

ZIMBABWE HUMAN RIGHTS NGO FORUM

POLITICAL VIOLENCE REPORT

June 2005

2 September 2005

A report by the Zimbabwe Human Rights NGO Forum

OVERVIEW

“Operation Murambatsvina” (Operation Restore Order) continued in the month of June leading to problems for civil society, which resulted in fewer reports being compiled because the displaced people could not access the services of human rights organizations. This accounts for the few cases recorded in this report. NGO’s had to restructure their operations in order to provide humanitarian relief for the affected populations during the operation which was code named *“tsunami”* by most people due to its disastrous effects which could only be compared to the tsunami floods. Ironically, the operation continued in the same month that the world commemorated World Refugee Day and the International Day against Torture, which are on 20 June and 26 June respectively.

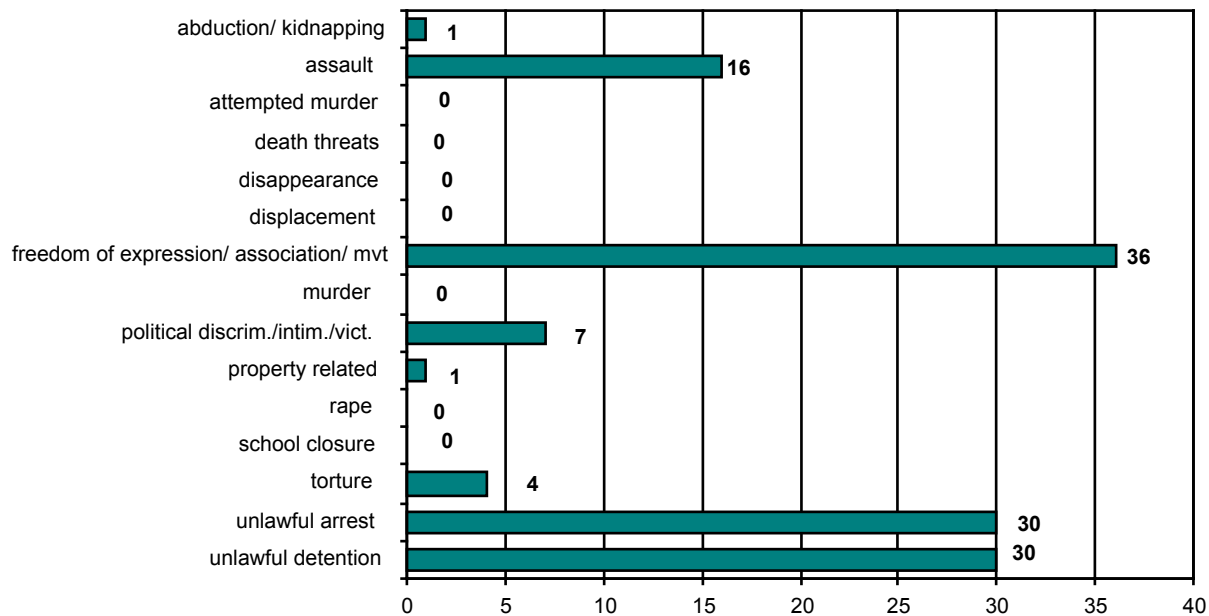
In Chitungwiza, a male victim was allegedly tortured and left for dead by 5 soldiers for calling *“Operation Murambatsvina”*, a *“tsunami”*. The Human Rights Forum notes that soldiers do not customarily deal with civilians and should allow police officers to deal with them if there is in fact a case to answer. In the above instance, it is reported that the soldiers refused to take the victim to the police. Other reports involving *“Operation Murambatsvina”* are that MDC supporters were victimised by ZANU-PF supporters on the accusation that they caused the operation.¹

Twenty members of Women Of Zimbabwe Arise (WOZA) were reportedly arrested on 18 June 2005 for holding a demonstration in Bulawayo in commemoration of World Refugee Day, which is on 20 June and for demonstrating against *“Operation Murambatsvina”*. The Human Rights Forum deplors the heavy-handed manner in which the demonstration was quashed and urges state agents to respect the peoples’ right to freedom of expression.

