

ZIMBABWE HUMAN RIGHTS NGO FORUM

POLITICAL VIOLENCE REPORT

August 2005

20 October 2005

A report by the Zimbabwe Human Rights NGO Forum

OVERVIEW

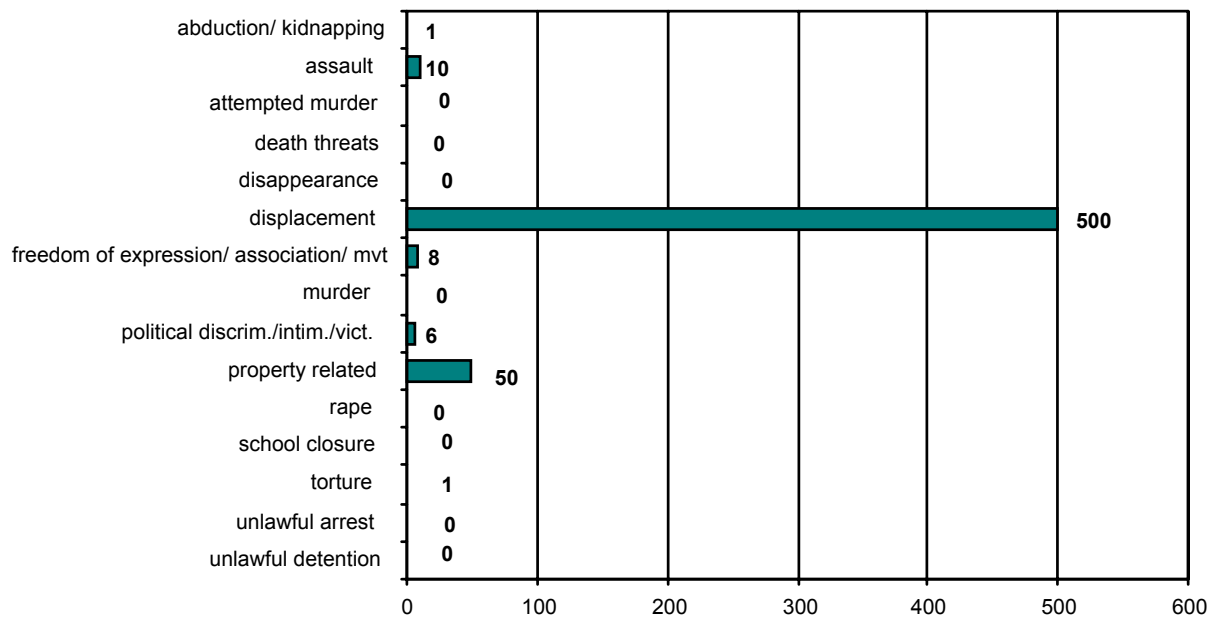
Political violence seemed to be on the decline in August but is expected to rise as the nation gears up for the Gutu North by-election and Senate elections, which are scheduled for 26 November 2005. It is noteworthy that there were no unlawful arrests or detentions recorded in the month.

The NCA continued to put pressure on the Government to consider a new constitution. This was in the wake of Parliament discussing the Constitutional Amendment Bill (number 17), which was then passed on 30 August 2005 to legislate the establishment of a Senate, vest agricultural land in the state and deny the constitutional right of aggrieved parties in land disputes to appeal through the Courts and restrict travel on individuals deemed to be acting against the economic interests of the country or campaigning for sanctions abroad. This Amendment is the subject of much contention among civil society and the general public at large. The Human Rights Forum joins with the rest of civil society in castigating this repressive Amendment to the Constitution.

