is a fundamental pillar in a democratic society. Its violation is a great retrogression in terms of democracy and protection of human rights as enshrined not only in the Constitution but in regional and international human rights instruments to which Zimbabwe adheres as well. The Human Rights Forum is deeply concerned that the trend to violate the right to freedom of expression, association and assembly, especially as the Parliamentary elections approach, will lead to the violation of the right to participate freely in the governance of one's country as enshrined in the Universal Declaration of Human Rights Article 21.²

We emphasized this right in our Political Violence Report for December 2004 where comparative figures for the years 2003 and 2004 indicated that this was the most frequently violated right in both years. The pattern seems to continue in January 2005. Despite Police Commissioner Chihuri's declaration that the police would deal with perpetrators of political violence without fear or favor and across the board, incidents reported in January 2005 suggest that there is inconsistency in applying the instruction as between Police Stations.

As Zimbabwe goes to the polls on 31 March 2005, general indications are that there has been a reduction in physical political violence in the last two months as contrasted with previous elections and by-elections since 2000. In some quarters, this will be regarded as the prime indicator of whether the election has been free and fair. However one should not regard this election in isolation as to forget the torture, assault and grave violations of fundamental human rights that have been occurring over the years. Have these memories contributed to an atmosphere of fear, which is being reported from some quarters, as the Zimbabwean electorate recalls that what happened before can happen again? The Human Rights Forum holds the view that any form of violence, physical or psychological, is unacceptable and calls upon all from Government to law enforcement agencies and security forces to political parties, to ensure the constitutionally guaranteed rights of all Zimbabweans at all times.

¹ Section 21 of the Constitution guarantees every person's "*right to assemble freely and associate with other persons and in particular to form and belong to political parties*"

² Article 21 of The Universal declaration of Human Rights states that, "*everyone has the right to take part in government of his country, directly or through freely chosen representatives*"

Totals: 1 January – 31 January 2005

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

Notes to the tables:

Torture:

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

The four elements of torture are:

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

Those individuals referred to in point # 4 include the ZRP, ZNA, ZPS and the ZNLWVA (as a reserve force of the ZNA) and by any other grouping when directly sanctioned by the state.

Unlawful arrest and detention:

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

Abduction/kidnapping:

A kidnapping by a member(s) of an organised group that is not the ZRP, political party, ZNLWVA, ZNA, MDC, Zanu PF etc

Disappearance:

Kidnapped persons whose whereabouts remained unknown at the time of reporting. Their whereabouts have still to be ascertained through follow up reports or further investigation.

Property related

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

KEY ABBREVIATIONS

AIPPA – Access to Information and Protection of Privacy Act

CIO – Central Intelligence Organisation

MDC – Movement for Democratic Change

MP – Member of Parliament

NAGG - National Alliance for Good Governance

NCA – National Constitutional Assembly

OVT – Organised Violence and Torture

POSA – Public Order and Security Act

PTUZ – Progressive Teachers Union of Zimbabwe

UMP – Uzumba Maramba Pfungwe

Zanu PF – Zimbabwe African National Union Patriotic Front

ZCTU – Zimbabwe Congress of Trade Unions

ZNA – Zimbabwe National Army

ZNLWVA – Zimbabwe National Liberation War Veterans Association

ZPS – Zimbabwe Prison Service

ZRP – Zimbabwe Republic Police

ZIMTA – Zimbabwe Teachers Association

ZUPCO – Zimbabwe United Passenger Company

Cases of Political Violence

Note: *The identities of victims whose names have not been published in the press and are not public officials are protected. This is done in order to protect the victim from further violence, intimidation and possible recriminatory attacks.*

The purpose of this report is to record the nature of the politically motivated violence and intimidation that continues to prevail in the country. The Monthly Political Violence Reports are primarily based on victims' accounts, accompanied by medical evidence where possible, obtained from a network of human rights activists. Use is also made of press reports on politically motivated violence. The Monthly Political Violence Report cannot therefore be considered as the exhaustive record of all incidents of politically-motivated violence in Zimbabwe in the period under review. Nevertheless, every incident reported to the Human Rights Forum directly or through a network of human rights activists is meticulously documented and included in the reports.

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

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

HARARE

Harare central

18 January 2005

It is reported that seven women who took part in the Women Of Zimbabwe Arise (WOZA) demonstration against hikes in school fees were rounded up by the Riot Police at 12 noon after they had completed the demonstration. The women were beaten randomly and indiscriminately by police using baton sticks. Some were taken to Harare Central Police Station where they were detained and interrogated until around 7: 00 pm when one of them was released without charges being preferred against her. Six of the women were reportedly made to pay admission of guilt fines of \$25 000-00 each and charged under S 7(b) of the Miscellaneous Offences Act for conduct likely to provoke the breach of peace. One woman's child who is less than 2 years old was reportedly hurt in the process.

