

The effects of fighting repression with love



**A report by
Women of Zimbabwe Arise
(WOZA)**

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WOZA members arrested in Bulawayo on Valentine's Day 2006. 181 adults and 14 babies spent one night in Bulawayo Central Police Station before being released without charge.



Riot police rush to assist their colleagues who have arrested WOZA members (seated far left) in Bulawayo, 21 August 2006, after demonstrating over Operation Sunrise. 183 people, including 26 minors and 13 mothers with babies, were arrested. 144 adults spent two nights in custody before being charged under the Criminal Law (Codification and Reform) Act although the charges were dropped before plea. Some of the minors were tortured in Bulawayo Central Police Station by Law and Order officers and a woman broke her arm after falling out of the back of the police vehicle as it was so over loaded.



A WOZA member is beaten by police in the streets of Bulawayo, 6 June 2007 after demonstrating for the voices of ordinary Zimbabweans to be included in the SADC-mediated talks. She was arrested with 7 others, all of whom were also beaten and needed medical attention, which they were denied. They were held in Bulawayo Central Police Station for 48 hours before being charged under the Criminal Law (Codification and Reform Act), charges which again came to nothing. Another member that had not been arrested required an operation to remove a blood clot in her abdomen after being kicked in the stomach by riot police.

Cover photograph: WOZA protesters are met with tear gas at Parliament on Valentine's Day, 2007.

Introduction

Although Zimbabwe has a troubled history, both pre and post-Independence, it has been in extended turmoil since the year 2000. The origin of the crisis lies in failed government policies, which have led to economic collapse and a devastating fall in the standards of living of the large majority of the population. As a result, civil society became stronger and more vibrant and a viable political opposition was formed, both of which began demanding change of both policies and political leadership. The ruling party's response has been to revisit and intensify its repressive ways of the 1980's, stifle any criticism and frustrate any organisation not enjoying its blessing. At the same time it has introduced irresponsible policies and strengthened the role of patronage to retain sufficient support to create a façade of legitimacy. These in turn destroyed the productive bases of the economy and created massive impoverishment for all except the few beneficiaries of government's misplaced largesse. But the resulting protest by pro-democracy groupings has been met only with violence from state agents.

This report describes the violence that has been visited upon the members of Women of Zimbabwe Arise (WOZA), a movement founded in 2003 to create a voice for women to speak out about the injustices they encounter in their every-day struggle for survival. Starting from a determination to claim their right to freedom of expression, the women identified the following as their aims:

- Provide women, from all walks of life, with a united voice to speak out on issues affecting their day-to-day lives.
- Empower female leadership that will lead community involvement in pressing for solutions to the current crisis.
- Encourage women to stand up for their rights and freedoms.
- Lobby and advocate on those issues affecting women and their families.¹

Working on the principles of strategic nonviolence, through peaceful civic actions, WOZA aimed to create space to allow Zimbabweans to articulate issues they have been too fearful to raise alone. Since its formation five years ago, WOZA has conducted over 100 demonstrations, peacefully marching on the streets to voice its displeasure with the political, economic, and social state of affairs in Zimbabwe. The denial of the right to social justice has motivated the women to become human rights defenders and to confront the government, demanding the internationally guaranteed rights to expression, assembly, education, health and an adequate standard of living. A report by Amnesty International concurs that many women in Zimbabwe reported that they are failing to feed their families, pay school fees or pay for medical care for themselves and their extended families. Their situation has been aggravated by the government's continual attack on their sources of income, such as the harassment of informal traders and vendors by state agents, and the constant decline in the value of the currency because of a poorly performing economy.² WOZA's hallmark message is given each year on Valentine's Day, when red roses are distributed and Zimbabweans urged to choose love over the hate propaganda of the government.

The government of Zimbabwe, instead of addressing the issues that the women are protesting about, has responded by using brutal force and attacking anybody who engages in even peaceful demonstrations and protests. The members regularly experience ill treatment at the hands of the Zimbabwean police when they are arrested for what, in most democratic countries, is normal civic activity. Over 2,500 women have spent time in police custody, most more than once, willing to suffer beatings and unbearable conditions in prison cells to exercise their constitutional rights and fundamental freedoms.

The violations take place in the context of a nation, which espouses a constitution that guarantees the right to freedom of expression and assembly, and is party to many international human rights instruments, which hold similar guarantees. Since 2000 it has introduced legislation and policies, which effectively deny the population the exercise of these rights, and it has subverted the justice system in such a way that the new laws can rarely be tested in the courts. The government of Zimbabwe is thus in breach of its own

¹ www.wozazimbabwe.org

² Amnesty International, Zimbabwe, *Between a rock and a hard place - women human rights defenders at risk*, 25 July 2007. p.10.

constitution as well as its international law obligations when it instructs its police to assault and arrest WOZA members staging peaceful demonstrations.

In mid-2007 research was carried out to establish the nature and extent of violence experienced by WOZA women at the hands of state agents. The survey covered the period from 2000, before WOZA was formed, but also included questions relating to earlier periods in their lives, dating back to the 1970's, during the liberation war. Many of the women active today in WOZA were active in the political opposition from 2000 and suffered violations during the elections in 2000 and 2002. Many were also victims of violence during the liberation war and/or the Gukurahundi period of the mid 80's in Matabeleland and Midlands provinces. The aim of the research was not only to record the violations suffered as a result of WOZA activities, but also to obtain a profile of women's experiences of organised violence in the context of Zimbabwe's violent history.

Our findings show that women pay a dear price for taking on the role of human rights defenders. While to date no death has been recorded of a WOZA woman as a direct result of WOZA activities, a high level of violence has occurred and women have suffered torture, injuries, incarceration, humiliation and trauma in order to keep their voices heard by Zimbabweans and the international community. The death of one member, Maria Moyo, can also be attributed to police action. She failed to recover after being abducted by police from her sick bed and kept in freezing conditions for over six hours while being threatened with drowning in Khami Dam.

WOZA women are of course not the only activists on the receiving end of police brutality in Zimbabwe. Opposition politicians, students, trade unionists, journalists and members of other civil society organisations have likewise been victims, often subjected to even more horrifying treatment. Together all have been a powerful voice for the victims of political mismanagement.

The Context: Government's Failure to Honour National, Regional and International Obligations

The rights to freedom of expression and assembly are enshrined not only in the international conventions and protocols that Zimbabwe has ratified, but also in the Constitution of Zimbabwe.

The Constitution of Zimbabwe guarantees protection of fundamental freedoms. Section 20(1) states that *'...no person shall be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions and to receive and impart ideas and information without interference and freedom from interference with his correspondence...'* Section 21 guarantees the protection of freedom of assembly and association. It states that *'...no person shall be hindered in his freedom of assembly and association, that is to say, his right to assemble freely and associate with other persons and in particular to form or belong to political parties or trade unions or other associations for the protection of his interests'*.³

In 1986 Zimbabwe ratified the African Charter on Human and People's Rights, and in 1991, the International Covenant on Civil and Political Rights (ICCPR), both of which are human rights treaties that guarantee the protection of these same freedoms.

However, the state and its agents have not upheld the freedoms enshrined in the Zimbabwean constitution and in the international laws, which bind us. Citizens have on the contrary been consistently denied their rights and have been savagely treated by state agents when they attempt to exercise them.

