



Zimbabwe
HUMAN RIGHTS
N G O F o r u m

POLITICAL VIOLENCE REPORT

January 2008

11 March 2008

A report by the Zimbabwe Human Rights NGO Forum

OVERVIEW

The year 2007 saw the Zimbabwe Human Rights NGO Forum (The Human Rights Forum), recording the highest number of violations since its inception, after a year characterised by violence, intolerance and the abuse of power by state security agents and other organised groups aligned to the ZANU PF government. This trend was carried forward into the year 2008 with January recording a total of 336 politically motivated human rights violations. As the Forum marks ten years of existence, it is alarming to note that the political intolerance, violence, torture and impunity that it set out to eliminate 10 years ago continues to be on the rise.

Notable in the month of January was the heightened profile given to the preparations for the March plebiscite and the intensity of politically motivated human rights violations that came with it. As has been the trend in previous elections, there was marked inter - party violence, especially between ZANU PF and MDC supporters. This report documents the assault of 5 MDC activists by ZANU PF supporters in Mbare for putting up posters for an MDC rally that was planned for 12 January 2008. The intimidation of opposition candidates in the coming elections by their ZANU PF opponents is another disturbing trend that has been carried forward from previous elections. This report documents the assault of Ezekiel Mpande by the supporters of his opponent Mr Nyanhongo, a ZANU (PF) candidate who is also the Deputy Minister of Transport and Energy.

The selective application of the law and criminalisation of lawful political activities by the Zimbabwe Republic Police (ZRP) when dealing with opposition political parties continues to be a worrying trend as Zimbabwe approaches the 29 March elections. For instance, the police purportedly banned the “*Freedom March*” a pro democratic reform protest as well as a rally at the Glamis Stadium in Harare planned by the MDC Tsvangirai faction for 23 January 2008 after having sanctioned it a few days earlier. The MDC appealed to the High Court against the bans on the march and the rally, which led to the rally being allowed to go ahead. MDC supporters, who were carrying placards moving to the venue of the rally, were tear gassed, arrested and assaulted by the police when they got close to the ZANU (PF) headquarters. The Human Rights Forum deplores the heavy handedness in which the police dealt with the MDC supporters who were on their way to the said rally as on 30 November 2007 they had even escorted war veterans and ZANU PF supporters who had embarked on a “*million man march*” from Harare city centre to Highfield in support of President Mugabe’s nomination as the ZANU (PF) Presidential candidate in the forthcoming elections.

The freedoms of assembly and association were the most violated rights in the month of January. A total of 93 violations were recorded in this category. Furthermore, 56 violations of assault and 67 violations of intimidation and political discrimination were also recorded. In January, members of a human rights group called *Restoration of Human Rights Zimbabwe* were arrested, assaulted and detained by the police after a peaceful demonstration in the Harare city centre against the deteriorating human rights situation in Zimbabwe.

As in the previous year, which saw a high number of student leaders in tertiary institutions being assaulted, arrested and detained by the police, the month of January saw the arrest, detention and subsequent torture of two student leaders from the Midlands State University (MSU) for carrying out a 2 man demonstration in the city of Gweru. The Human Rights Forum calls upon the GoZ to address the grievances of students in tertiary institutions and the police to desist from the use of unnecessary brut force and torture when dealing with students.

NB The constituencies in this report are as in the 2005 delimitation report. The Forum was unable to secure full lists and maps depicting the electoral boundaries for 2008.

Totals: 1 January – 31 January 2008



Cumulative Totals: 1 January – 31 January 2008



The graph should be read along with the table depicting the monthly totals of violations for January 2008 on page 10.

Key Abbreviations

AIPPA – Access to Information and Protection of Privacy Act	WOZA – Women of Zimbabwe Arise
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	ZPS – Zimbabwe Prison Service
NCA – National Constitutional Assembly	ZRP – Zimbabwe Republic Police
OVT – Organised Violence and Torture	ZNLWVA – Zimbabwe National Liberation War Veterans Association
POSA – Public Order and Security Act	ZIMTA – Zimbabwe Teachers Association
PTUZ – Progressive Teachers Union of Zimbabwe	ZUPCO – Zimbabwe United Passenger Company
UMP – Uzumba Maramba Pfungwe	ZINASU – Zimbabwe National Students Union

Sources: The information contained in this report is derived from statements made to the Public Interest Unit of the Zimbabwe Human Rights Forum, its members and 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 as state officials include the ZRP, ZNA,

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, ZNLWVA, ZNA, ZPS and the ZNLWVA (as a reserve force of the ZNA).