The CIO allegedly threatened a student activist and his family was about to be evicted from their rural home in Goromonzi. In this case, the Zimbabwe Lawyers for Human Rights (ZLHR) intervened, taking the matter to the courts, where a court order was issued barring the CIO and ZANU-PF supporters from harassing him or evicting his family from their rural home. The victim reports however that the CIO is still threatening him. He alleges that they are calling him and telling him that the country is not run by court orders. These are disturbing reports in light of the fact that the Government has been on record many times ignoring court orders. The Human Rights Forum urges the Government to respect judgments of the courts and demonstrate that the law applies to every Zimbabwean.

¹ On the discussion as to the possible causes of the operation, see the Report by the Zimbabwe Human Rights NGO Forum, *“Order out of Chaos or Chaos out of Order”*.

Totals: 1 June-30 June 2005



Cumulative totals: 1 January – 30 June 2005



The cumulative graph should be read along with the table depicting the monthly totals of violations from 1 January 2005 to 31 May 2005. The total quantifiable number of victims reported in June 2005 is 38.

Key Abbreviations

AIPPA – Access to Information and Protection of Privacy Act	UMP – Uzumba Maramba Pfungwe
CIO – Central Intelligence Organisation	ZANU PF – Zimbabwe African National Union Patriotic Front
MDC – Movement for Democratic Change	ZCTU – Zimbabwe Congress of Trade Unions
MP – Member of Parliament	ZNA – Zimbabwe National Army
NAGG - National Alliance for Good Governance	ZNLWVA – Zimbabwe National Liberation War Veterans Association
NCA – National Constitutional Assembly	ZPS – Zimbabwe Prison Service
OVT – Organised Violence and Torture	ZRP – Zimbabwe Republic Police
POSA – Public Order and Security Act	ZIMTA – Zimbabwe Teachers Association
PTUZ – Progressive Teachers Union of Zimbabwe	ZUPCO – Zimbabwe United Passenger Company

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 and 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.

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 by the use of initials. 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 member organisations of the Human Rights Forum and other partner organisations. 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 its members is meticulously documented and included in the reports. Care is also taken to record the incidents in the language in which they were reported to the Forum.

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.

BULAWAYO

Makokoba

18 June 2005

Σ. Twenty members of WOZA who had demonstrated in Bulawayo against "Operation Murambatsvina" (Operation restore Order) were reportedly arrested for breaching provisions of the Miscellaneous Offences Act (MOA). The women, led by Jenni Williams, were arrested for allegedly obstructing free passage along paths, streets, roads, sidewalks and pavements in the city. Some of the women were carrying placards with inscriptions like "*the liberation guns have been turned against us*," "*Phansi loMurambatsvina*" (Ndebele for down with Murambatsvina) and "*Makokoba our pride has gone*" in reference to Operation Murambatsvina. The State further alleges that the women also had some cloth banners inscribed with the words "*Sokwanele, enough is enough, zvakwana*"². The placards will be produced in court as evidence. The women are denying the charges.

A female victim claims that she was part of the Women of Zimbabwe Arise (WOZA) group commemorating World Refugee Day and demonstrating against the Clean-up Operation. The riot police allegedly assaulted and arrested the demonstrators. The victim was one of those arrested. She was directed into an office at the Police Station where the police allegedly interrogated her while assaulting her using sjamboks under the feet and on the back. The police wanted to know the structure of WOZA and who their donors were. She was charged under the MOA and remanded out of custody to 11 July 2005 on free bail.

² Sokwanele is Ndebele for enough, which means zvakwana in Shona. It is also the name of a local NGO that is regarded to be anti-Government, which fights for democracy in the country.

HARARE

Chitungwiza

4 June 2005

On the date in question at around 15:00 hrs, a male victim reports that he was at Njambanja Market Place, Unit M Seke, when about 5 war veterans approached vendors and accused them of overpricing basic commodities. The war veterans then paid about \$19 000-00 for the 10kg mealie meal being sold by the victim, instead of \$36 000-00 which was being charged. On trying to protest the victim was allegedly slapped in the face with open hands. He was dragged to Makoni Police Station where the war veterans reported that he was inciting public violence. The police then allegedly assaulted him using batons on the soles of the feet, buttocks and thighs. The victim was accused of being an MDC member who was planning to fight the state security agents during stayaways.