The repressive laws introduced since 2000 undermine the ability of human rights defenders and activists to promote and protect their entitlements under the constitution and under international law. They have in fact criminalized all legitimate activities of human rights defenders.⁴ The Public Order and Security Act (POSA), for example, requires notification of public gatherings to the police, and gives the police the power to prohibit such meetings and demonstrations. Such powers given to the police are wielded selectively, as government supporters are always permitted to proceed, while opposition and non-partisan civic

³ Section 21 of the Constitution of Zimbabwe, subsection (1).

⁴ Laws such as the Criminal Law (Codification and Reform) Act, POSA and AIPPA. Ibid p.3-4.

organisations are not⁵. WOZA developed its philosophy of civil disobedience when, in response to notification, the police began banning all their demonstrations, deliberately misinterpreting the legislation, permanently depriving them of rights guaranteed by the constitution and international law. The government of Zimbabwe is thus in violation of Article 12 of the United Nations Declaration on Human Rights Defenders which recognizes the rights of everyone '*individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms.*' It also violates the International Covenant on Civil and Political Rights and on Economic, Social and Cultural Rights, as well as the African Charter on Human and People's Rights. Other legislation targets other internationally recognized activities of human rights defenders, such as the use of the media to protest government actions.

WOZA has refused to obey these unjust laws, demonstrating in the streets on a regular basis, and publishing their newsletters at will. The consequence has been a concerted attack on the women by law enforcers at virtually every protest event.

The African Commission on Human and People's Rights has recognized Zimbabwe's breaches of international law and recommended that the government study and implement the Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (otherwise known as the Robben Island Guidelines) adopted by the African Commission at its 32nd Ordinary Session held in Banjul, The Gambia in October 2002.⁶

Previous Research on State-Sponsored Violence in Zimbabwe

A considerable amount of evidence has been accumulated of violence organized by the state in Zimbabwe against its perceived political enemies. The most shocking was that published in 1995 about the atrocities committed by the Fifth Brigade of the army in Matabeleland and Midlands during the 1980s. But since 1998, when the Human Rights NGO Forum began systematic recording of rights violations, a large number of reports have been released.⁷ They show a consistently violent response by the state to any peaceful challenge to its authority or policies. Amnesty International also published '*Between a rock and a hard place – women human rights defenders at risk*' which confirms the pattern of continuing abuses. Thus the research that is being presented here simply provides further evidence of what has become an established trend.

Methodology

The survey examined political violence against WOZA women and the resulting trauma during the period from 2000 up to 2007. This constitutes the major part of the research, which sought to provide a detailed description of the extent and nature of the violence, the perpetrators and the effects. However the research also examined their experiences during other turbulent periods in Zimbabwe's history; namely the pre-independence era, the early 1980s, and the 1990s. In this way it was hoped a profile of a group of women activists and the abuses they have suffered at the hands of state agents throughout their lives would develop. It is obviously the older women who will give this longitudinal picture, especially those above the age of 45.

⁵ After this research was conducted, amendments were made to POSA and AIPPA; however these have been by and large minor amendments, which have in any case been ignored by law enforcement agents.

⁶ www.sarpn.org.za/d0000901/P1021-ACHPR2002-Zimbabwe.pdf.

⁷ See the following selection: Zimbabwe Human Rights NGO Forum (2001), *Human Rights and Zimbabwe's June 2000 election*, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM; Zimbabwe Human Rights NGO Forum (2001), *Politically motivated violence in Zimbabwe 2000–2001. A report on the campaign of political repression conducted by the Zimbabwean Government under the guise of carrying out land reform*, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM; Zimbabwe Human Rights NGO Forum (2002), *Human Rights and Zimbabwe's Presidential Election: March 2002*, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM; Zimbabwe Human Rights NGO Forum (2003), *Zimbabwe, the Abuja Agreement and Commonwealth Principles: Compliance or Disregard?* 8 September 2003, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM; Zimbabwe Human Rights NGO Forum (2005), *Order out of Chaos, or Chaos out of Order? A Preliminary Report on Operation "Murambatsvina"*, June 2005. HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM; Zimbabwe Human Rights NGO Forum (2006), *An Analysis of the Zimbabwe Human Rights NGO Forum Legal Cases, 1998–2006. Published by the Zimbabwe Human Rights NGO Forum*, June 2006, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM; Zimbabwe Human Rights NGO Forum (2006), *A Woman's Place is in the Home? Gender Based Violence and Opposition Politics in Zimbabwe*, Published by the Zimbabwe Human Rights NGO Forum, December 2006, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM; Zimbabwe Human Rights NGO Forum (2006), *Who Guards the Guards? Violations by Law Enforcement Agencies in Zimbabwe, 2000 to 2006*, December 2006, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM; Zimbabwe Human Rights NGO Forum (2007), *At Best a Falsehood, At Worst a Lie? Shooting Oneself in the Foot? Comments on the Zimbabwe Republic Police Report "Opposition Politics in Zimbabwe. A Trail of Violence"*, June 2007. HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.

A questionnaire for interview was developed through focus discussion groups, and was refined following pilot testing. The final questionnaire covered the following areas that were seen as relevant to an understanding of gross human rights violations against the women: arrests; violations since 2000; perpetrators; legal actions; loss of property; medical treatment; trauma after 2000 and trauma before 2000.

Trauma was assessed through the use of a questionnaire based on the Harvard Trauma Questionnaire [Vietnamese Version]⁸ that had been modified for use in previous Zimbabwean studies, and was further modified for this study.⁹

Following the finalizing of the questionnaire, a series of training workshops was held for the interviewers who were chosen from amongst WOZA members. Although none of them had prior experience of either interviewing or sociological surveying, the participation of the membership was considered an important part of their empowerment, a key aspect of WOZA philosophy. The interviewers were then sent out to do five trial interviews, and the quality of these interviews was assessed. This resulted in about five per cent of the interviewers being rejected. The final interviewing team was then deployed among the membership, and undertook nearly 2,200 interviews. The interviewers did not hand the questionnaire to the interviewee, but rather asked the questions orally and recorded the answers. This gave them the opportunity to explain the questions fully and to probe the answers given to ensure that they could be accurately categorised. The data was then cleaned, and the final analysis is based on 1,983 questionnaires. The interviews were conducted in various high-density suburbs of Bulawayo, Chitungwiza, Harare, Mutare, Masvingo and in the rural district of Insiza in Matabeleland South. The interviewees were all female members of WOZA.¹⁰

This data has been entered on a customized computerized database, written in Microsoft Access.

The sample is first described as a whole in terms of the frequencies and averages found. A number of key issues were then examined more closely due to their importance. When findings of statistical significance were found they are reported.

Results

Only statistically interesting findings from the data were reported upon and the results are detailed below. The total figures for each table differ slightly since not all the questionnaires were fully completed.

Demographics

Age

WOZA membership ranges from young women to elderly women; the youngest interviewed was 16 years old and the oldest member interviewed was 91 years of age. The average age of the women was 40 years.

Table 1: Age distribution of interview sample [n=1955]

	>20	21-30	31-40	41-50	51-60	61-70	<70
Number	91	402	487	442	307	176	50
% of total	4.7	20.6	24.9	22.6	15.7	9.0	2.6

⁸ The Harvard Trauma Questionnaire has been widely used in a variety of different settings, and a number of versions have been developed for specific settings. For this study, several items were added, designed to capture some aspects of Operation Murambatsvina that were not in the original Zimbabwean version. These items related to confiscation or destruction of property, sexual abuse other than rape, and feelings of dependency on others. This gave a 20 item questionnaire.