Disappearance:

Kidnapped persons whose whereabouts remained unknown at the time of reporting.

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 Forum and other partner organisations. Use is also made of press reports.

The Report cannot 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

Chitungwiza

06 January 2008

Three male MDC supporters were detained at St Mary's Police Station after being forced into a municipal truck at gunpoint by unknown assailants. The three victims were on their way home from Zengeza 1 Shopping Centre and were wearing MDC party regalia. At St Mary's Police Station they were locked up in the women's section of the cells. The three were detained for a few hours and were

interrogated by the assailants who had instructed the police officers not to interrogate the victims as they would do so themselves. The victims were released the following evening without charge.

Harare Central

23 January 2008

The police reportedly teargassed, charged towards and assaulted MDC supporters near the ZANU (PF) headquarters as they moved from Harare city centre to Glamis Stadium where an MDC rally was to be held. The police had earlier on to banned the MDC rally. The MDC appealed to the High Court against the ban which was then changed to a walk to a specific venue for address by Morgan Tsvangirai. The police threw teargas canisters and used baton sticks to disperse the MDC supporters who were moving in a group carrying placards. Chaos ensued as some members of the group fled from the tear gas and assaults by the police. By - standers and some members of the MDC were trampled on in the melee. Part of the group was arrested and taken to Harare Central Police Station where they were detained for some hours. As the arrested were being driven to the police station, the police forced them to remove their shoes whereupon they asked them to hold them in their mouths until they reached the police station. The victims were released after paying a fine of Z\$40 000 each. Twenty-two people who were injured during the chaos were treated at a local private clinic. One of the Marchers was abducted by suspected state agents and taken to ZANU (PF) headquarters severely assaulted resulting in the victim having to be admitted into hospital and having surgery. Earlier in the day the MDC faction President Morgan Tsvangirai had been picked up by the police at his home at around 4am and released 4 hours later. Also arrested on that same day were legislator Paul Madzore as well as former Harare Executive Mayor Elias Mudzuri.

25 January 2008

Twenty-six members of Restoration of Human Rights Zimbabwe (ROHRZ) were arrested and 24 assaulted by the police following a demonstration in Harare's central business district. The group of about 200 protesters was demonstrating against the deteriorating human rights situation in the country. The police followed members of the group to Gayle Court, where their offices are housed after having dispersed them earlier during the protest. The members of the group were forced to lie down facing the ground and assaulted with baton sticks. The victims were later taken to Harare Central Police Station where they were detained for close to 10 hours. Members of the group were made to pay admission of guilt fines of Z\$40 000 each before being released. One of the group's leaders, Sten Zvorwadza, was however detained for the weekend.

Harare South

21 January 2008

Ezekiel Mpande reports that he was threatened with death and assaulted by supporters of the Deputy Minister of Transport and Energy Mr. Nyanhongo. It appears the assailants told the victim that they had been instructed to kill him because he was contesting against the Minister in the forthcoming harmonized elections and working for the British. The victim was force - marched to an office at

Hopely Farm where he was assaulted with iron bars and booted feet. He managed to escape after hitting one of the assailants with a chair. He reports that Mr. Nyanhongo then brought a truckload of his supporters to hunt him down while he was hiding in some tall grass nearby. It began to rain and the search was called off allowing the victim to escape to safety.

Mbare

11 January 2008

Three male MDC activists report that they were assaulted by suspected ZANU PF supporters while putting up posters for an MDC rally that was scheduled for 12 January 2008. Six suspected ZANU PF supporters approached the victims just as they had completed putting up the posters and assaulted them. Two of the victims report that they were beaten on the head and upper parts of the body while the third victim had a stone thrown at him injuring his right knee. They eventually managed to flee from the mob.