Another male victim claims that he was at the same Vegetable Market when he noticed that people had gathered around a certain table. He went to the table where he reportedly saw about 4 soldiers who were known to him who were not in uniform and 2 war veterans. When he enquired as to what was going on, one of the war veterans is said to have told the others that the victim was an MDC supporter and they allegedly assaulted him with fists and booted feet on the back, head and private parts for about 20 minutes. The victim reportedly lost consciousness. After regaining consciousness, he went to look for the area Councillor, with the help of others, so that they could report the matter to the police. When the victim, his helpers and the Councillor arrived at the police station, his attackers are said to have been there already and they accused him of having attacked 4 soldiers and some war veterans but his helpers argued he could not have attacked four soldiers and war veterans on his own. He was reportedly told by the police to go home and come back on Monday to speak with the soldiers and war veterans about the matter. When he went to the police station on Monday, the victim reports that he was told by the police that the war veterans and the soldiers were not there.

22 June 2005

The victim, a minor, reports that the Government had announced that all illegal structures were to be destroyed during "*Operation Murambatsvina*". The victim was in the company of 4 others who were demolishing their structure, which was being used as a tuck shop previously. He got tired and without telling his colleagues decided to take a rest inside the tuck shop, which was being destroyed. The wall behind him gave in and the debris fell on him injuring him on the left leg and arm. He lost consciousness for about 20 minutes. He was rescued by other people and was taken to Chitungwiza South Medical Clinic.

A male victim reports that 5 soldiers dressed in civilian clothing who were known to him, approached him at Chirenje Bottle Store accusing him of calling "*Operation Murambatsvina*" a "*Tsunami*". He reports that he pleaded to be taken to the Police Station but they allegedly threw him into a Peugeot 404 and assaulted him with booted feet, fists and open hands on the back, thighs and head. They are said to have driven to Mahusekwa river where they continued to assault him. He claims that he was obliged to put on a padded life jacket before he was assaulted.

He alleges that they tied his hands and legs, sewed him into a 90kg sack, placed him on a bridge in the middle of the road and left. At approximately 2:00 hrs, 2 cars passed by but fortunately a bus stopped and rescued him.

Harare Central*27 June 2005*

A 30 year old male victim claims that on the day of the incident, on his way to the Police Station with his colleagues to check on his other colleagues who had been arrested, he met some ZANU-PF supporters who threatened them with assault. The victim tried to avoid confrontation but the ZANU-PF supporters are said to have got hold of his collar and accused him of being the clever one. He was further accused of being one of the MDC youths who were responsible for the problems associated with "Operation Murambatsvina". He was allegedly assaulted on the chest using a metal rod. The victim reports that he managed to escape.

Hatfield*19 June 2005*

A female victim from Epworth was on her way to buy vegetables when a young girl known to her accused her of being an MDC supporter and contributing to demolitions of houses in "Operation Murambatsvina". The young girl allegedly attacked her and her whole family joined in. The victim was allegedly assaulted with bricks, an iron bar, fists and sticks. The matter was reported to the police and 2 of the perpetrators were arrested and detained for 2 nights. The victim went for treatment at Harare Hospital.

Tafara-Mabvuku*17 June 2005*

Σ. Timothy Mubhawu, MDC legislator for Tafara-Mabvuku and the party's chairperson for Manicaland is reported to have threatened a ZANU-PF supporter, only identified as Muchena, with unspecified action for hoisting the ruling party's flag in his constituency. Mubhawu is also alleged to have threatened Muchena with the same action for wearing the ruling party's regalia, again in his constituency. The MDC lawmaker further reportedly queried why Muchena's tuck shop was spared during Operation Murambatsvina. The incident allegedly took place at Muchena's house in Old Mabvuku, where Mubhawu had gone to attend a funeral.