⁹ See ActionAid (2005), *An in-depth study on the impact of Operation Murambatsvina/Restore Order in Zimbabwe*. ActionAid International in collaboration with the Counselling Services Unit (CSU), Combined Harare Residents' Association (CHRA) and the Zimbabwe Peace Project (ZPP). November 2005; see also Zimbabwe Human Rights NGO Forum (1999), *A Consolidated Report on the Food Riots 19–23 January 1998*, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.

¹⁰ Although there are also male members of the organisation, Men of Zimbabwe Arise (MOZA), this survey focused only on the experiences of the female members.

Marital status

Almost half [48%] of the women were married, followed by 23% who were single, and 21%, 5%, 4% were widowed, separated and divorced respectively, as shown in Table 2.

Table 2: Marital status [n=1983]

Marital status	Numbers [%]
Married	925 [48%]
Single	438 [23%]
Widowed	406 [21%]
Separated	79 [4%]
Divorced	90 [5%]

The women on average are taking care of three children under the age of 18 in their households.¹¹ Most of the women are low-income earners, their sources of income coming primarily from vending and cross border trading. Some are dependent upon their husbands, and some are dependent on their children and/or spouses who are living abroad.

Geographical Location

Table 3: Location [n=1966]¹²

Location	Numbers [%]
Bulawayo	657 [33%]
Chitungwiza	166 [8%]
Harare	537 [27%]
Masvingo	18 [1%]
Manicaland	13 [1%]
Insiza	564 [29%]
Midlands	1 [0.5%]

Table 3 above shows that WOZA's membership is spread across the country. 33% of those interviewed are from Bulawayo, 27% are from Harare, and 29% are from Insiza. Chitungwiza is a satellite town situated approximately 40km outside Harare, and it constituted 8%. For the purpose of reporting in subsequent tables, they have been included with Harare, since all their street actions were carried out jointly with women from Harare. A small number came from Masvingo, Manicaland and Midlands. 1.3% did not state where they were from.

Education

Table 4: levels of education completed [n=1913]

Level of Education	Numbers [%]
Primary	915 [48%]
Secondary	592 [31%]
None	378 [20%]
A level/ College	22 [1%]
Zimbabwe Junior Certificate (ZJC)	6 [0.3%]

As Table 4 indicates, most of the WOZA women are not highly educated; 48% completed primary school whilst 31% managed to complete secondary school education. The 20% who indicated that they had not completed any level of education includes those who never attended school as well as a larger number who attended school but dropped out before completing Grade 7. Only 1% of the women have completed 'A' level or attended college to obtain some form of diploma.

¹¹ Of the children that they are taking care of, this includes not only their maternal children but also children from extended families, living in their households and under their care.

¹² A number of women did not supply any information as to their place of residence, hence the lower number than the total sample.

It should be noted that in recent years Zimbabwe has been faced with a marked fall in education standards. According to a survey conducted by Afrobarometer in 2006, it was reported that many schools were facing shortages of textbooks and other essential supplies, frequent absence of teachers, and parents of the children were finding it difficult to pay for their children's school fees.¹³ Hence the older women experienced a higher standard of education than those who recently left school.

Political Violence Experienced by WOZA Women

WOZA Actions

Street demonstrations take place on a regular basis, approximately every month. Each demonstration is accompanied by a newsletter explaining the theme of the protest, whether it be the freedom to speak out, complaints over school fees, lack of services, shortages of basic goods, prices, or problems in accessing cash. Members gather at an agreed point and attempt to march with banners and distributing the fliers. Usually uniformed police stop them before they go more than two or three blocks, and the riot police are then summoned to disperse them. The women do not resist and sit down to await arrest. On many occasions they have been violently dispersed, mainly by beating with batons or tear gas. Such demonstrations have taken place in Bulawayo, Harare, Gweru, Masvingo, Mutare and Insiza (Matabeleland South).

Arrests

Of the total interviewees, 1,206 said they had been arrested at least once. This amounts to 61% of the total sample, with 39% not having been arrested. 83% of those interviewed in Chitungwiza reported having been arrested at least once, while 69%, 62% and 44% of those from Harare, Bulawayo and Insiza respectively had been arrested. Many have been arrested several times, including some of the leadership who count more than 20 arrests. It should be noted however that some of those leaders were not among the sample interviewed. The total number of arrests reported by 1,983 respondents was 2,359.

While most of the arrests have been during demonstrations, occasionally members have also been arrested during meetings held within their communities. WOZA argues that the arrests of demonstrators are illegal, since women's organisations qualify as groups that do not need to notify the police under the Schedule to POSA. Some magistrates have accepted this argument, but it has not been legally tested at a higher level of the judiciary. It could thus be argued that arrest of demonstrators who have not notified the police does give a police officer a reasonable suspicion on which to act, but the arrests during private meetings are clearly unlawful.

The table below demonstrates that police officers did not give any consideration for age, arresting young and old alike, and the mature women have a slightly higher frequency of arrests.

Table 5: Average number of arrests according to age

	Under 20 [5 %]	20-30 [21 %]	30-40 [25 %]	40-50 [23 %]	50-60 [16 %]	Over 60 [12 %]
No of times arrested	1.8	1.7	1.8	2.1	2.4	1.9

Detentions

After arrest, the women are taken to local police stations, and if they are many (the largest number arrested at one time totalled 265) they may be distributed between different police stations. They are generally detained for two or three days, while the dockets are prepared for court.

Some of the women will be taken for interrogation by Law and Order and/or Police Internal Security Intelligence (PISI),¹⁴ but all will be incarcerated in extremely bad conditions in the police cells. Generally

¹³ C. Logan, T. Fujiwara, V. Parish, Afrobarometer, *Citizens and the state in Africa. New results from Afrobarometer Round 3*, Working Paper No. 61, May 2006, p.18-19.

¹⁴ The Law and Order Section of the CID and the Police Internal Security and Intelligence section are two sections of the police charged with dealing with "political" matters, and have frequently been reported in human rights reports as having been involved in gross human rights violations such as torture.

food is not provided, and other WOZA members will be required to negotiate with the officers to bring in food. The regulations are strict and officers sometimes vindictive, and frequently meals are missed. Sometimes women will need medication, including antiretrovirals, or treatment for injuries or illnesses and again this becomes a matter for negotiation in spite of clear regulations requiring people in police custody to be given food and medical attention¹⁵.

Under Zimbabwean law anyone detained by the police is entitled to consult their lawyer. WOZA always engages a lawyer to attend to those arrested and detained. Sometimes the lawyers have been denied access, but usually they have been allowed into the station and they often assist with negotiations for food, medical attention, and release of women with babies. However, generally they do not see every woman detained, even though they will be representing the whole group charged. The women are usually pressured to pay admission of guilt fines. It is WOZA policy not to pay fines to secure release, since the laws, which they are alleged, to have violated are deemed to be unjust and unconstitutional. However, sometimes anxious relatives will pay the fines to release their wives, mothers, sisters, daughters or granddaughters.