Harare East

24 January 2005

A Postman working in the Borrowdale area reports that on the day of the incident he delivered some letters at a certain Minister's house. The victim apparently went to the next house and when he was there, the policeman guarding the Minister's house beckoned him to come back. On his return to where the policeman was, he was accused of having left an MDC flier in the Minister's letterbox. The victim denied having had a hand in the act. Despite that, the victim claims that he was forced by the policeman to do press-ups and frog jumps for about two hours. The victim was allegedly threatened with disappearance and possibly with death. Upon release at about 3: 00 pm, the victim claims he tried to continue with letter delivering but could not. He went back to the office and reported to his Manager who in turn told him to report the matter to the police. The victim claims that he went to Borrowdale Police Station to report the matter but when he got there, the police allegedly told him that he was to be investigated by the Law and Order Department as they thought he had a case to answer. The victim reportedly sustained bruises on all fingers, swollen shoulder and pain on the left arm and right ankle.

Hatfield*25 January 2005*

Σ. ZANU PF youths were reported to have been moving from door to door threatening Epworth residents with unspecified action and saying that their colleagues from Chitungwiza would be deployed to Hatfield and Epworth to deal with anyone supporting the MDC. The youths are further alleged to be forcing people to register as voters for the forthcoming Parliamentary elections. The ZANU PF National Secretary for Youth, Absalom Sikhosana, is however reported to have condemned the action of the youths.

Σ. On the same day Dinason Mbwana, an MDC activist and Branch Chairperson for Epworth, was allegedly assaulted by ZANU PF militia who accused him of selling MDC membership cards. Mbwana reports that he had gone to Epworth Secondary School to meet the authorities over an order for school uniforms. Apparently, there were youths numbering about a dozen, who were meeting at the school, who accused him of sympathising with the MDC and of selling party membership cards. Mbwana was reportedly dragged into a nearby bush where he was assaulted with logs, sticks and sjamboks until he lost consciousness. They left him there after they apparently thought that he had died. He then managed to go to Harare Central Hospital where Dr Madamombe reported that there was slight possibility of permanent injuries due to the assault. He found bruises on the victim's the back and buttocks, swelling over the left mastoid and reduced hearing. Mbwana identified two of his assailants as Rambo of Donhororo base and Nyagura of Domboromwari Cell 5 in Epworth. Although a report was made to Epworth police, it appears that no arrests have been made so far.

8 January 2005

Another male victim was allegedly abducted along with his friends by four unidentified ZANU PF youths who accused them of being MDC activists. He and his colleagues were reportedly coming from a nearby Green Valley compound on Saturday night on their way home. The victim and his colleagues were apparently force-marched to a base in Green Valley, Epworth. They were reportedly locked inside one of the rooms, which had no lighting as the perpetrators went to get their weaponry. While inside the room, the victim claims that they were assaulted on the backs as the perpetrators took turns and exchanged weaponry. This is said to have gone on for about an hour after which they were ordered to run one at a time to Munyuki Shopping Centre, Epworth. The victim reportedly took this opportunity to escape to safety. He was then taken to Hospital and the assault was reported to the police.

Kuwadzana*30 January 2005*

In Kuwadzana, one male victim, who denies being an MDC activist, was allegedly assaulted at about 6: 00 pm. The assailants allegedly stopped him on his way to the shops and they started questioning him about various things including his associations with the girls in the area and asking him who he thought he was. Soon thereafter, the victim was allegedly assaulted with clenched fists all over his body. It is reported that the assailants had once accused him of being an MDC activist because he had waved to them with an open palm. This is said to have angered the assailants who argued that he

should not wave to them but had to use a clenched fist since they were ZANU PF comrades. The victim believes that this could be one of the reasons why he was assaulted.

Mbare West

21 January 2005

A male youth was allegedly evicted from his home by his parents due to fear of victimization. The victim is a student political activist and his parents' previous home was apparently burnt down due to his activism. When they moved to a new neighbourhood, it is alleged that suspicious looking people started visiting the victim at his house threatening him with unspecified action. This apparently led the parents to chase away their son, as they feared that their house could be burnt down again.