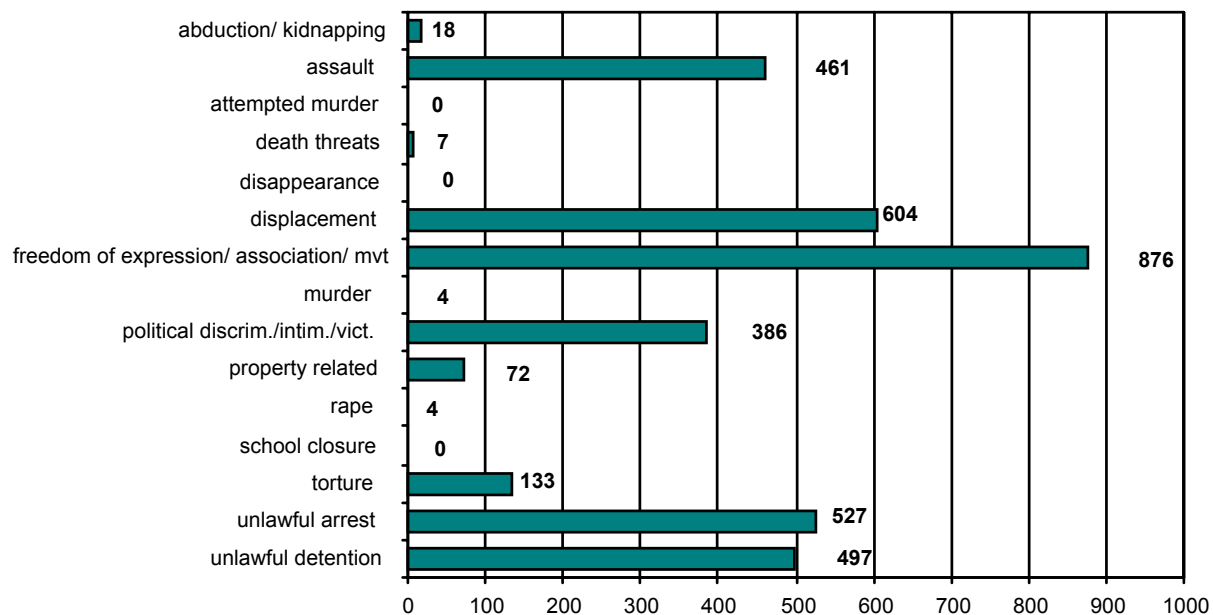
The NCA members who were demonstrating in favor of a new constitution were allegedly assaulted and dispersed even before the demonstration began at Africa Unity Square on 4 August 2005. The Human Rights Forum continues to urge the police to allow people to exercise their right to freedom of expression. The heavy-handed manner in which peaceful demonstrations are quashed cannot be condoned. The Forum implores the Government to not only promote the rights of individuals as enunciated in international instruments but to also protect and respect these rights.

In what seems to be the residue of the infamous *Operation Murambatsvina* (Operation Restore Order), police in Mutare rounded up over 50 street vendors and confiscated their goods. In another *Murambatsvina* residual action, residents at Macdonald (Dhonoror) farm in Hatfield constituency were reportedly evicted from the farm to make way for the former owner. The Forum deplores such actions as they infringe on the economic and social rights of individuals. These victims would have lost their income, livelihood and shelter all of which the Government is obligated to protect under international instruments.

Totals: 1 August-30 August 2005



Cumulative totals: 1 January – 30 August 2005



The cumulative graph should be read along with the table depicting the monthly totals of violations from 1 January 2005 to 30 August 2005. The total quantifiable number of victims reported in August 2005 is 561.

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
ZPS – Zimbabwe Prison Service	ZRP – Zimbabwe Republic Police
NAGG – National Alliance for Good Governance	ZNLWVA – Zimbabwe National Liberation War Veterans Association
NCA – National Constitutional Assembly	ZIMTA – Zimbabwe Teachers Association
OVT – Organised Violence and Torture	ZUPCO – Zimbabwe United Passenger Company
POSA – Public Order and Security Act	
PTUZ – Progressive Teachers Union of Zimbabwe	

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. 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 .

HARARE

Harare central

25 August 2005

Σ. The MDC MP for Glen Norah, Priscilla Misihairambwi-Mushonga and one Moses Manyengavana were reportedly assaulted at Harvest House the MDC Party Headquarters. It is reported that skirmishes took place during a board room meeting which had been planned to thrash out differences between the MP and other party members who felt that the MP was dictatorially appointing her own people into key positions in her constituency. It is reported further that Lovemore Machengezera, who is the MP's assistant, had about 50 people siding with him while the MP's camp had about 20. During the skirmishes, Machengezera reportedly hurled a bottle at Manyengavana. It is alleged that the MP was also attacked by one Last Maengahama.

4 August 2005

On the date of the incident, 3 female and 2 male victims claim that they went into town for an NCA demonstration against the current Constitution. While they were sitting at Africa Unity Square waiting for the demonstration to start, the riot police allegedly assaulted them. One female victim reports that an NCA vehicle pulled up with Lovemore Madhuku inside. As the vehicle drove close to where the victim was, the people in the vehicle with Lovemore Madhuku threw banners, which were meant for use during the demonstration. As she went to pick up the banners, she was allegedly struck 3 times on the back with a baton by a policeman.

Another female victim was found sitting next to NCA banners and she was allegedly assaulted on her wrist and left thigh by riot police using batons. The last female victim reports that she was assaulted on the head once with a baton. Her friends pulled her away so that the police could not assault her again.

The first male victim claims that he tried to run away when the riot police arrived but other people who were also running away stamped on his foot. His foot has since swollen and has developed pus. The other male victim claims that he was assaulted on the back using a baton and then the police left for others.

