

Zimbabwe Human Rights Report 2009



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List of acronyms

ACHPR	African Charter on Human and People's Rights
ACRWC	African Charter on the Rights and Welfare of the Child
AIPPA	Access to Information and Protection of Privacy Act
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
GAPWUZ	General Agricultural and Plantation Workers Union of Zimbabwe
GNU	Government of National Unity
GPA	Global Political Agreement
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
LGBTI	Lesbian, Gay, Bisexual, Transgender and Intersex
MDC-T	Movement for Democratic Change – Tsvangirai formation
NGO	Non-Governmental Organization
POSA	Public Order and Security Act
SADC	Southern African Development Community
UDHR	(United Nations) Universal Declaration on Human Rights
WOZA	Women of Zimbabwe Arise
ZANU(PF)	Zimbabwe African National Union (Patriotic Front)
ZCTU	Zimbabwe Congress of Trade Unions
ZRP	Zimbabwe Republic Police
ZPS	Zimbabwe Prison Service

List of legislation cited

Access to Information and Protection of Privacy Act ['AIPPA'] [Chapter 10:27]
Administration of Estates Act [Chapter 6:01]
Birth and Deaths Registration Act [Chapter 5:02]
Child Abduction Act [Chapter 5:05]
Children's Act [Chapter 5:06]
Concealment of Births Act [Chapter 9:04]
Criminal Law (Codification and Reform) Act ['Criminal Law Code'] [Chapter 9:23]
Criminal Procedure and Evidence Act [Chapter 9:07]
Deceased Person's Family Maintenance Act [Chapter 6:03]
Disabled Persons Act [Chapter 17:01]
Domestic Violence Act [Chapter 5:16]
Education Act [Chapter 25:04]
Guardianship of Minors Act [Chapter 5:08]
Labour Relations Act [Chapter 28:01]
Land Acquisition Act [Chapter 20:10]
Legal Age of Majority Act [No.15 of 1982]
Maintenance Act [Chapter 5:09]
Marriage Act [Chapter 5:11]
Married Persons Property Act [Chapter 5:12]
Matrimonial Causes Act [Chapter 5:13]
Medical Dental and Allied Professions Act [Chapter 27:08]
Medical Services Act [Chapter 15:13]
Public Health Act [Chapter 15:09]
Public Order and Security Act ['POSA']) [Chapter 11:17]
Public Services Act [Chapter 16:04]

1.0 EXECUTIVE SUMMARY

This report is a collaborative effort between the Open Society Initiative for Southern Africa (OSISA) and the Zimbabwe Human Rights NGO Forum (The Forum) to have a competent, national and collective human rights appraisal of Zimbabwe that can be an addition and alternative to external Zimbabwe human rights assessments.

The idea of producing a locally generated human rights situation assessment and consolidated report was born out of a realization that the work of national and grassroots organizations that compile first-hand information is often subordinated to international assessments, which depend on secondary data sources, usually official, that can be subject to manipulation and unavailability.

This will be the first *Zimbabwe Human Rights Report* compiled by and through the efforts of local human rights organizations. The report covers the human rights situation in Zimbabwe in 2009. Information contained herein was collected from the findings of local human rights organizations and desktop reviews of source documents. Data collection and validation was done with the participation of twenty-six collaborating human rights organizations. Efforts were made to validate and authenticate the independent findings of these organizations, and to compile valid cumulative totals of statistics provided and narrative assessments.

The main findings of the report are as follows:

- The year 2009 saw a marked improvement in, but not the cessation of, human rights violations compared to 2008 as a result of the formation of the inclusive government (also called a Government of National Unity, GNU).
- A culture of impunity persisted, and perpetrators of rights violations were not made to account for their transgressions.
- The monitoring of rights violations was enabled by the opening up of political space.

Not all human rights NGOs in Zimbabwe contributed to the production of this report. It is hoped that in future more organizations will make contributions deriving from their organizational mandates for the production of regular annual reports.

2.0 INTRODUCTION

The year 2009 was an important milestone in the historical development of Zimbabwe. It saw for the first time in the country's history ZANU(PF)'s monopoly on power being broken with the formation of an inclusive government and the swearing in of 'opposition' ministers in February 2009. This development fundamentally altered the political landscape in Zimbabwe with the infusion of the 'democrats' into government; alternatively, and perhaps more significantly, it also extinguished an opposition's discerning voice, as they all began to speak as one government.

These changes, as will be more evident in this report, managed to arrest the rapid decline of the economic socio-political environment that had characterized the country in the last decade. This union, however, was an imperfect one, with numerous 'outstanding issues' hindering the full implementation of the Interparty Political Agreement (more commonly known as the Global Political Agreement, GPA) that had created the inclusive government. The political bickering eventually led to the temporary withdrawal of the Movement for Democratic Change (MDC) faction headed by Morgan Tsvangirai (MDC-T) from the government on 16 October 2009, only to re-engage later following intervention by SADC in November.

The political bickering and gesturing by the political parties only marginally affected Zimbabwe's economic turnaround that had been encouraged by the GPA and the decision to adopt a multi-currency regime. Commerce and industry seemed to be on the mend, and basic commodities started to re-appear in most retail outlets. This revival cascaded to the provision of social amenities that had ceased at the height of the crisis: schools and hospitals began to reopen across the country, though these were available only to those that could afford the service fees.