MASHONALAND CENTRAL**Mount Darwin South***21 June 2005*

A male MDC activist from Mutukudzi Village was on his way home around 19:00hrs, when 3 ZANU-PF youths stopped him and asked for his national identity card, which he refused to give them since they were not law enforcement officers. They asked him if he had a ZANU-PF party card, which he did not. They reportedly then asked for his name, which he told them. The perpetrators are said to have demanded that he take off his shirt so that they could see what was written on the t-shirt he had on. Other ZANU-PF youths gathered to see the MDC t-shirt he had on. He was allegedly accused of being a traitor and assaulted with fists, feet and sticks. Some people who had come to witness the incident reportedly told the youths that what they were doing was against the law. The youths then left and the victim reported the matter to the police who requested a medical report. He however failed to supply the medical report since the x-ray facilities were not functioning at the local clinic.

MASHONALAND EAST

Goromonzi

8 June 2005

The victim, a male student activist, claims that he had been receiving threats from the CIO. On the date of the incident, he reportedly went to his rural home in Goromonzi. ZANU-PF youths are reported to have come to him singing songs, dancing and accused him of being an MDC activist. They allegedly assaulted him using fists and booted feet. He sustained a wound on the forearm due to the assault. They further threatened him and his family with forceful eviction from the area. After legal assistance from ZLHR, the court granted him a provisional order on 13 June 2005 barring the riot police and state agents from threatening him and his family. He however claims that the CIO then called him again on his phone and told him that he should remember that Zimbabwe is not run by court orders.

Hwedza

20 June 2005

Σ. At least 8 people were reportedly arrested in Marondera and Wedza when police fought running battles with scores of residents resisting the clean up “*Operation Murambatsvina*’. The violence was meant to halt the uniformed forces’ demolition of illegal structures. Among those arrested were 2 former liberation struggle fighters whose tuck shops at Wedza Growth point had been demolished.

Full alphabetical list of reported deaths related to political violence 1 January 2005 to 30 April 2005 recorded indicating name, political affiliation, date of death, constituency and province.

TOTAL:4 ZANU PF 2 MDC 1 UNKNOWN 1

SURNAME	FIRST NAME (S)	POLITICAL AFFILIATION	DATE OF DEATH	CONSTITUENCY	PROVINCE
1 CHIMBANDI	GIFT	ZANU PF	3 MARCH 2005	MAZOWE EAST	MASONALAND CENTRAL
2 GANDA	GODWIN	ZANU-PF	2 MAY 2005	MARONDERA EAST	MASHONALAND EAST
3 MOFAT	EBRAHIM	MDC	28 APRIL 2005	HURUNGWE EAST	MASHONALAND WEST
4 MUCHACHA	FEBBY	UNKNOWN	13 APRIL 2005	MARONDERA WEST	MASHONALAND EAST