MASHONALAND CENTRAL***Mount Darwin North***

2 January 2005

One female victim was on her way home when, on alighting from a bus, she saw a man she recognized in the company of five others. She claims that the man accused her of being a sell out and that she had talked to the media regarding her previous activism and clashes she had had with the police. She apparently told him that this was an old case but he allegedly assaulted her with a fist on the chest and stamped on her right foot twice with heavy shoes. Some of the attacker's colleagues apparently advised him to stop but he took no heed. Her attacker reportedly pushed her towards some bushes. The victim claims she got hold of a stone and hit him on the head while shouting at him to release her or she would report him to the police for attempted rape. She was then apparently released but could not access medical help for lack of money. The attacker allegedly tore up the victim's paper identification document and he has since relocated.

MASHONALAND EAST***Marondera East***

9 January 2005

Σ. It is reported that on the day in question, from around 6: 00 am, ZANU PF youths force-marched Marondera residents to attend a rally at Rudaka Stadium in celebration of the election of Joyce Mujuru as Vice President. The residents were reportedly forced by the youths to abandon their programmes so they could attend the celebrations. It is further reported that even commuter omnibus operators were forced to divert from their normal routes to Rudaka Stadium.

Seke

21 January 2005

A male victim claims that some guards from a farm in the area came to his homestead looking for his nephew who was accused of stealing at the farm. It is reported that when they were searching his house, they found NCA and MDC regalia. After failing to locate the victim's nephew, the victim was later taken to war veterans who stay at a near by farm where he was accused of being an MDC supporter. The war veterans allegedly started assaulting him with sticks on the back, buttocks, thighs and calves. One of the war veterans allegedly kicked him in the ribs and threatened to tie him up and

throw him into a river. The Hatfield police apparently phoned the first farm asking about the victim's whereabouts. He was then reportedly driven to the police station where the war veterans and the guards were accused of ill-treating him unlawfully but were not charged. The victim was apparently held in holding cells for 4 days whilst his nephew was being sought.

MANICALAND

Chipinga south

January 2005

Σ. It is reported that at least 16 villagers from Chipinga South (Mariya and Zamchiya areas) fled their homes into Mozambique after they were allegedly brutally attacked by ZANU PF supporters and youth militia for supporting the opposition MDC. Apparently about 15 youths travelling in a Mazda B18 00 truck belonging to Enoch Porusingazi, the ZANU PF Parliamentary candidate for Chipinga South Constituency in the forthcoming elections, went about raiding homes of suspected MDC supporters, assaulting everyone they saw including children and the elderly. It is further reported that the truck was being driven by Porusingazi's chief campaign manager, Simon Mapfumo. One of the victims, Olismos Mutseyami of ward 25 in Mariya, allegedly spent 8 days in Mozambique. It is claimed that the police took no action and that Porusingazi has provided the police with a base at his complex, which also houses the youth militia. Among the people who fled are Edgar Nyika, Cadman Chapu, Chimene Chapu, Gultone Maronga, Austin Mlambo, John Maphakame and Hlabati. Mutseyami reports that the ZANU PF youths raided his house while he was away and on learning that he was away, they allegedly assaulted his wife Leslie Mushunje and 3 other victims including Itayi Sithole and James Dhliwayo who were rushed to Mutare by other party members after the assault. A report was made to the police but so far, nothing has been done.

MASVINGO

Gutu North

7 January 2005

Σ. It is reported that youths led by Nicholas Muzendiwa went to Mr Gandidza's shop and beat up shop attendants and patrons while drinking their beer in the shop. The youths deflated the tires of Mr Gandidza's vehicle after failing to locate him at his shop. It is further reported that on the said day, Chief Chivande used his political influence to incite some ZANU PF youths to commit public violence at Matizha Business Centre in Serima. He allegedly asked the youths to evict Mr Gandidza because of his 'undesirable' political affiliation

Full alphabetical list of reported deaths related to political violence 1 January to 31 January 2005 recorded indicating name, political affiliation, date of death, constituency and province.