As these developments took place in a specific political context, and in order to fully comprehend the content of this, the inaugural report, it is essential to look at the crisis in retrospect and analyse 2009 with that history in mind.

3.0 BACKGROUND

Subsequent to the attainment of independence from settler ruler in 1980, one political party, the Zimbabwe African National Union (Patriotic Front), ZANU(PF), has dominated Zimbabwe's politics. Under the leadership of President Robert Gabriel Mugabe, ZANU(PF) has enjoyed a virtual political monopoly. Opposition political parties have emerged over the past three decades but have either been decimated or conscripted into ZANU(PF). Although the ZANU(PF) regime can be – and in some cases has been – credited with improving the economy and the standard of living for the black majority during the 1980s, its rule since then has become despotic, characterized by gross economic mismanagement, disregard for the rule of law, perversion of the doctrine of separations of powers, and gross human rights abuses.

The emergence of the Movement for Democratic Change (MDC) in the latter part of the 1990s revived hope that a legitimate opposition political force could end ZANU(PF)'s domination. At the time that the MDC was formed, Zimbabwe was reeling from the effects of an array of misconceived economic-reform policies that had adversely affected the economy. Coupled with other policy or political decisions – like awarding unbudgeted compensation to war veterans, military intervention in the Democratic Republic of Congo, and a chaotic land reform programme – these policies orchestrated the economic downfall of the country.

With the turn of the millennium, violence and human rights abuses had become endemic in Zimbabwe. Most rights violations have not been accounted for, with most perpetrators of such violations enjoying immunity from prosecution and, in some cases, where convictions have been obtained, perpetrators have benefited from Presidential pardons. The Central Intelligence Organization (CIO), Zimbabwe National Army (ZNA), Zimbabwe Republic Police (ZRP), Zimbabwe Prison Service (ZPS), Zimbabwe National Liberation War Veterans' Association and the Zimbabwe National Youth Service were the primary perpetrators of human rights violations.

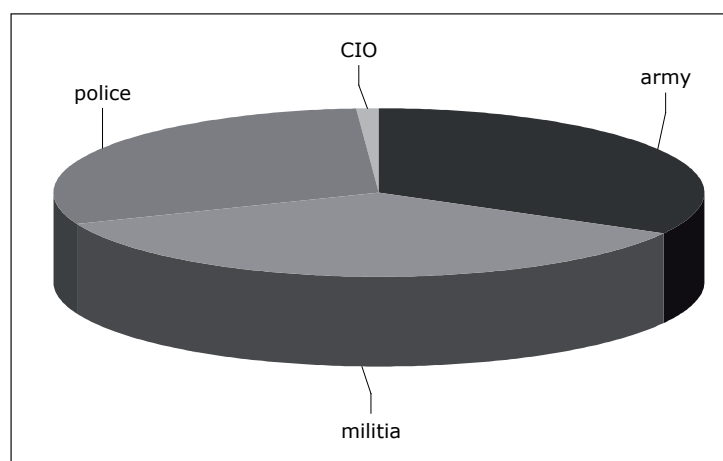


Fig. 1: The Human Rights Perpetrators (1998–2006)*

*This chart is extracted from case statistics from the Zimbabwe Human Rights NGO Forum litigation project (*An Analysis of the Zimbabwe Human Rights NGO Forum Legal Cases, 1998–2006*, <http://www.hrforumzim.com/frames/inside_frame_special.htm>. Although not fully representative of all the violations due to the biased nature of the population that the information is drawn from, it illustrates the involvement of various state institutions in the perpetration of the violations. It is clear that the militia are heavily involved in the violations, followed by the army, police and intelligence agents, in that order.

3.1 Enabling factors for political violence

Some of the enabling factors identified for politically related human rights abuses from 1998 to 2009 were as follows:

- Lack of transparency and public accountability on the part of the government.
- ‘Suspension’ of the rule of law and a culture of impunity for perpetrators of violence.
- Political apathy among citizens and a polarization of political ideas.
- The establishment of ‘terror’ camps.*
- Militarization of the political process through the deployment of military personnel.
- Ineffective and inadequate human rights monitoring.
- Perversion of the ‘separation of powers’ doctrine.
- Economic stagnation and a drastic shortage of basic commodities, which were exploited for political patronage and the repression of political adversaries.
- Solidarity alliances with other states with a history of human rights violations, or based on shared governance ideologies.

3.2 Policy and regulatory environment

Human rights in Zimbabwe are regulated by a host of policies and regulations, which include the national constitution and specific legal statutes, as well as regional and international conventions. While there is significant effective legislation to facilitate human rights observance by the state, policy non-compliance through selective application of the law or disregard of the law has made some of these laws and conventions appear obsolete.

There are also some laws that directly and indirectly infringe upon rights and freedoms and, consequently, facilitate human rights violations. Such laws include, but are not restricted to, the Public Order and Security Act (POSA) and Access to Information and Protection of Privacy Act (AIPPA).

Zimbabwe has also signed and/or ratified a number of regional and international conventions, declarations and protocols that aim to promote and protect human rights. These include the United Nations Universal Declaration on Human Rights (UDHR); the African Charter on Human and People’s Rights (ACHPR); the International Covenant on Civil and Political Rights (ICCPR); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the SADC Treaty, among others.