	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
February	-Political violence and victimization surrounds campaigns and preparations for the 31 March 2005 Parliamentary elections. -WOZA members demonstrate on 12 February in Bulawayo to commemorate Valentine's Day under the theme "<i>the power of love will conquer the love of power</i>". -Police reportedly disrupt an MDC training session of Parliamentary candidates in the March 31 Parliamentary elections and MDC supporters on 16 February at Harare Sheraton Hotel. They arrest MDC Director of Elections Mr. Ian Makoni. -NCA members are arrested and assaulted by the police after holding a demonstration dubbed "<i>no election without new constitution</i>" on 17 February in Harare.
March	-ZANU PF supporter and war veteran, Gift Chimbandi, is reportedly burnt to death under unclear circumstances. MDC supporters are suspected to have burnt his house leading to his death. -Zimbabwe's 6th Parliamentary Election since Independence is held on 31 March 2005. -A WOZA peaceful candle light vigil is disrupted by riot police and the women are reportedly badly assaulted and arrested. The vigil was held at Africa Unity Square in Harare to safeguard the March 31 vote from manipulation. -MDC activists throughout the country are arrested or assaulted for putting up posters and distributing campaign material and people are victimized for attending MDC rallies by ZANU PF supporters. -MDC Parliamentary candidate for Zvimba North constituency is reportedly victimized for trying to campaign in the area.
April	-Febby Muchacha a 70 year old woman living at Kimcote Farm in Beatrice is reportedly raped and murdered when a gang of 5 attacks the resettled farmers around 3:00 hrs on 13 April 2005 -Ebrahim Mofat is reportedly murdered by ZANU-PF activists in Hurungwe East on 28 April 2005. -MDC supporters demonstrate against the election results on 4 April 2005 in Harare. -Widespread post-election retributive displacements and post-election victimization is reported. -Independence celebrations are held on 18 April 2005 marking what the Government termed the '<i>silver jubilee</i>' of Independence
May	-<i>Operation Murambatsvina</i>, officially announced on 19 May 2005 by the Chairperson of the Commission running Harare, Sekesai Makwavarara, leaves many people homeless and closes down informal traders. -ZCTU offices are raided by police Fraud Section as the police search for illegal forex transactions in what many think was a clamp down on civil society. -MDC is involved in violent intra-party political squabbles. -War veteran Godwin Ganda is murdered on 2 May 2005 in what is suspected to be political victimisation. -Post election political victimisation and displacement is rampant in Mount Darwin South Constituency.
June	-<i>Operation Murambatsvina</i> continues, ironically during the same Month as the World Refugee Day and the International Day against Torture which are on 20 June and 26 June respectively. -WOZA demonstrates against the effects of <i>Operation Murambatsvina</i> on 18 June 2005 in commemoration of World Refugee Day, which is on 20 June. 2005.

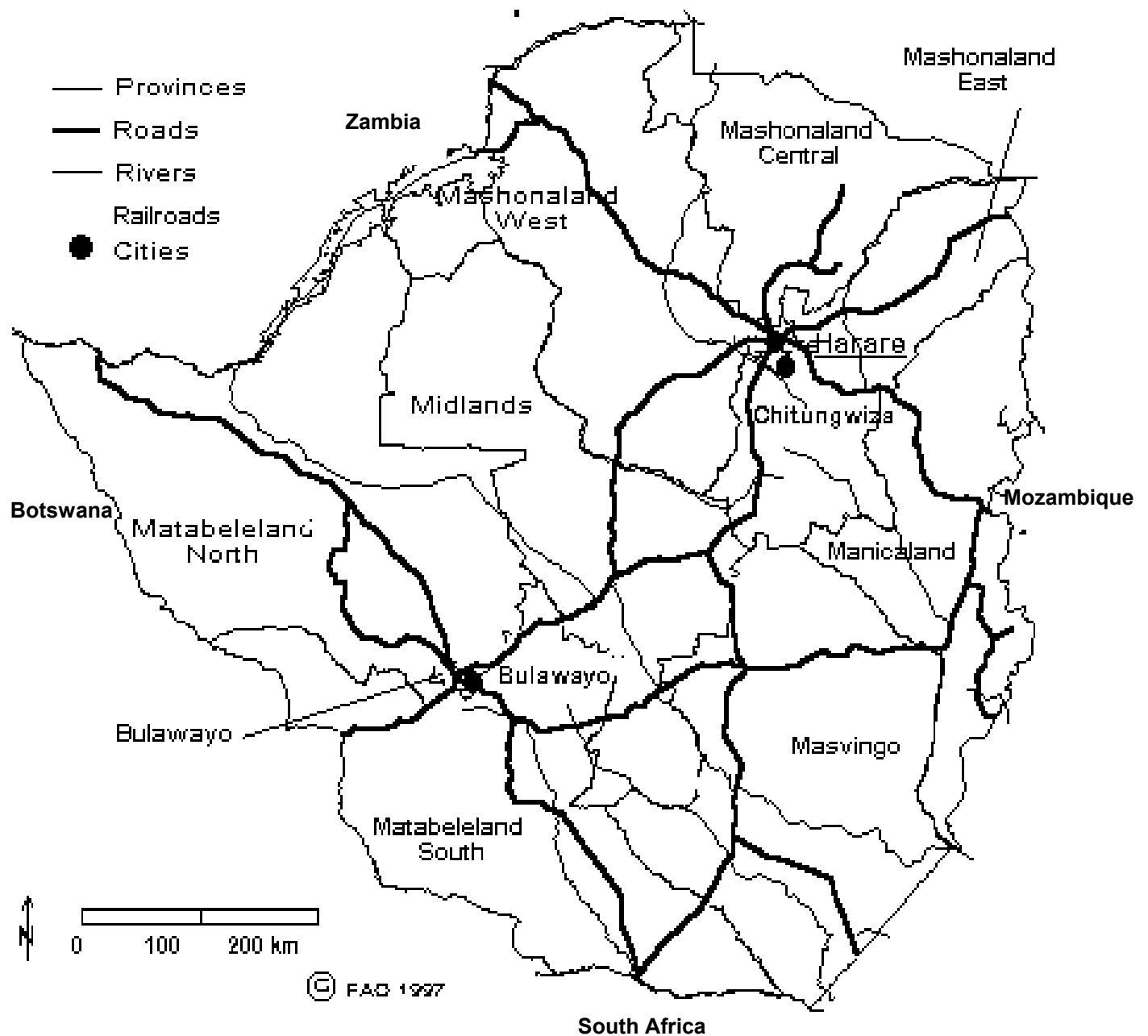
The table below and the graphs on page 3 above depict the number of violations committed on the persons whose circumstances are described in the report. One individual may have been subject to many violations and thus appear under several categories of violations.