TOTAL: ZERO

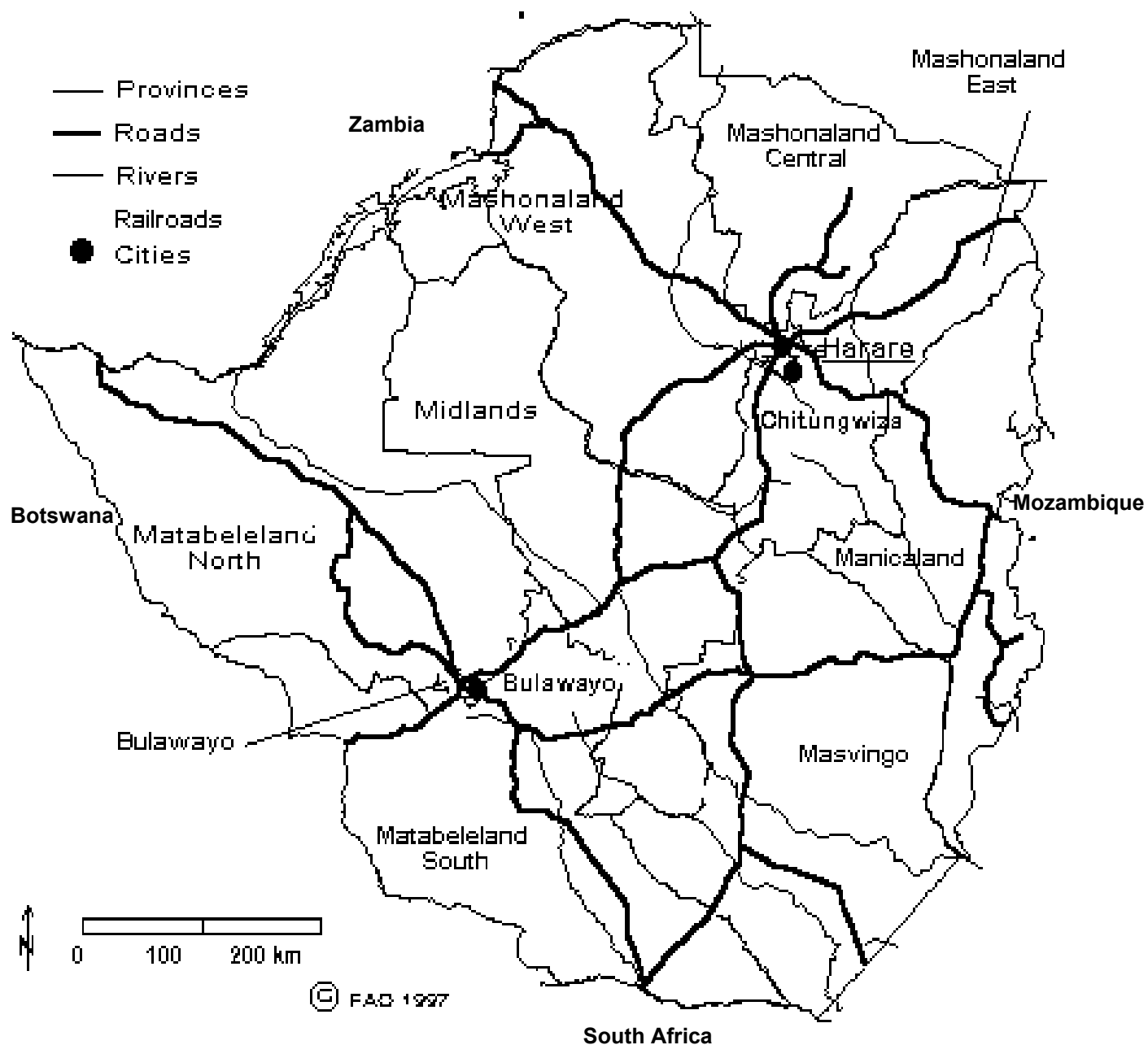
MAIN EVENTS 2005

January	. WOZA women arrested and detained unlawfully as they demonstrate against hikes in school fees. . The newly appointed woman Vice President holds celebrations throughout the country and in Bindura, press reported that people are forced to attend the celebration. . ZANU PF youths reportedly move from door to door forcing Epworth residents to register as voters and to vote for ZANU PF
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Monthly totals of human rights violations from 1 January 2005 to 31 January 2005

	January
Assault	17
Abduction/kidnapping	2
Attempted murder	0
Death threats	1
Disappearance	0
Displacement	17
Freedom of expression/ass/mvt	31
Murder	0
Political Discrim/vict/intim	31
Property related	0
Rape	0
School closure	0
Torture	1
Unlawful arrest	8
Unlawful detention	8

ADMINISTRATIVE MAP OF ZIMBABWE



The **Zimbabwe Human Rights NGO Forum** (also known as the “Human Rights Forum”) is a coalition comprising 17 member organisations. It has been in existence since January 1998 when non-Governmental organisations working in the field of human rights joined together to provide legal and psychosocial assistance to the victims of the Food Riots of January 1998.

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

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

The Human Rights Forum operates a Research and Documentation Unit and offers legal services through the Public Interest Unit of the **Error! Bookmark not defined.** (formerly the Legal Unit of the ZHRF.)

The Human Rights Forum can be contacted through:

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