*Bases where youth militia and war veterans would conduct forced political education and political violence against opponents.

3.3 Methodology

The main aims of the project are to:

- Produce a structured way of monitoring human rights at national level; and
- Consolidate the reporting mechanisms of national networks.

Data were collected from multiple sources, which included member and partner organizations that are involved in monitoring and documenting human rights issues, women's organizations, children's organizations, trade unions, electoral agencies, and government publications.

Focus group discussions were conducted with member and partner organizations. These groups were structured around the following thematic areas: security of the person; administration of justice; participation rights; children's rights; women's rights; socio-economic and cultural rights; and special interest groups. Questions for the seven groups were structured around the prevalence/magnitude, impact and trend analysis of the violations. Organizations present pledged to provide information, to which the Forum made follow-ups. Information received from member organizations and responses from the focus group discussions was then buttressed with documented information to produce this report.

Desk research involving the collation and synthesis of existing research was used. The report refers to published reports, and newsletters by member and partner organizations.

There was limited statistical information from the majority of participants that could be used in the production of this report. With the production of human rights reports in Zimbabwe being highly politically sensitive, participants' availability to attend review workshops and their participation in the submission of information were inadequate. Some information may have been withheld owing to the perceived repercussions of generating sensitive information.

4.0 FINDINGS

4.1 Forms of abuse

Forms of abuse identified were arranged into five categories, as follows:

1. Violations of the security of the person
2. Violations pertaining to access to justice
3. Violations of expression and assembly rights
4. Violations of rights of special interest groups
5. Violations of socio-economic and cultural rights

The nature and form of the broad range of violations falling under these categories will be elaborated upon below.

4.1.1 Violations of the security of the person

Violations involving unlawful deprivation of life (murder), rape, enforced or involuntary disappearances, and arbitrary arrest or detention.

4.1.1.1 Unlawful deprivation of life

Arbitrary deprivation of life that is outside the provisions of local and international law. It excludes the imposition of the death penalty as a result of a judicial process which does not contravene certain minimum safeguards imposed by human rights law and the constitution of Zimbabwe.

Policy

Zimbabwean laws and policies do not directly condone unlawful deprivation of life. The state has ratified the UDHR and the ACHPR, which prohibit state involvement in or acts related to the unlawful deprivation of life. Before the formation of the GNU it was realized that loopholes were exploited by the state to deprive its citizens of life unlawfully, and this was addressed in Article 18 of the GPA, which committed the parties involved to working together to eliminate the use of violence to resolve political differences.

The parties specifically agreed, in article 18.5,

- (a) To promote the values and practices of tolerance, respect, non-violence and dialogue as a means of resolving political differences;
- (b) To renounce and desist from the promotion and use of violence, under whatever name called, as a means of attaining political ends; ...
- (d) That all political parties, other organizations and their leaders shall commit themselves to do everything to stop and prevent all forms of political violence, including by non-State actors and shall consistently appeal to their members to desist from violence.

Nature of violations

Despite the formation of the GNU, during 2009 state security agents and ZANU(PF) supporters continued to commit politically motivated, arbitrary and unlawful killings, indicative of policy

non-compliance. The police provided inadequate protection to victims, and perpetrators were not consistently prosecuted.

Case histories

- On 30 August, MDC-T activist Godknows Dzoro Mtshakazi was beaten to death by four soldiers in Shurugwi, Midlands province, after being accused, along with several other MDC-T members, of organizing an MDC-T rally and playing a pro-MDC-T song in a bar.
- On 5 September, Moreblessing Tirivangani was captured and beaten by soldiers at a military base in Chiadzwa; Tirivangani died from injuries sustained. Police transported Tirivangani's body to a morgue, and reported that he had been captured while attempting to disarm a soldier in the diamond fields in Marange. However, witnesses reported that the soldiers seized Tirivangani when they found him in the mining area after an army-imposed curfew.

4.1.1.2 Rape

Sexual assaults and rape meted out for purposes of demeaning, humiliating and punishing victims for political reasons. As a human rights violation, this differs from criminal, statutory, spousal and date rape.

Policy

Rape in any form is illegal in Zimbabwe under the Criminal Law (Codification and Reform) Act that provides for the punishment of offenders.

Nature of violations

Rape has been used to torture, intimidate and repress political opponents. In some cases rape was committed brutally in the presence of spouses or children. Those raped for political reasons have been political activists or spouses or relatives of male political activists. Perpetrators have usually been ZANU(PF) activists. Rape is stigmatized in Zimbabwe and recorded cases appear to be a partial representation of the total.

Case history

- 70 MDC-T-affiliated women were collectively raped by 241 different ZANU(PF) youth militia and war veterans. Each woman reported being raped five times on average, although the actual number could be higher, as many women fell unconscious during the attacks. The perpetrators made political statements during the rape. The cases of rape were not reported to the police.

4.1.1.3 Torture and other cruel, inhuman or degrading treatment or punishment

*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; 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.**

*Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (United Nations, 1985).