11 January 2008

The MDC district chairperson for Mbare Musika was assaulted by suspected ZANU (PF) supporters for recruiting people to put up posters for an MDC rally that had been planned for 12 January 2008. The victim reports that an argument ensued between him and some ZANU (PF) supporters as he was carrying out the recruitment exercise. On the following day the ZANU (PF) supporters assaulted the victim and his friend with iron bars and baton sticks resulting in the victim losing two teeth and sustaining injuries on his forearm.

Zengeza

11 January 2008

An MDC activist and his wife were assaulted and had their property destroyed by suspected ZANU (PF) supporters. The victim reports that he and 9 other MDC activists were on their way to the home of the MDC District Chairman in their area when they were confronted by a group of ZANU (PF) supporters challenging their political affiliation. There was no physical confrontation between the two groups and the MDC activists proceeded to the Chairperson's home. Later that night at around midnight, the victim reports that he was woken up by a loud banging at his gate where a mob of well-known ZANU PF supporters had gathered. He then ran to the back of the house with his wife and son and assisted the boy to scale the fence. The mob got to them before he and his wife could escape and assaulted both of them. The victim was hit with a log on the right cheek resulting in his losing his hearing in the left ear. The assault also resulted in the loosening of several of the victim's teeth. The assailants managed to get into the victim's home and destroyed all windows, most of the furniture and electric appliances in the house.

MANICALAND**Chipinge North**

13 January 2008

The Deputy Provincial Secretary for the MDC Women's Assembly in Manicaland, Thokosane Bote, was abducted from Tanganda shopping center in Chipinge North, by 4 men in plain clothes who identified themselves as the police. The alleged abductors, who were driving a Mazda 323 car, told her that they were taking her to Chisumbanje Police Station. When they got close to the Police Station the abductors turned around and drove back towards Chipinge. They stopped the vehicle near Kondo Bus Terminus where they assaulted her with open hands, fists and booted feet. The assailants also put a tie around her neck simulating a strangling. She was questioned on why she was running for the Council post in the area as an MDC candidate and on why she was seen speaking to Morgan Tsvangirai at Tanganda without first seeking the permission of the police. She was dumped at Kondo bus terminus at 03:00 hours the following day.

MIDLANDS

Gweru Urban

8 January 2008

Two student leaders Onwel Marasha and Obert Masarira from Midlands State University (MSU) were arrested and subsequently tortured for carrying out a two - man demonstration in Gweru. The students were protesting against the continually deteriorating socio - economic situation in the country. The two left Gweru Central Police Station in an ambulance around 23:00hours on 8 January after being assaulted. No charges were preferred against the two students. They received medical attention at a private clinic in Harare.