Monthly totals of human rights violations from 1 January 2005 to 31 May 2005

	Jan	Feb	Mar	Apr	May	June	Total
Assault	17	54	259	59	34	16	439
Abduction/kidnapping	2	3	6	2	3	1	17
Attempted murder	0	0	0	0	0	0	0
Death threats	1	0	1	3	2	0	7
Disappearance	0	0	0	0	0	0	0
Displacement	17	1	3	55	27	0	103
Freedom of expression/ass/mvt	31	57	268	112	349	36	853
Murder	0	0	1	2	1	0	4
Political Discrim/vict/intim	31	49	128	113	41	7	369
Property related	0	0	0	18	2	1	21
Rape	0	0	0	4	0	0	4
School closure	0	0	0	0	0	0	0
Torture	1	5	1 (97) ³	16	7	4	131
Unlawful arrest	8	63	86	16	315	30	518
Unlawful detention	8	63	57	15	315	30	488

³ The 97 torture cases in brackets relate to the WOZA women who held a vigil in Harare's Africa Unity Square on the night of the 2005 Parliamentary Election on 31 March 2005 (see March 2005 Report). It was only established after the publication of the March 2005 Report, after expert advice from medical practitioners, that the level of the assaults was sufficiently severe to constitute torture. Accordingly the 97 are included in the statistics of torture as well as assault since they were also assaulted in the process.

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 Legal Resources Foundation (formerly the Legal Unit of the ZHRF.)

Core member organisations of the Human Rights Forum are:

- Amani Trust
- Amnesty International (Zimbabwe) (AI (Z))
- Catholic Commission for Justice and Peace (CCJP)
- Gays and Lesbians of Zimbabwe (GALZ)
- Human Rights Trust of Southern Africa (SAHRIT)
- Legal Resources Foundation (LRF)
- Media Monitoring Project of Zimbabwe (MMPZ)
- Nonviolent Action and Strategies for Social Change (NOVASC)
- Transparency International (Zimbabwe) (TI (Z))
- University of Zimbabwe Legal Aid and Advice Scheme (UZ (LAAS))
- Zimbabwe Association for Crime Prevention and the Rehabilitation of the Offender (ZACRO)
- Zimbabwe Association of Doctors for Human Rights (ZADHR)
- Zimbabwe Civic Education Trust (ZIMCET)
- Zimbabwe Human Rights Association (ZimRights)
- Zimbabwe Lawyers for Human Rights (ZLHR)
- Zimbabwe Peace Project (ZPP)
- Zimbabwe Women Lawyers Association (ZWLA)

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