Policy

Service codes of conduct in the uniformed forces of Zimbabwe do not sanction the use of torture on civilians. The Zimbabwean constitution prohibits the use of torture with limited derogation; there are no provisions, however, in the subsidiary legislation that criminalize the practice. Realizing the widespread nature of torture practices, which were being used as a means of settling political scores and enforcing political views, parties to the GNU agreed in article 18.5(d) of the GPA

that all political parties, other organizations and their leaders shall commit themselves to do everything to stop and prevent all forms of political violence, including by non-State actors and shall consistently appeal to their members to desist from violence

Nature of violations

Physical and psychological torture was used as a form of punishment by the police, army, intelligence services, prison personnel and civilians. Perpetrators were mainly ZANU(PF) loyalists and uniformed forces on their own accord and in some cases under specific instruction.

Case histories

- On 27 October, the MDC-T Transport Manager, Pascal Gwezere, was abducted by suspected security agents in Harare and tortured by suspension, beating, and the biting of his face and ear before a mock burial was conducted to extract information about the MDC-T. Further, while in police custody he was denied medical treatment.
- On 13 January, a man was tortured for accusing President Mugabe of creating the GPA stalemate. He was locked in a closet at his work-place by war veterans and ZANU(PF) supporters. Between four and eight people tied him to a tree, assaulted him on the back, buttocks and feet. Water was used to revive him when he passed out, and he was threatened with drowning. The perpetrators gagged him with socks to prevent him from screaming.
- On 3 April, an estimated 300 ZANU(PF) youths attacked a 77-year-old MDC-T member at his home near Murehwa. They accused him of supporting the MDC-T and assaulted him with iron bars and logs on his private parts and hands. They also assaulted his wife.

4.1.1.4 Enforced and involuntary disappearances

The arrest, detention, abduction or any other form of deprivation of liberty by agents of the state or by persons or groups of persons acting with the authorization, support or acquiescence of the state, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such a person outside the protection of the law.

Policy

Zimbabwean law provides for legal arrests and not for the abduction of persons, for the declaration of the identities of persons in lawful police custody, family or lawyer access to these persons while in custody, and a limited remand period.

Nature of violations

There were politically motivated abductions and attempted abductions by state security agents and ZANU(PF) party supporters. Some of the victims were found later, but some were never found. There were 142 cases of people who were either kidnapped or abducted during the year. In addition, MDC-T leaders reported that state security agents and ZANU(PF) party supporters abducted and tortured a number of MDC activists and civil society members as part of an effort to intimidate them and their leaders.

4.1.1.5 Arbitrary arrest or detention

The arrest and/or detention of an individual in a case in which there is no likelihood or evidence that they committed a crime against a legal statute, or in which there has been no proper due process of law.

Policy

The rights and safeguards from arbitrary arrest and detention are provided for in Zimbabwean legislation.

Nature of violation

Arbitrary arrests and detentions targeted human rights defenders and members of political parties other than ZANU(PF) for intimidation purposes. The selective application of repressive legislation such as POSA and AIPPA was used to enforce arbitrary arrests and detentions. An estimated 70 political detainees, including high-profile MDC-T figures and human rights defenders, remained in custody after the inauguration of the GNU. Although some were later released on bail, their bail conditions were extremely strict and severely restricted their ability to continue their work effectively.

There are no effective protection mechanisms against arbitrary arrest of political opponents or long-term detention without trial. The Criminal Procedure and Evidence Act extends the initial detention of those arrested for corruption or violating security laws to 21 days from 48 hours. POSA makes it easy for the government to charge political opponents because of its excessive limitations on speech, association and assembly.

Case histories

- On 10 February, two members of Zimbabwe Lawyers for Human Rights (ZLHR), Ms Roselyn Hanzi and Mr Tawanda Zhuwarara, and eight members of Women of Zimbabwe Arise (WOZA) were arrested by unidentified members of the ZRP following a peaceful demonstration organized by WOZA. The two lawyers were detained in the Parliament Guard Room before being moved to Harare Central police station.
- In February, approximately 30 MDC-T supporters were detained on charges of receiving military training in neighbouring Botswana – a charge strongly denied by the Botswana government. The activists said state security agents abducted them in Zimbabwe and that their ‘confessions’ were obtained through torture.

4.2 Violations pertaining to access to justice

Rights violations involving prison and places of detention, selective application of the law, unfair trial, and limited access to justice.

4.2.1 Violation of prisoners' rights

Violations of stated inmate human rights and privileges in prisons, by service providers.

Policy

In line with the provisions of section 99 of the constitution, the mission of the Zimbabwe Prison Service is to

protect society from the criminal elements through the incarceration and rehabilitation of offenders for their successful re-integration into society while exercising reasonable, safe, secure and humane control.

Nature of violations

Service provision did not respect the rights and privileges of inmates. Prison conditions were harsh and life-threatening, with obsolete infrastructure, overcrowding and poor sanitary conditions. Overcrowding aggravated outbreaks of cholera, diarrhoea, measles, tuberculosis, and HIV/AIDS-related illnesses. Food, blankets, sanitary facilities and medical treatment were inadequate.

Approximately 300 juveniles, the majority in pre-trial detention, were in prison facilities, some in the same prison cells as adult offenders and being vulnerable to physical and sexual abuse. Incarcerated mothers had no facilities to care and provide for their neonates and infants adequately in prison. Women also did not have access to sanitary towels from the ZPS, resulting in their use of rudimentary, contaminating material being used as substitutes.