Kwekwe

03 January 2008

Σ.Zimonline 03 January 2008

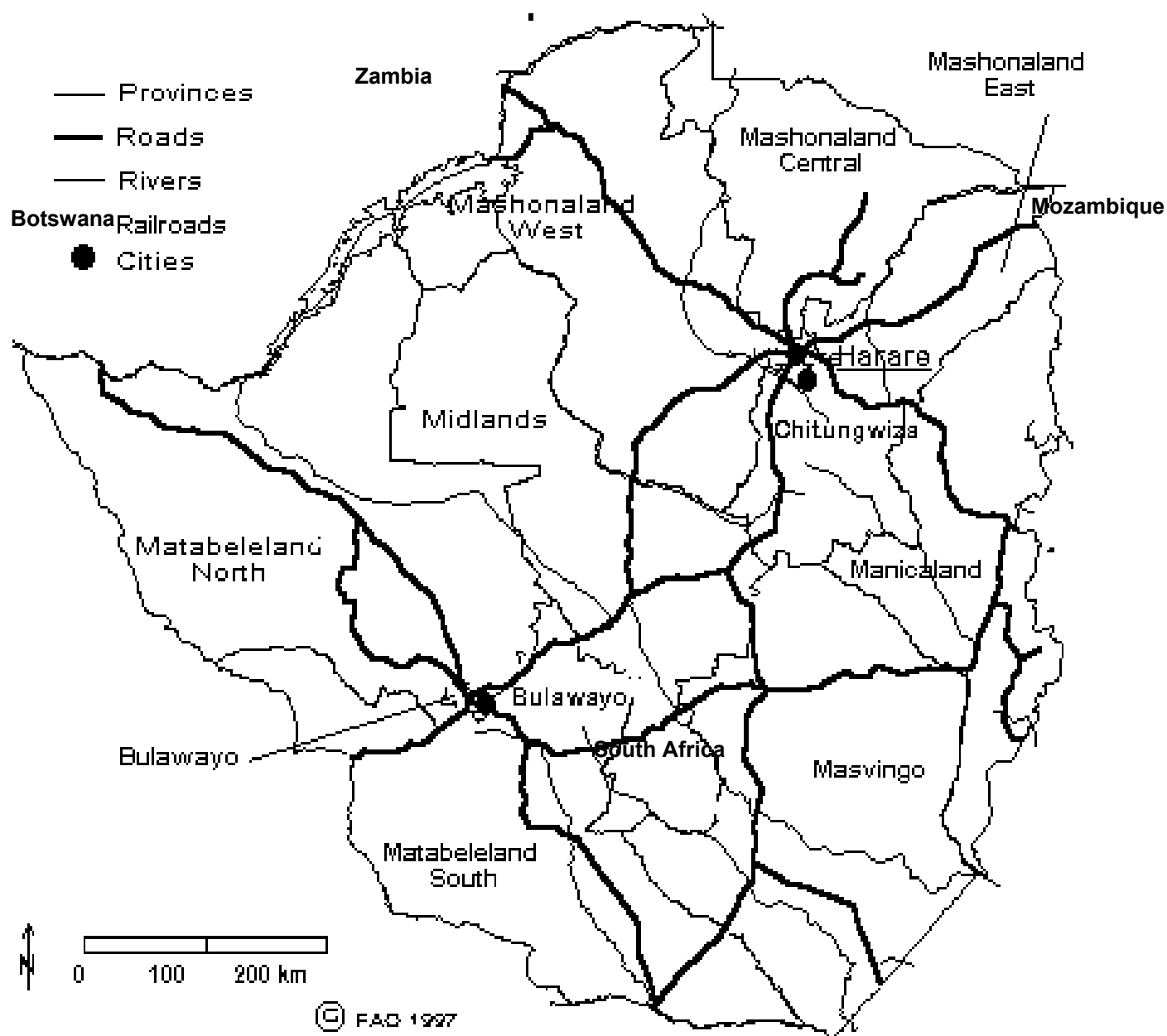
Michael Berry Jansen was reportedly given a 48 - hour notice to vacate his farm or be taken to court for resisting eviction. Jansen, who owns Xanhippe Farm in Kwekwe, was ordered to move out of his property by Obert Mabhena, a serving soldier, who argues that the farm was allocated to him in 2007. It is reported that the soldier (Mabhena) had since moved his cattle and goats to the farm insisting that he had been allocated the property by the Ministry of Lands and Resettlement.

Monthly totals of human rights violations from 1 January 2008 – 31 January 2008

Table 1

	Jan	Total
Abduction/ kidnapping	3	3
Assault	56	56
Attempted murder	0	0
Death threats	1	1
Disappearance	0	0
Displacement	0	0
Freedom of expr/ass/mvt	94	94
Murder	0	0
Political Discrim/ intim/vict	67	67
Property related	1	1
Rape	0	0
School closure	0	0
Torture	2	2
Unlawful arrest	56	56
Unlawful detention	56	56
Monthly Totals	336	336

	MAIN EVENTS 2008
January	
22	MDC ' <i>Freedom March</i> ' is banned by the police.
23	Morgan Tsvangirai is picked up and detained by the police from his home in the early hours of the morning.
25	MDC members assaulted and arrested as they march towards Glamis stadium for a rally. Members of <i>Restoration of Human Rights Zimbabwe</i> are arrested and detained following a peaceful demonstration.

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 to assist victims of organised violence and torture claim compensation from perpetrators through its Public Interest Unit.

Member organisations of the Human Rights Forum are:

- 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 Institute of Southern Africa (MISA)
- Media Monitoring Project of Zimbabwe (MMPZ)
- Nonviolent Action and Strategies for Social Change (NOVASC)
- Transparency International (Zimbabwe) (TI (Z))
- Women of Zimbabwe Arise (WOZA)
- 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