The detentions usually result in court appearances, and remand out of custody, for which bail is sometimes required, but often the women will be released without charge or told that the police will proceed by way of summons. Remarkably, only three of the incidents have resulted in full trials, and no conviction has ever been secured by the state. In some cases, a trial date has been set, but charges withdrawn before plea.

Violations experienced

While some abuses such as beatings and insults occur during arrest, once in custody the women frequently become victims of various other abuses, which are illegal and constitute rights violations. The table below shows the number of interviewees reporting various types of violations. Note that these include violations out of custody and in custody. Some are not related to participation in demonstrations and provide a general background picture to the political context in which activists operate. Note that the figures given indicate the number of interviewees responding “yes” to the question whether they have experienced such a violation. It does not show if an individual has experienced the abuse many times over. Thus, of the 1,983 women answering the questionnaire, 832 or 42% indicated that a state agent had assaulted them on at least one occasion since 2000.

The violations with the highest frequencies were political threats, and being forced to attend political meetings. These violations were more likely to happen out of Zimbabwe Republic Police (ZRP) custody. However, insults by ZRP officers, assault, humiliating and degrading treatment, unlawful detention longer than 48 hours, mental torture and physical torture generally occurred when they had been arrested and were in the hands of the ZRP.

Table 6: Types of violations reported

Offence	Number [n=1983]
Assault	832
Death threats	949
Forced to attend political meetings	1347
Humiliating and degrading treatment	1262
Insults by ZRP officers	1254
Political threats	1544
Torture (physical)	647
Torture (mental)	732
Unlawful detention longer than 48 hours	741
Forced removal of underwear in custody	267

For example, see Zimbabwe Human Rights NGO Forum (2006), *Who Guards the Guards? Violations by Law Enforcement Agencies in Zimbabwe, 2000 to 2006*, December 2006, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.

¹⁵ Code of Conduct for Law Enforcement Officials adopted by General Assembly Resolution 34/169 of 17 December 1979, Article 6.

It is important to understand what is implied by each of the categories of violation included in the table above, as there is room for widely divergent interpretations of abuses such as 'torture'. Some of them cannot be neatly differentiated and some of them overlap, but the training attempted to ensure that the interviewers would question the interviewees carefully to ensure correct categorization.

Assault generally referred to beatings with baton sticks, rubber hosepipes, hands or fists and booted feet. Assaults range from those that caused serious injury, such as a skull fracture experienced by one woman, to deep tissue damage for several, to mild bruising for others.

Death threats were made either directly face-to-face while in custody or by telephone and could be directed at the individual to whom the threat was made, or as a message to be passed on to others.

Forced to attend political meetings generally occurred during election campaigns, when women such as vendors were rounded up and pushed into buses to attend rallies, or in rural areas, where traditional leaders ordered attendance.

Humiliating or degrading treatment represents a wide range of specific behaviours, including being made to kneel before police officers, being incarcerated in filthy cells with no proper sanitation facilities, to being denied access to a toilet. In some cases detainees were required to perform sexually suggestive acts.

Insults by police officers took many forms, the most common being reference to the fact that women on the streets are whores and should be at home with their families.

Torture, both psychological and physical, is a difficult category. Under international law, torture entails severe pain inflicted by a state agent in a situation where the victim is powerless. Physical torture in this case sometimes refers to *falanga*,¹⁶ to kicking with booted feet while women were being made to lie down and were being walked on, to being made to stand for long periods with bent knees (known as air chairs). The purpose was usually to extract information or to punish and intimidate to ensure that the individual stopped her activism. Psychological torture includes showing equipment purported to be for electric shock treatment and threatening to use it, threatening to throw people down a mineshaft or into a dam. In fact, no WOZA woman has experienced electric shock treatment as a result of participating in WOZA activities.

Forced removal of underwear in custody seems to be a particular fetish of some police officers. It is of course a form of humiliating and degrading treatment, but it is particularly poignant and in some cases could verge on being mental torture considering its implied threat of sexual assault. It was therefore recorded separately.

Although not included in the statistical report of findings since the number of incidents was very small, there have been at least three cases of *abduction* of WOZA women by police, one from a police station and two from the women's homes. These were extremely serious offences, as they involved taking the women into bushy places and threatening them with extreme violence and death if they did not reveal the required information.

In general, a large proportion of WOZA activists have suffered multiple violations, some of which caused serious injury, but most of which were intended not to kill or maim, but to frighten and to deter them from further participation in WOZA activities. Such intimidation has not been successful for the most part, but it can leave indelible scars in various forms of trauma, even where the individual continues her activism.

¹⁶ An internationally documented form of torture consisting of beating on the soles of the feet.

Table 7 shows the breakdown of violations reported according to age group. The number is the total number of respondents in the age group reporting each type of violation. What is of interest is that, as with arrest, it appears that the police details make few allowances for age of the women, whether old or young. This table can be read with Table 1, which shows the total number of respondents in each age group.

Table 7: Violations reported according to age

	Under 20	20-30	30-40	40-50	50-60	Over 60
Assault	19	144	189	162	115	49
Death threats	17	123	180	166	127	59
Humiliating or degrading treatment	38	201	269	227	154	82
Insults by ZRP	42	227	282	227	153	83
Political threats	26	170	256	227	158	80
Torture (mental)	17	119	172	125	88	43
Torture (physical)	20	107	143	115	85	38
Unlawful detention	25	165	203	159	112	53
Forced removal of underwear	3	52	96	57	55	16

All groups report humiliating and degrading treatment, insults by the police, and political threats with a high frequency. Assaults, death threats, psychological torture, and physical torture are reported less frequently. The number of violations reported tend to increase with age, dropping with the obviously elderly, which suggests that there may be some inhibition preventing the perpetrators from harming the elderly or possibly that the elderly are less likely to report some types of abuses.

Torture and Cruel, Inhuman or Degrading Treatment

Torture¹⁷ and cruel, inhuman and degrading treatment are prohibited both in the Zimbabwean constitution and in many international law instruments to which Zimbabwe is party. Section 15(1) of the Constitution of Zimbabwe states that *'No one shall be subjected to torture or to inhuman or degrading punishment or other such treatment.'* The Code of Conduct for Law Enforcement Officials, adopted by a UN General Assembly Resolution of December 1979, prohibits any police officer from inflicting either torture or cruel, inhuman or degrading treatment on anyone, and no derogation from this obligation is permitted. Zimbabwe has not ratified the UN Convention Against Torture, but other international human rights instruments under which Zimbabwe incurs binding obligations also prohibit torture.

Approximately one third of the respondents in this survey reported that they had been physically tortured, and more reported mental torture, at the hands of state agents. The forms of physical torture varied, but possibly the worst incident was that in which women, arriving in Harare from Bulawayo to attend a prayer service on the evening of the parliamentary election in March 2005, were forced to lie on the ground, were then stomped on and kicked and beaten by riot police. Other cases involved beating on the breasts with a baton stick, beating on the soles of the feet (falanga) and being forced to sit on air for extended periods. Mental torture is more difficult to pinpoint, but included in this category would be occasions on which women were shown tools of electric torture, were given death threats, or on being abducted, shown where they would be thrown into mine shafts or dams. Some of the respondents may have interpreted mental torture rather loosely to include the fear that everyone experiences on being locked up and not knowing whether they will be tortured or even killed.

WOZA women are not the only activists on the receiving end of torture in Zimbabwe, and it is a fact that some other groups, especially political activists and students, have been selected for more serious assaults, including electric shocks.