The ZPS used 'logistical constraints' as an excuse to justify their failure to take remand prisoners to court and/or to remand them for long periods. In Bulawayo 400 prisoners and detainees experienced prolonged detention at Khami Remand Prison. Prison guards were also allegedly beating and abusing prisoners.

Case history

- Three orphaned juveniles incarcerated in Marondera, Mashonaland East province, had their rights and safeguards – as provided for in the criminal justice system, as well as under various international standards and norms – totally ignored. One of the juveniles, continuously remanded in absentia for over six months in adult sections where he was abused, conducted his own defence without the assistance of a guardian or court-appointed probation officer as required by law. The second had languished in remand prison for three months because the public prosecutor had not complied with a court order to find a probation officer to investigate his personal circumstances. The third was remanded in custody because the prosecution wanted to see a birth certificate which he could not collect while he was incarcerated.

4.2.2 Selective application of the law

Irregular interpretation and enforcement of the law by law enforcement agencies.

Policy

The court system and the separation of powers enshrined in the constitution provide for curbs and remedies to the selective application of law. Professional ethical codes of conduct, law and judicial procedures provide redress mechanisms to prevent selective application of the law. Among the policies applying was article 13.1 of the GPA, in which the principals stated that ‘state organs and institutions do not belong to any political party and should be impartial in the discharge of their duties’, and agreed in article 13.2(b) to ensure ‘that all state organs and institutions strictly observe the principles of the Rule of Law and remain non-partisan and impartial’.

Nature of violations

Regardless of the GPA provisions, known ZANU(PF) suspects involved in criminal acts which were politically motivated were not charged or arraigned before the courts, while non-ZANU(PF) MPs and perceived government critics (including journalists, human rights defenders and students) were arrested on flimsy charges and prosecuted. Victim complaints were not filed by the police, fabricated charges were brought against innocent persons, and suspects with cases to answer were not charged or brought before the courts.

Case histories

- On 14 October, MDC-T official and Deputy Minister of Agriculture designate Roy Bennett was rearrested on charges of sabotage, banditry, terrorism and inciting terrorism brought against him in 2006. These charges were considered by many stakeholders to be fabricated. Charges were not dropped, seemingly through the manipulation of the justice system by the state.
- On 13 July, a well-organized group of ZANU(PF) supporters and war veterans severely assaulted scores of MDC supporters and disrupted a National Constitutional Conference in the capital, Harare. No arrests were made despite heavy police presence at the venue.
- On 1 August, three soldiers assaulted Finance Minister Tendai Biti’s gardener at the minister’s home in Harare. The victim, Howard Makonza, was rushed to hospital. While Makonza was reporting the assault at a police station, one of the soldiers who had assaulted him threatened him in the presence of the police.

4.2.3 Unfair trial and limited access to justice

Trials not compliant with laid-down court and justice principles and procedures, denying justice to suspects or assisting them to evade justice.

Policy

The Zimbabwe government ratified the ICCPR in 1991, article 14 of which provides that ‘everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law’. Policy non-compliance exhibited through what has commonly been seen as ‘the absence of the rule of law’, or disregard for the law by the state, resulted in article 11 of the

GPA, in which the signatories agreed that it was the duty of all political parties and individuals to

- (a) respect and uphold the Constitution and other laws of the land; [and]
- (b) adhere to the principles of the Rule of Law.

Nature of violations

There were instances of manipulation of court and penal system processes through interference by the Executive, non-compliance with judgments, and openly partisan approaches from some justice officials in favour of ZANU(PF). Legal practitioners were denied access to their clients, logistical challenges (e.g. transport shortages to and from remand prisons) were used to justify delays in the trial process, and torture was used to extract confessions. Non-disclosure of suspects' whereabouts was used to isolate suspects or victims from their lawyers and the public. The independence of the judiciary was severely compromised through political interference, partisan appointments and political patronage.

Case history

- On 6 May, Constance Gambara, the clerk for a High Court Judge, Justice Chinembiri, Bhunu, was arrested by police with her nine-month-old baby for criminal abuse of public office after she typed, in line with her professional duties, the warrant of release for 2008 abduction victims Chris Dhlamini, Ghandi Mudzingwa and Andrison Manyere.

4.3 Violations of expression and assembly rights

Rights violations relating to freedom of expression, media rights, access to information, and freedom of assembly and association.

4.3.1 Violations of freedom of expression

Repressive and punitive measures in conventional quests for the right to express, seek, receive or disseminate information and ideas.

Policy

The Criminal Law (Codification and Reform) Act ('Criminal Law Code') and POSA criminalize utterances likely to undermine police authority (Criminal Law Code, section 177), or insulting the office or person of the President (Criminal Law Code, section 33). Section 177 of the Criminal Law Code serves to cause individuals and organizations to censor themselves.

In attempting to address limitations to freedom of expression, article 12 of the GPA on Freedoms of Assembly and Association, recognized 'the importance of freedoms of assembly and association', and noted that public meetings 'have to be conducted in a free, peaceful and democratic manner'. The parties also agreed to work together in a manner that guaranteed 'the full implementation and realization of the right to freedom of association and assembly'.