Hatfield

26 August 2005

Σ. About 500 MacDonald (Dhonoru) farm residents in Epworth were reportedly evicted by ZRP details on the date in question. The reasons for the eviction were not clear but some residents report that it was to make room for the farm's former owner while others thought it was a continuation of *Operation Murambatsvina*. It is reported that scores of residents were loaded onto a truck and dropped off at a place called Muza along Ruwa road. Some were reportedly dumped next to a cemetery.

14 August 2005

On the day in question the female victim was coming from an MDC meeting in the company of two other MDC supporters. She claims that when they got to Jacha location they saw a group of about 10 ZANU-PF women and men who accused them of being MDC supporters. Her friends reportedly ran away but she was allegedly punched with fists on the face. She was then forced to the ground, after which her perpetrators ran away chanting ZANU-PF slogans. The victim is now staying in the open and sleeping in a hole in the ground in fear of further victimization.

Mbare

21 August 2005

A male victim claims that Bindura CID officers and some plain-clothes policemen parked their Nissan truck at his gate in the evening in Mbare. The vehicle was left running and the lights on. His father woke and enquired what was happening. It is reported that the police did not explain what they were doing but instead tried to intimidate him. One of them is said to have pulled out a gun and threatened him for questioning them. The police and his father were reportedly arguing over something which the victim could not quite understand. The victim took a pen to note down the registration number of the police vehicle but in the process he was allegedly slapped several times on his head and face. He claims that he was bundled up and thrown into the vehicle. The police accused the victim and his father of enhancing the escape of thieves dealing in gold from Shamva. He claims that all the way to Bindura he was sitting in an uncomfortable position, both hands were tied together and one tied to a spare wheel. He was told to use the tyre as a pillow while one of his legs was stretched and used as a resting stool on the left ankle by one of the policemen.

MANICALAND

Chipinga North

4 August 2005

The male victim from rural Chipinga claims that while in his home he was assaulted with fists and sticks by unknown assailants he suspects of being ZANU-PF activists. When he tried to escape he fell and hurt his left elbow.

15 August 2005

The victim, a Prison Officer, claims that he was accused of talking politics to prisoners. The prison police allegedly tortured him in prison camp. He was reportedly forced to roll on the cold floor with water being poured over him. He claims that he was further ordered to carry bricks 2 on each side for more than 2 hours.

Mutare North

25 August 2005

Σ. It is reported that uniformed police patrolling on horseback rounded up over 50 street vendors at the Meikles Park and city's commuter omnibus ranks in Mutare. The vendors were selling basic commodities and their goods were reportedly confiscated.

Full alphabetical list of reported deaths related to political violence 1 January 2005 to 31 July 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.

	MAIN EVENTS 2005
July	- NCA members are reportedly assaulted and arrested as they demonstrate for a new constitution on 21 July 2005. - <i>Operation Murambatsvina</i> continues and Porta Farm residents are forcibly evicted by the riot police. - ZCTU Women Advisory Council (WAC) meeting disrupted as infighting in the ZCTU reportedly intensifies.
August	- NCA members are reportedly assaulted as they demonstrate for a new constitution on 4 August 2005. - Vendors rounded up and their goods confiscated by police on horse-back in Mutare as <i>Operation Murambatsvina</i> continues and 500 residents of MacDonald (dhonhoro) farm are reportedly evicted by police in Harare.