¹⁷ Defined in the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Part I Article 1 as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity." Cruel, inhuman and degrading treatment are not specifically defined or described.

Acts of intimidation and brutality, which fall short of torture, are usually classified as cruel, inhuman and degrading treatment. Just as, during the past six years, torture has become widespread and systematic and has been used as a tool by the government of Zimbabwe to silence any form of human rights activism,¹⁸ so has humiliating and degrading treatment increased.

Sixty-four percent of the women sampled reported experience of such treatment – more in fact than those arrested. This category becomes a catchall for a wide variety of abuses. Perhaps the most common is incarceration in cells not fit for human habitation. Detainees are deliberately crowded into cells designed for much smaller numbers, sometimes even when other cells are available; the cells are filthy, containing human excrement, fleas and lice, and blankets, when provided, are in the same condition. Usually there is only the cold floor to sit or lie on, the toilet normally does not flush, no toilet paper is allowed, women are often not permitted sanitary pads. In a case heard by the Supreme Court in 2004, such conditions of police custody were ruled to constitute humiliating and degrading treatment.¹⁹

There have been many other examples of such treatment, designed deliberately to humiliate and to intimidate so that the individual will find it so unpleasant that she will not participate in WOZA activities in future. Some of these are the forced removal of underwear, the denial of prescribed medicines or medical treatment, and the denial of food.

The forced removal of underwear when in custody is reported separately because it is something that has not been reported by any other group. It is standard practice for women to be asked to remove their bras due to the purported risk of suicide by hanging (highly unlikely in a crowded cell, even the police must admit), but there is no possible rationale for them to move their underclothes other than to humiliate them. This abuse was reported by 23% of those arrested.

It is quite clear, then, that the response of the authorities to WOZA's peaceful demonstrations has been brutal and in contravention of both domestic and international law, and that the police officers have been in breach of their own Codes of Conduct as well as committing violations of the criminal law.

Instruments Used

According to the United Nations Code of Conduct for Law Enforcement Officials, law enforcement officials may only use force when it is strictly necessary and then only in the proportion required to deal effectively with the situation.²⁰ This principle was further elaborated in the Seventh United Nations Congress on the Prevention of Crime and Treatment of Offenders. Resolution 14 emphasized that the use of force and firearms by law enforcement officials should be commensurate with due respect for human rights.²¹ In the general provisions of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, governments shall ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under the law.²² While police have never fired upon WOZA demonstrators, some officers have occasionally used their guns as instruments to assault WOZA women during their peaceful demonstrations.

In the majority of cases, the women were beaten with baton sticks [23%]. Small numbers reported being assaulted with booted feet [7%] and the butts of guns [1%]. Thus, for those of the sample that identified an instrument of any kind, the baton stick was the most common. The women were also assaulted with fists and open hands. There were a few cases where electrical cords were used, wooden planks, sjamboks²³, belts and ropes. It appears as though the perpetrators used whatever instruments were at their disposal, rather than making special preparations.

¹⁸ www.redress.org/reports/ZimbabweShadowReport. May07.pdf p.27.

¹⁹ Nancy Kachingwe, Wellington Chibembe and Zimbabwe Lawyers for Human Rights v The Minister of Home Affairs N.O and the Commissioner of ZRP Judgment No S- 145-04.

²⁰ Article 3(c) of the Code of Conduct for Law Enforcement Officials. Adopted by General Assembly Resolution 34/169 of 17 December 1979.

²¹ Held at Varenna Italy.

²² General Provision 7, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990.

²³ A long leather whip, normally used for herding cattle or driving oxen and donkeys.

Children in Custody

In some instances the women do not have caregivers with whom to leave their breast-feeding children when they demonstrate or attend meetings²⁴. They may then end up being arrested with their babies.²⁵ Of the arrested women, 21% reported having children with them when taken into custody. This high percentage may not necessarily reflect the true scenario as it is suspected that, in spite of efforts to make it clear that the interviewers were asking about women's own children, some women were answering on the basis that there were children in their group of arrestees. At times the ZRP treat these women differently and consider them for early release. However this appears to be at the discretion of the detaining officers, as on several occasions babies or toddlers remained in custody for several hours or even days with their mothers. 250 women indicated that they had children with them who on average spent at least five hours in custody. On at least one occasion a breast-feeding mother who had left her baby at home had to be escorted to bring her baby to the police cells so that the baby could be fed. Police refused to allow her to remain at home with the baby, to report the following day.

The Universal Declaration of Human Rights Article 25(2) states '*motherhood and childhood are entitled to special care and assistance*'. This is clearly not being accorded to women human rights defenders with young children. Zimbabwe is also a signatory to the UN Convention on the Rights of the Child. Article 2(2) says that '*state parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members*'. Article 3 requires: '*In all actions concerning children whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration*.' A state party is bound to ensure that '*the arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time*'.²⁶ Clearly the actions of the police put the government of Zimbabwe in contravention of its obligations under these instruments of international law.

Injuries and Medical Treatment

The questionnaire asked women to indicate if they had been injured by perpetrators of violence and if they had sought medical treatment for their injuries. Of the 832 women that were assaulted and tortured, 447 reported that they had sought medical attention for their injuries.

Of the women that sought medical treatment, 91 were admitted into hospital from the injuries they sustained as a result of beatings and torture. The women sustained injuries such as swelling and deep tissue bruising, broken bones, constant aches and pains, and suppurating abscesses, including a broken arm suffered when falling out of a police vehicle, a skull fracture from being kicked in the head, and a severely injured ankle.²⁷

Of the total sample only 54 who stated that they had been violated received some form of counselling. This figure is very low considering the fact that physical and psychological torture was reported at very high levels (see below), and psychological trauma is commonly found to be the most persistent consequence of torture.

Articles (5) and (6) of SARPCCO Code of Conduct state that the police should ensure the protection of health of people in custody.²⁸ Principle (24) of the UN Body of Principles for the Protection of all Persons under Any Form of Detention or Imprisonment (1989) states that, '*a person under detention or*

²⁴ 56 Women and 10 babies arrested in Harare 23 April 2007, www.wozazimbabwe.org

²⁵ This is not peculiar to WOZA only, as NCA women were also arrested with nursing children in July 2007, see '*Babies Abandoned as ZRP Beat Mothers*', www.zimbabwesituation.com

²⁶ UN Convention on the Rights of the Child, Article 37(h).

²⁷ A good illustration of the types of injuries suffered during assault and torture is provided in a very recent report, which also includes an example of the injuries inflicted on a woman, Mrs Sekai Holland of the Movement for Democratic Change (MDC). See '*We have degrees in violence*'. A Report on Torture and Human Rights Abuses in Zimbabwe. December 2007. The Open Society Initiative for Southern Africa, The Open Society Institute, & The Bellevue/NYU Program for Survivors of Torture.

²⁸ SARPCCO – Southern African Regional Police Chief Co-operation Organisation.

imprisonment shall be provided medical treatment free of charge. Most WOZA women who have been injured at the hands of the ZRP have not been afforded free treatment, and are usually only able to see a doctor after release at the victim's own expense. Principle 33(4) of the International Bill of Human Rights states that, in prison, *'a person will not suffer prejudice for making a request or complaint'*. In Zimbabwe, a person under detention who complains or demands their rights runs the risk of being labelled a troublemaker, and treated even more harshly.