Nature of violations

Selective application of Zimbabwean law placed severe restrictions on speech and advocacy activity, particularly those that were or are perceived as being critical of government policy or focused on politically unpopular causes. Organizations engaged in advocacy operated within an environment that is riddled with numerous restrictions on free expression. Arrests, raids, threats, and the malicious prosecution of journalists, political activists and civil society organization operatives were prevalent.

Case histories

- On 11 May, two independent journalists, Vincent Kahiya and Constantine Chimakure, were arrested and charged for publishing an article which was allegedly 'wholly or materially false with the intention to generate public hostility towards the police, the military and the prison service'.
- On 5 August, four student leaders from the Zimbabwe National Students Association (ZINASU) – Clever Bere, Kudakwashe Chakabva, Archieford Mudzengi and Brian Rugodo – were arrested at the University of Zimbabwe for distributing T-shirts. They were charged with contravening the Criminal Law Code. They were released on bail on 7 August.

4.3.2 Violations of media rights and access to information

Violations of conventional regional and internationally accepted media rights and means of access to information for reasons that are not in the public interest.

Policy

The Zimbabwe constitution promotes freedom of expression, which, however, is hampered by interference and the implementation of strict media laws. There is a private press that is independent of state control of editorial policies. The 2002 Access to Information and Protection of Privacy Act (AIPPA) restricts journalism. The repeal of these strict laws was not effected by year end, despite concerted efforts by civil society organizations.* The state media retained biased reporting.

Nature of violations

Media regulations remained restrictive, with steep and prohibitive application and registration fees of more than US\$32,000 for foreign-based media houses and US\$4,000 for local journalists working for these foreign media houses. Hate speech was spewed out by the state media, regardless of policy provisions prohibiting the practice. The privately owned media was forced into self-censorship to avoid victimization through the enforcement of AIPPA.

The media landscape showed an absence of clearly spelled-out constitutional provisions that guarantee media freedom.

*See ACHPR Communication 294/2004, on the Andrew Meldrum case, adopted during the 6th Extra-Ordinary Session of the ACHPR, Banjul, The Gambia, April 2009. <http://www.achpr.org/english/Decison_Communication/Zimbabwe/Comm.294-04.pdf>.

Case histories

- The state-controlled newspaper, the *Herald*, refused to publish in full a communiqué drafted by civil society organisations announcing the establishment of a Civil Society Monitoring Mechanism on the implementation of the GPA.
- The state-run Zimpapers, publishers of the *Herald* (Harare) and the *Chronicle* (Bulawayo), refused to publish a 12-page MDC-T supplement congratulating President Morgan Tsvangirai on his appointment as Prime Minister.
- On 17 March, police arrested the editor of the *Chronicle*, Brezhnev Malaba, and reporter Nduduzo Tshuma for publishing a story alleging police involvement in a Grain Marketing Board corn scandal. The two were later charged with defamation under the Criminal Law Code in a widely and publicly perceived act of censorship in what was in fact a government-controlled newspaper.
- On 11 May, police arrested editors of the weekly *Zimbabwe Independent* newspaper, Constantine Chimakure and Vincent Kahiya, for publishing a story on 8 May that revealed the role and names of police and intelligence agents involved in the abduction of human rights activists. The two were charged with publishing or communicating a statement with the intention of undermining public confidence in law enforcement agents under the Criminal Law Code.

4.3.3 Violations of freedom of assembly

Violation of the right to come together and collectively express and defend common interests as a human right and a civil liberty.

Policy

POSA restricts freedom of assembly and the right to make informed choices or political expressions although it purports to provide for the maintenance of public order and security. POSA defines a public gathering as a group of two or more people (sections 17 and 19), and requires those intending to hold meetings in a public place to notify the police four days in advance at the latest (section 24), failing which the police might restrict or prohibit the meeting (sections 25 and 26), and are entitled to shoot to kill if there is resistance (section 29). In Part II, sections 12, 15 and 16, POSA states that it is illegal to engage in activities that might cause disaffection among police officers or members of the defence forces, or communicate a statement that promotes disrespect for the President or institutions of government. In recognition of these limitations to freedom of association, the GPA, in article 12 on the freedoms of assembly and association, stated:

- 12.1 Recognising the importance of the freedoms of assembly and association in a multi-party democracy and noting that public meetings have to be conducted in a free, peaceful and democratic manner in accordance with the law, the Parties have agreed:-
 - (a) to work together in a manner which guarantees the full implementation and realisation of the right to freedom of association and assembly; and
 - (b) that the Government shall undertake training programmes, workshops and meetings for the police and other enforcement agencies directed at the appreciation of the right of freedom of assembly and association and the proper interpretation, understanding and application of the provisions of security legislation.

Nature of violations

Policy implementation of POSA was partisan with a strong bias towards members and supporters of ZANU(PF). The right to assembly was not respected in 2009. Protesters involved were beaten and denied medical treatment while in custody.

Case history

- In late October, senior figures of the National Association of NGOs (NANGO) and the Zimbabwe Congress of Trade Unions (ZCTU) were arrested under POSA for holding meetings without permission.

4.4 Violations of the rights of special interest groups

Minority rights violated involved children's rights, women's rights, LGBTI (lesbian, gay, bisexual, transgender and intersex) rights, and differently able (disability) rights.