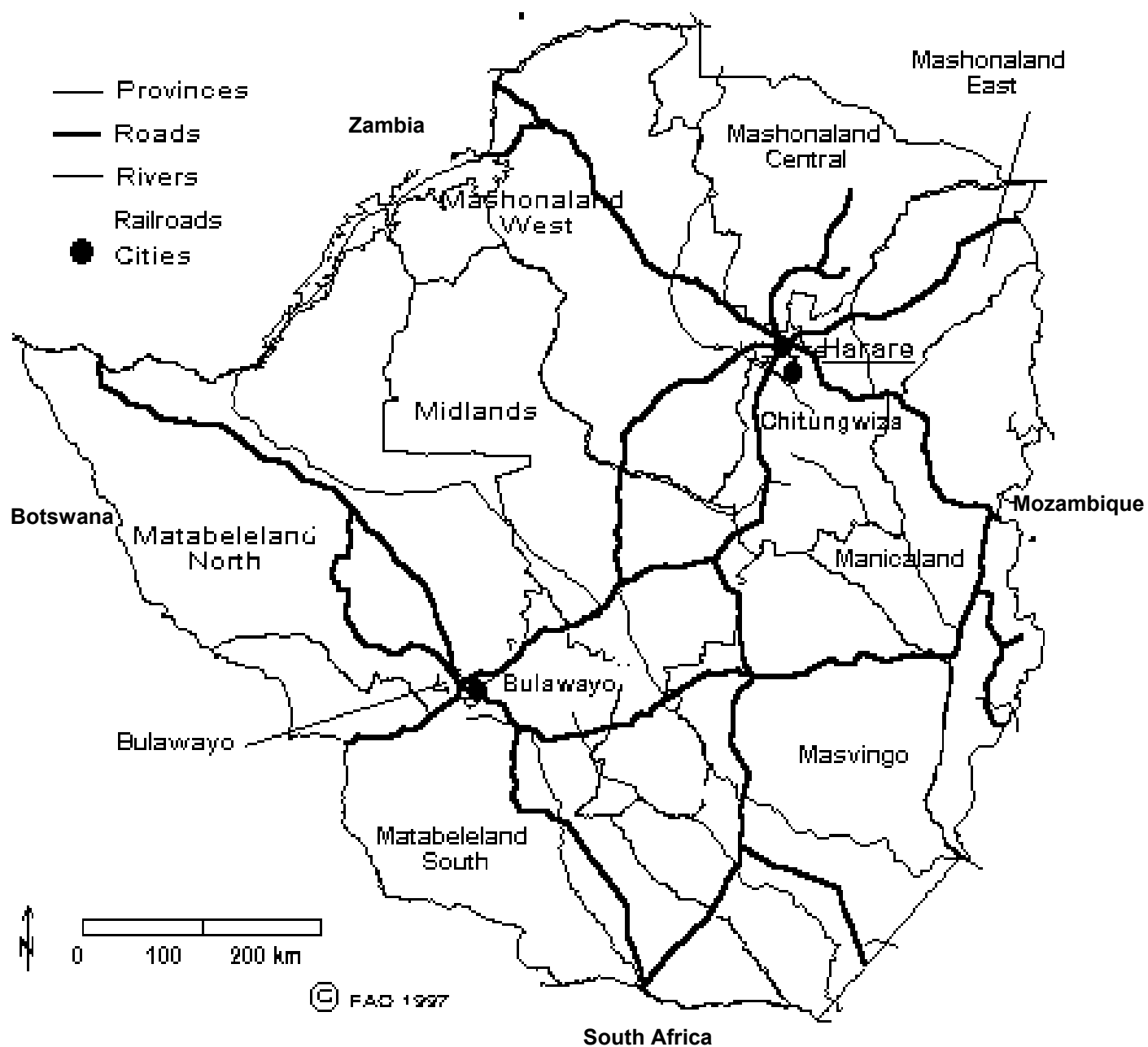
The table below and the graphs on page 3 above depict the number of violations committed on the persons whose circumstances are described in the report. One individual may have been subject to many violations and thus appear under several categories of violations.

Monthly totals of human rights violations from 1 January 2005 to 30 August 2005

	Jan	Feb	Mar	Apr	May	June	July	Aug	Total
Assault	17	54	259	59	34	16	12	10	461
Abduction/kidnapping	2	3	6	2	3	1	0	1	18
Attempted murder	0	0	0	0	0	0	0	0	0
Death threats	1	0	1	3	2	0	0	0	7
Disappearance	0	0	0	0	0	0	0	0	0
Displacement	17	1	3	55	27	0	1	500	605
Freedom of expression/ass/mvt	31	57	268	112	349	36	15	8	876
Murder	0	0	1	2	1	0	0	0	4
Political Discrim/vict/intim	31	49	128	113	41	7	11	6	386
Property related	0	0	0	18	2	1	1	50	72
Rape	0	0	0	4	0	0	0	0	4
School closure	0	0	0	0	0	0	0	0	0
Torture	1	5	1 (97) ¹	16	7	4	1	1	133
Unlawful arrest	8	63	86	16	315	30	9	0	527
Unlawful detention	8	63	57	15	315	30	9	0	497

¹ 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 **Error! Bookmark not defined.** (formerly the Legal Unit of the ZHRF.)

Core member organisations of the Human Rights Forum are:

- Amnesty International (Zimbabwe) (AI (Z))
- Catholic Commission for Justice and Peace (CCJP)
- Counselling Services Unit (CSU)
- 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)

The Human Rights Forum can be contacted through any member organisation or through:

The Administrator, P O Box 9077, Harare – email: admin@hrforum.co.zw

The Public Interest Unit, P O Box 9077, Harare – email: legal@hrforum.co.zw

The Research Unit, P O Box 9077, Harare – email: research@hrforum.co.zw

Address: 8th Floor Bluebridge North, Eastgate, Harare; Telephone: 250511 - Fax: 250494

The International Liaison Office, 56- 64 Leonard Street London EC 2A 4JX– email: IntlO@hrforumzim.com
Telephone+44-20-7065-0945

Website: www.hrforumzim.com

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