Geographical Distributions

The WOZA membership is spread throughout the country, but for the purpose of this study, the main areas where interviews took place were Bulawayo, Harare/Chitungwiza and Insiza (Matabeleland South). Harare and Chitungwiza are grouped together as the Chitungwiza participants were a small number, and their actions were always held with Harare members. The few interviewed in Mutare and Masvingo were not enough to create a viable sample.

The age groupings in the three areas are shown in the table below:

Table 8: Distribution of age according to location

	>20	21-30	31-40	41-50	51-60	61-70	<70
Bulawayo [n=647]	38	161	152	155	88	37	16
Harare [n=694]	18	188	206	146	99	34	3
Insiza [n=556]	3	65	110	132	114	101	31
Totals:	59	414	468	433	301	172	50

The differences in interviewee ages are particularly in the under 20's and the over 60's. The largest portion of younger interviewees was in Bulawayo, and the largest portion of over 60's is in Insiza. This is to some extent a valid reflection of the overall membership of the organisation, with many elderly women in the rural district of Insiza.

Table 9: Violations Reported according to location

Violations	Bulawayo	Harare	Insiza
	n=657	n=703	n=564
Assault	283	433	77
Death threats	194	392	325
Forced to attend political meetings	240	615	442
Humiliating or degrading treatment	404	474	336
Insults by police officers	441	568	199
Political threats	371	631	493
Torture (mental)	167	415	110
Torture (physical)	174	327	109
Unlawful detention [longer than 48 hrs]	260	400	43
Forced removal of underwear	46	214	7

Violations occurred with high frequency in all three geographical locations, with only the types of violations varying somewhat.

Where violations took place

Not all abuses took place in the course of detention. Some occurred in the street, some while women were being transported in a police vehicle. Respondents were therefore asked to indicate whether the violations took place at a ZRP station, while in ZRP transport, or out of custody. Unfortunately this classification did not allow for the scenario which occurred more than once, when a woman was abducted by the police and held somewhere in the bush. In relation to assaults, of the 832 who experienced this form of violation, 434 were assaulted at the police station, 146 in police transport, and 346 out of custody. It is probable that most of the assaults out of custody were by riot police when they were dispersing demonstrators.

Table 10: Where assaults took place [n = 832]

Places where the violations took place	Number
ZRP station	434
ZRP vehicle	146
Out of custody	346
Not specified where assaults took place	94

Of the 647 reporting physical torture, 385 reported that it took place at the police station while only 101 reported that it took place in a police vehicle. And 240 reported it taking place out of custody. The discrepancy in totals suggests that some respondents may have been tortured in different places on different occasions, or in different places during a single arrest.

Mental torture had a rather different profile, as 432 indicated that it took place in a police station, while only 94 women reported it occurring in a police vehicle and a negligible number indicated it took place out of custody. Perhaps a large part of the mental torture in fact describes the fear experienced by women once they were in custody and subjected to the treatment often accorded detainees. Clearly not all arrested experienced mental torture, but surprisingly the percentage is higher than those experiencing physical torture.

Table 11: Places where torture took place

Offence	ZRP station	ZRP vehicle	Out of custody
Torture (mental)	432	94	8
Torture (physical)	385	101	240

The data support the frequently reported observation by human rights groups that torture is associated with detention or being in custody. Note that the totals for physical torture are higher than the total interviewees reporting it, suggesting that some experienced torture in the police station as well as elsewhere.

Table 12: Political threats, insults by ZRP Officers and humiliating and degrading treatment

Offence	ZRP station	ZRP vehicle	Out of custody
Political threats	356	91	987
Insults by ZRP officers	864	209	316
Humiliating and degrading treatment	739	134	411
Death threats	383	62	520

As can be seen from Table 12, whilst there was a general trend for the above violations – political threats, insults, and humiliating or degrading treatment – to be more frequently reported as occurring at police stations, it was interesting that these were also frequent out of custody, doubtless taking place in the streets during the confrontations resulting from demonstrations.

Perpetrators

State agents of various sorts appear as violators of WOZA women's rights. The police in its various formations are prominent, but war veterans, ZANU PF members, youth militia and other government officials, including traditional leaders, also are included. The army has the lowest response rate, being mentioned by only three per cent of the respondents.

As indicated below in Table 13, the Zimbabwe Republic Police (ZRP) and its respective departments have been reported as the main perpetrators of violations against the women. Civil activists encounter several branches of the police during the course of their activities. The regular police are referred to in this study as the uniformed branch to distinguish it from the plain-clothed branches. The Law and Order section is

part of the CID, as is PISI. Both were formed in earlier periods of Zimbabwe's history to counter what were deemed to be political crimes. The riot squad is also uniformed, but easily distinguished from the regular police by their blue uniforms, helmets and other riot gear.

Table 13: Perpetrators [n=1482]

Perpetrators	Number
ZRP Uniformed Branch	851
ZRP Riot Squad	725
ZRP CID Law and Order Section	416
Zanu (PF) members	366
ZRP PISI	145
War veterans	380
Youth militia	205
Members of Presidents Office/Central Intelligence Organisation (CIO)	97
District Administrator	78
Zimbabwe National Army	58
Member of Parliament	99
Provincial Administrator	73
Traditional leaders	380
Others	180

The uniformed branch were mentioned as perpetrators by 851 of the respondents, while the Riot Squad, CID Law and Order section and PISI were named by 715, 416, and 145 of those reporting violations respectively. These high figures confirm the evidence that most of the violations took place during demonstrations or in police custody after arrests. The violations by war veterans and youth militia probably took place during election campaigns when WOZA women were targeted for being opposition supporters. WOZA has not experienced interference by either of these groups at the time of demonstrations. The violations by members of parliament, provincial administrators, and traditional leaders are likely to refer to incidents of being forced to attend political meetings, or political threats. The totals clearly show that most respondents indicated more than one perpetrator of abuses.

The roles played by the different branches of the police force can be seen from the following description of the sequence of events once WOZA women are reported to be on the march:

The Riot Squad of the ZRP is sent out to quell demonstrations. Once they arrive, WOZA's policy is to sit down and not resist, but inevitably some women run, and the Riot Squad frequently assault these women while giving chase, but sometimes they also beat those sitting down. The behaviour of the ZRP is not random violence by a few officers but they are apparently acting on instructions from their superiors. Instructions have sometimes been heard being given on the spot. Once arrests have been made, plain-clothed officers coordinate transport to the ZRP station. At the station PISI take down their details and those arrested are then handed over to the Law and Order branch who decide whether they are to be detained. Uniformed ZRP supervise the detention of arrested members and co-ordinate affidavits from arresting officers. In most cases the insults and degrading treatment come from the uniformed officers in the course of performing these duties. Law and Order then start the interrogations and prepare dockets for court. Members are finger printed, photographed, and made to sign warned and cautioned statements. It is the responsibility of Law and Order to ensure that members are taken to court within the stipulated 48 hours for bail and or remand, but this regulation is rarely observed. It is also Law and Order who make the decision to release mothers with babies, the sick, injured, or juveniles.

The reported perpetrators were segregated by geographical location. The figures confirm that the various branches of the police force are perpetrators in all parts of the country. However, the rural area of Insiza shows a different pattern, with war veterans taking a leading role, and those branches of the police are found in a rural district centre on a smaller scale. Those from Insiza reporting violations by the riot squad

are probably those who participated in actions in Bulawayo or Harare. The youth militia appears from these figures to have been more active in Harare than elsewhere in violations against WOZA women.