4.4.1 Children's rights violations

Human rights violations against children.

Policy

Local legislation makes provision for specific children's rights through enabling special protection and care. These include the Birth and Deaths Registration Act, Concealment of Births Act, Education Act, Domestic Violence Act, Administration of Estates Act, Child Abduction Act, Children's Act, Maintenance Act, and Guardianship of Minors Act.

Regional and international policies include the United Nations Charter on the Rights of the Child and the African Charter on the Rights and Welfare of the Child (ACRWC).

While policy provisions and policy implementation for children's rights can be improved, there was minimal recorded evidence of direct and intentional violations of children's rights.

Nature of violations

Ripple effects of the 2008 election-related violence exposed many children to trauma from actual and vicarious experiences of rape, torture, displacement, loss of shelter, disruption of education and assaults, which were not audited and for which they were not rehabilitated. No concerted efforts were made directly by government to redress health, trauma and housing challenges caused by displacement, violence and lack of access to education.

Economic decline forced children into economic activities involving street vending, prostitution and domestic work. The right to education was compromised after the collapse of the education system caused by utility shortages in schools, and a massive loss of teachers due to poor salaries and working conditions. The state's intervention was inadequate to deal with these problems.

4.4.2 Violations against women

Violations against women that affect them specifically as a gender with state complicity or indifference.

Policy

Zimbabwe has a Ministry of Women Affairs, Gender and Community Development dedicated to the advancement of women. It has a National Gender Policy which seeks to address all forms of gender imbalances in the country; it has ratified CEDAW; it has signed the SADC Treaty and the SADC Declaration on Gender and Development and its addendum on the Prevention of Violence against Women and Children, which acknowledge gendered rights as fundamental human rights; it has adopted the Dakar Platform for Action and Beijing Declaration in 1995, thereby committing the government to taking strategic action to promote the human rights of women and eliminate all forms of discrimination. However, these international agreements are not adequate without their forming part of, or being incorporated into, the law of Zimbabwe through Acts of Parliament.

Local policies designed for the protection of women include: the Legal Age of Majority Act, which gave women the status of legal majors at the age of 18 years despite their gender; the Domestic Violence Act, which sought to give women legal protection from domestic violence; the Sexual Offences Act, which sought to give them legal protection from physical and sexual assaults within a marriage; the Deceased Person's Family Maintenance Act, which set parameters for married women to benefit from the estates of their late spouses, regardless of biased traditional inheritance practices; and the Maintenance Act, the Marriage Act, the Married Persons Property Act, and the Matrimonial Causes Act, which provide guidelines for the rights and privileges of married women.

Rights violations against women were perpetrated regardless of the existence of these laws, conventions and ratifications.

Nature of violations

Women were victims of political violence and physical maiming. Rights abusers were mainly non-state agents (comprising ZANU(PF) supporters, war veterans and youth militia) although state agents such as the police were also involved.

There was also domestic violence against women. According to the Zimbabwe Women Lawyers Association (ZWLA), between January and December 2009, 1,184 protection orders were applied for and granted to women who sought assistance from them. Domestic violence was worsened by the fact that police stations had no shelters for domestic violence victims who may have wanted to seek temporary refuge, which is in contravention of such a stipulation in the Domestic Violence Act. The Domestic Violence Council was still not in place, despite concerted efforts to have it established.

Case history

- In February 2009, members of WOZA and the Men of Zimbabwe Arise (MOZA), had their Valentine's Day demonstration violently disrupted by police; eight of their members were arrested, and several demonstrators were injured. One of the arrested women, who was pregnant, was seriously assaulted while in custody. She had to be treated for deep-tissue bruising after her release.

4.4.3 Violation of lesbian, gay, bisexual, transgender and intersex (LGBTI) rights

Legal, social and cultural discrimination and persecution of gays, lesbians, transgender and intersexual persons.

Policy

LGBTI rights are not recognized in Zimbabwe. Section 73 of the Criminal Law Code outlaws homosexuality as sodomy. The President of Zimbabwe has made public statements reflecting serious intolerance of alternative sexual orientations.

Nature of violations

General homophobia and restrictive legislation made it difficult for the LGBTI community to feel safe about coming out about their sexuality. Members of the gay and lesbian community had limited access to medical treatment for sexually transmitted infections as a result of general cultural intolerance, which cascaded to medical staff, whose training and service policies did not prepare them for the acceptance of gay and lesbian clients.

Family members have raped gay and lesbian members in an attempt to 'cure' them of their homosexuality, and Zimbabwean political leadership has further cultivated this repressive environment in ill-conceived statements on the subject.*

4.4.4 Violation of differently able (disability) rights

Legal, social and cultural disadvantages and discrimination for people with disabilities affecting the quality of their lives through acts of commission or omission on the part of the state.

Policy

The Disabled Persons Act aims to provide for the welfare and rehabilitation of disabled persons. In education, government policies consistent with the intent of inclusive education include the Education Act, the Disabled Persons Act, and various Ministry of Education circulars,** which require that all students, regardless of race, religion, gender, creed and disability, have access to basic or primary education (up to Grade 7). There are few opportunities for academic education for deaf people beyond Ordinary Level.