Table 14: Perpetrators reported by location [n=1924]

Perpetrators	Bulawayo	Harare	Insiza	Totals
ZRP [Uniform Branch]	240	404	171	815
ZRP [Riot Squad/Support Unit]	311	308	72	691
ZRP [CID Law and Order]	122	232	31	385
ZRP [PISI]	62	66	4	132
Zanu PF supporters	51	158	107	316
War veterans	109	47	221	377
Youth militia	57	100	43	200
Totals:	952	1315	649	2916

Special mention needs to be made of the Law and Order Section, as they are responsible for much of the psychological and physical torture in their quest to secure information and intimidate the women. Of those women reporting assaults, 67% also reported Law and Order as perpetrators; of those reporting humiliating and degrading treatment, 87% cited Law and Order, and of those reporting insults by police officers, 92% had also named Law and Order as violators. Similar figures were found for detention longer than 48 hours [66%], mental torture [62%] and physical torture [56%].

It is clear then, that the role of the Law and Order Section of the CID is critical. It has been mentioned in many human rights reports,²⁹ and its disbanding was recommended by the Fact-Finding Mission of the African Commission for Human and People's Rights in 2002. Nevertheless, these officers continue to carry out the political objectives of the government in power, that is, to break any desire of organized groups to exercise their rights to demand change.

The role of the police in perpetrating most of the violence against WOZA women is hardly surprising but nevertheless demonstrates how far they have strayed from their professional and legal obligations

It is clearly stated in Part (5) of the Police Act that any officer who commits offences specified in the schedule to the Act shall be disciplined. One of the offences in the schedule is *'using unnecessary violence towards or neglecting or in any way ill treating any person in custody or other person with whom he may be brought into contact in the execution of his duty.'* There is no evidence that any ZRP officer has ever been disciplined for committing human rights abuses against human rights defenders, even in notorious cases.³⁰ Furthermore, some respondents to the questionnaire indicated that they were aware that officers had sometimes been transferred for failing to mistreat detainees. The government has a responsibility to ensure that those responsible for acts of torture or ill treatment are subject to legal process,³¹ and they also have to ensure that there is no immunity from prosecution for nationals suspected of torture. These provisions clearly reflect that the ZRP should be prosecuted for their actions. They have violated their professional codes of conduct as well as the criminal law of Zimbabwe.

Furthermore, they are also guilty of breach of their international obligations. SARPCCO is a regional organisation of police forces in Southern Africa, which sets standards of policing for its members. Article (1) of SARPCCO's Code of Conduct for Police Officials states that *'in the performance of their duties police officials shall respect and protect human dignity and maintain and uphold human rights for all persons.'* The ZRP is a member of SARPCCO and the Code of Conduct was agreed upon in Zimbabwe in 2001, and is called the Harare Resolution.

²⁹ Zimbabwe Human Rights NGO Forum (2006), *Who guards the guards? Violations by Law Enforcement Agencies in Zimbabwe, 2000 to 2006*, December 2006, HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM. See Zimbabwe Human Rights NGO Forum (2007), *'At Best a Falsehood; At Worst a Lie'. Comments on the Zimbabwe Republic Police Report "Opposition Politics in Zimbabwe. A Trail of Violence.* June 2007. HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.

³⁰ See Redress (2004), *The Case of Henry Dowa: The United Nations and Zimbabwe under the spotlight*, January 2004, LONDON: REDRESS TRUST. See also Redress Trust (2004), *ZIMBABWE. TORTUOUS PATTERNS DESTINED TO REPEAT THEMSELVES IN UPCOMING ELECTION CAMPAIGN. Preliminary Study of Trends and Associations in the Pattern of Torture and Organised Violence in Zimbabwe, July 2001 - December 2003*, LONDON: REDRESS TRUST

³¹ See the IBAHRI's October 2007 report, 'Partisan policing: An obstacle to human rights and democracy in Zimbabwe.

There are UN and other regional bodies laying down non-treaty based standards relevant to policing in Zimbabwe, and member states are expected to adhere to them regardless of their non-treaty standing. These include the UN Body of Principles for the Protection of All Persons under any form of Detention or Imprisonment (1988), the UN Basic Principles for the Treatment of Prisoners (1990), the UN Basic Principles for the Use of Force and Firearms by Law Enforcement Officials (1990), the Resolution on Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (The Robben Island Guidelines), and the SADC Principles and Guidelines Governing Democratic Elections (2004).

Consequences of Civic Activism: Trauma

The majority of Zimbabweans, especially those of lower social status, have suffered multiple traumatic experiences over the past eight years. They have seen their living standards drop drastically, have experienced helplessness in the face of treatable disease, watched their children drop out of school or fail due to lack of teachers and resources. Many have had their livelihoods and their homes destroyed in Operation Murambatsvina in 2005 and most have experienced family disintegration through migration in search of work. Life has become a misery and a struggle for bare survival. These experiences have been measured in this study by an item on trauma caused by “displacement”. They are the substance of an on-going social crisis in the context of which WOZA activism takes place. Violent assaults, torture and degrading treatment at the hands of the police are additional trauma-inducing events, which add further stress. Data indicating trauma amongst the women interviewed was collected for both historical periods and the years post 2000. The data was analysed and will be presented in a separate report focusing on trauma.

A very brief summary of some of the results recorded is presented here. In the first place, the number of trauma events experienced, including both displacement and organized violence and torture items, is very high, with the average of experienced events by an individual being 8.8. Secondly, the experience of trauma is greater in the post-independence period than before independence. Thirdly, the number of traumatic events experienced by the women has increased since 2000, with rises during election years. Fourthly, since 2005, which can be taken to indicate Operation Murambatsvina, and the subsequent collapse of the economy and all services, there has been a steady startling increase in the displacement experience. A slight drop in organized violence and torture experiences in 2007 may result from the fact that the 2007 data reflects less than half the year. Finally, the trauma items experienced historically in Matabeleland significantly exceed those in Mashonaland, reflecting primarily the events of the mid 80's when the army and police targeted civilians during Gukurahundi.

The research could not effectively measure the actual psychological trauma suffered by the women, but evidence from other studies elsewhere indicates a strong correlation between traumatic experiences and clinical effects.³² These may range from depression to mental dysfunction, insomnia, nightmares, suicidal tendencies and to physical ailments. We may thus conclude that WOZA women are carrying in their psyches and in their daily lives the emotional and other scars of their experiences, in particular those of organized violence and torture.

The remarkable point to note about the women is that as a group they have persevered in spite of recurrent harassment and mistreatment. Of course there have been those who fell by the wayside, and those who could not resist the temptation of becoming police informers, but this has not deterred WOZA and has enabled them to build a strong core of committed, dedicated women prepared to suffer today for the sake of a brighter future for their children. Furthermore, they have learned to stand up for their rights, and in doing so have learned to look their tormentors in the eye, seek out the human being behind the official mask and challenge them to claim their own rights too. What goes on within the police stations has many dimensions, not least the respect that WOZA women are building up amongst police officers.

³² Mollica, R.F. Guerra, R. Bhasin, R. & Lavelle, J. (Eds), *Book of Best Practices. Trauma and the Role of Mental Health in Post-Conflict Recovery*, Project 1 Billion, International Congress of Ministers of Health for Mental Health and Post-Conflict Recovery, December 3-4, 2004, Rome; Quiroga, J, & Jaranson, J (2005), *Politically-motivated torture and its survivors: A desk study review of the literature*, TORTURE, 16, No.2-5.

Gradually both the police and the general public are beginning to accept that WOZA women are not seeking to gain political power, but simply to encourage all Zimbabweans to have the moral courage to fight for their rights and to work towards the social justice for which the liberation war was fought. In this struggle they have gained enormous recognition and respect both within Zimbabwe, in the region, and in the international community.

Conclusions

The members of WOZA are drawn from mature and responsible women, taking care of their families in the face of extreme hardship. They have taken on the cause of applying pressure upon the Zimbabwe government to institute policies and systems to alleviate this hardship, which is clearly in the tradition of responsible citizenry, and would be normal in most democracies. Peaceful protest, or, as WOZA puts it, "tough love", is clearly an appropriate response to the crisis in Zimbabwe, and it is even conceded by the ZRP itself, albeit by default, that WOZA engages in peaceful protest.³³

However, in the course of defending their rights and demanding social justice, WOZA members have suffered extreme abuse perpetrated by state actors. WOZA members have not been afforded the protection of the law, and their peaceful protest is met with brutal force, of which they bear scars both physical and psychological.

In perpetrating this abuse, the Zimbabwean law enforcement agents are in violation of their own professional codes, of the Zimbabwean constitution and of the criminal law. By instructing the abuses, the government of Zimbabwe and the politicians who lead it, are similarly in violation of their own oaths of loyalty to the constitution, of international human rights law and of domestic and international criminal law.

As Zimbabwe enters a critical period in which some form of transition must come sooner or later to change the political landscape, WOZA continues to protest in the streets and continues to be abused by law enforcers.

Recommendations

This report has not been undertaken purely to document abuses against WOZA women. Its aim is to bring to the attention of Zimbabweans, Southern Africans and the international community at large the bravery of a group of women determined to make a difference and show others how they can stand up for their rights to a decent life. It is intended that those who read this report will be motivated to take action to remedy the damage done to millions of people's lives by a violent dictatorship.

WOZA therefore calls upon the readers to take the following actions:

The Zimbabwe Government

We call on the Government of Zimbabwe to:

- End the widespread violence against human rights defenders and political opponents. Human rights defenders should have the protection necessary for them to exercise their rights without fear or intimidation.
- Repeal all legislation that infringes on the people's freedom of expression and association, i.e. POSA and AIPPA.
- Incorporate into domestic legislation and implement through the police force the regional and international treaties to which Zimbabwe is party.
- Ratify the UN Convention against Torture and its Protocol, as this will assist the state to establish machinery to eliminate torture.

³³ Here see ZRP (2007), *Opposition Politics in Zimbabwe: A Trail of Violence*, 1st January 2007 to 15th March 2007; See also the Human Rights Forum report in response to the ZRP reports, which wholly demolishes the claims of the ZRP that opposition groups, including WOZA, indulge in violence. Here see again Zimbabwe Human Rights NGO Forum (2006), "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. HARARE: ZIMBABWE HUMAN RIGHTS NGO FORUM.

- Create a non-partisan justice system. All reports of human rights abuses should be investigated and any non-compliance with court orders by ZRP officers should be brought to the attention of the judiciary. All cases alleging human rights abuses, unlawful detention, degrading treatment and contempt of court orders by the ZRP should be heard as urgent matters.
- Establish an independent, citizen-driven system to monitor the way the ZRP carries out its duties and treats detainees. The system should include the medical and legal professions as well as human rights watchdogs and the general public.

The Zimbabwe Republic Police

We call on the ZRP to:

- Put a stop to violence against women and other human rights defenders.
- Honour their commitment to the Police Act and the SARPCCO Code of Conduct for ZRP officers especially Article 1, *the respect for human rights*; Article 2, *non discrimination*; Article 3, *use of force*; Article 4, *torture, cruel, inhuman or degrading treatment*; Article 5, *protection of persons in custody*; Article 6, *protection of victims of crime*; and Article 7, *respect for the rule of law*.
- Co-operate with independent investigations into the allegations of human rights abuses against those ZRP officers who have been the subject of complaints, and facilitate the prosecution of those individuals.
- Allow lawyers access to their clients from the moment they are detained and guarantee their safety. Medical personnel also must be given access to detainees, and anyone requiring further medical attention should be enabled to receive it.
- Abide by the Criminal Procedure and Evidence Act (Section 32) that stipulates that no person shall be detained for more than 48 hours without appearing in court.
- Work with human rights defenders to ensure that human rights are respected.

Southern African Development Community (SADC)

We call on SADC to:

- Recognize the existence of police brutality and rights abuses in Zimbabwe and demand that the government stop them.
- Support human rights defenders rather than oppressive governments that deny people their domestically and internationally guaranteed rights.
- Accept that no election held under the existing conditions of denial of civil rights can be free or fair.
- Refuse to accept within their councils and assemblies representatives of any government that denies its people their civil rights.
- Work to support a resolution to the Zimbabwe crisis, which includes transitional mechanisms to restore the rule of law and respect for human rights and the rebuilding of Zimbabwe on the basis of social justice.

The African Union (AU)

We call on the AU to:

- Continue to send fact-finding missions to Zimbabwe to report on on-going rights abuses which breach the nation's obligations under international law.
- Pressurize Zimbabwe to implement the recommendations in the report of the Fact Finding Mission to Zimbabwe, 24th to 28th June 2002.
- Isolate representatives of the Zimbabwe government and any other government that fails to abide by its obligations under international law to respect human rights.

The International Community

We appeal to the international community to recognize the contribution of WOZA members as human rights defenders, and assist us to document and publicise violations against us so that justice may be served in the future.

We further call on the international community to resist the Zimbabwe government's attempts to hoodwink the world about the situation in the country and the nature of our peaceful activities, and to find ways of bringing pressure to bear on the Zimbabwe government to stop the violence.

The United Nations Special Rapporteur on Violence against Women received an invitation from the Zimbabwean government to visit in July/August 2007, but up to now, no firm dates have been proposed. Pressure should be put on the government to provide dates and give the Special Rapporteur free access to meet with any organizations or individuals she requests.

Transitional Justice

WOZA feels that in any transition from the current violent dictatorship towards a peaceful democracy it will be necessary to call to account those responsible for torture and other forms of partisan violence. We call on Zimbabweans and non-Zimbabweans alike to assist in putting into place a mechanism which satisfies the wishes of the Zimbabwean people to see not retribution, but justice, truth and reconciliation, so that the guilty can do penance and the victims can feel healed of the many wounds they have suffered at the hands of state agents.

WOZA hopes that this report will assist the process of creating a non-violent society in Zimbabwe, where we can be free to live our lives and raise our families in an atmosphere of peace and prosperity.



This baby was amongst those injured in Bulawayo on 29 November 2006



This member was beaten with baton sticks in the streets of Harare on Valentine's Day, 2008. She required three stitches behind her ear and one stitch on her arm where she was beaten until they drew blood. 10 other members also received medical attention on that day.



This member was pushed into a pole by riot police in Bulawayo on International Women's Day, 8th March 2008. 53 members required medical attention for their injuries on that day.