* See <<http://www.care2.com/causes/human-rights/blog/gays-and-lesbians-face-corrective-rape-in-zimbabwe-report-finds/>>.

** Such as the Education Secretary's Policy Circular No. P36, 1990.

Nature of violations

People with disabilities faced discrimination in accessing public facilities and utilities. They had limited access to tertiary training, employment and the provision of government services. The marginalization of people with disabilities in the governance systems of the country is well documented, as is their lack of participation in these issues. In the arena of politics, for instance, people with disabilities are wary of active involvement, as they are aware that the attendant violence will serve only to compound their disability. An issue of concern, however, is that of the political violence in 2008, which had the unfortunate effect of increasing the number of people with disabilities in the country. The exact numbers have yet to be captured and the extent of the problem acknowledged.

People with disabilities constitute ten per cent of the population. Incidences of violence against people with disabilities are not easy to document for a number of reasons: people with disabilities suffer from systemic discrimination and lack of access to fundamental rights and freedoms that other people take for granted. This has a knock-on effect on their self-esteem and self-efficacy and they are more apt to keep quiet and not report violence against their person and other people with disabilities so as not to appear to be ‘rocking the boat’.

4.5 Violations of socio-economic and cultural rights

Socio-economic and cultural rights involve rights to education and health; transparency, accountability and integrity; and property and labour rights.

4.5.1 Violation of the right to education

Violation of the right to free and compulsory basic education for all children as a human right recognized by the United Nations, including state obligations to eliminate discrimination at all levels of the educational system.

Policy

The right to education is enshrined in article 26 of the UDHR, to which Zimbabwe is a party. The ACRWC, article 3(d), provides that state parties should take measures to encourage regular attendance at schools. In local legislation, this is covered under the Education Act, where section 4 stipulates that education is a right for every child and primary education is compulsory and free in Zimbabwe. Specific measures put in place by the government to improve access to education by poor children include the Basic Education Assistance Module (BEAM), which was introduced in the late 1990s as part of social protection programmes to assist vulnerable children with school fees and levies. The situation on the ground in 2009, however, did not reflect government’s commitment to ensuring that education is accessible to all children.

Nature of violations

Access and availability of education was compromised by economic challenges at household level, massive staff turnover deriving from low salaries and the political victimization of teachers, and poorly planned and random settlements emanating from the land reform programme.

School attendance was reduced by 50 per cent according to the Zimbabwe Multiple Indicator Monitoring Survey* owing to financial constraints. The Zimbabwe Schools Examination Council (ZIMSEC), the state-authorized examinations regulator, erred in the marking of November 2008 O-level and A-level examination papers, and the release of Grade 7 results was delayed. According to ZIMSEC, only 139,000 out of 380,000 O-level and A-level students registered for the 2009 examinations as a result of financial constraints.

Case histories

- Duncan Mapasure, a teacher at Mtasa Primary School in Mtasa district, Manicaland, was severely assaulted by ZANU(PF) youth militias on Friday, 11 September for failing to heed to the call by the Zimbabwe Teachers' Association (ZIMTA), a ZANU(PF)-backed union, to embark on strike action for a salary increment.**
- In October, 200 youths aged 14 and 15 were forced to undergo semi-military training with the auxiliary police at Rudhaka stadium, which resulted in their missing school at Dimbe, Dhirihori and Masikana Schools in Chief Svosve's area, Mashonaland East province. The training involved military drills and shouting war cries. There were fears that the children were being readied for use as a political terror machine.***

4.5.2 Violations of the right to health

Violations to the access to health and medical facilities contravening local and or international regulations and conventions.

Policy

Zimbabwe is a party to legally binding treaties such as ICESCR and the ACHPR, as well to as other treaties that observe the right to health. ICESCR states that States parties should recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (article 12), and take legislative and other steps to the 'maximum of its available resources' to achieving 'progressively' the full realization of the rights to health. The government of Zimbabwe therefore has a legal obligation to all its citizens to be concerned about their health needs.

The 1998 Maastricht Guidelines on Violations of Economic, Social and Cultural Rights do not relieve states of certain minimum obligations in respect of their nationals' right to health.

This obligation requires the government to desist from carrying out any discriminatory and retrogressive practices, or sponsoring or tolerating any practice, policy or legal measure violating the rights of the individual to health.

*Conducted by the the Zimbabwe Central Statistical Office, a customized version of the Multiple Indicator Cluster Survey which was originally developed by UNICEF to measure progress towards an internationally agreed set of goals that emerged from the 1990 World Summit for Children.

**'Zanu PF youth militia assault school teacher', *Sokwanele*, 16 September 2009, <<http://www.sokwanele.com/thisiszimbabwe/archives/4731>>.

***Taurai Bande, 'ZANU militarise rural areas', *The Zimbabwean*, 16 October 2009.

Nature of violations

Public health institutions operated below capacity, partly as a result of the under-funding of health through the national Budget, which was 12 per cent, in disregard of the 15 per cent Abuja commitment made by African countries.*

Case history

- People living with HIV/AIDS faced limitations in accessing support in the absence of guarantees on the availability, accessibility and quality of treatment, prevention, care and support. Some antiretroviral therapy sites charged them 'administration' or 'card' fees to access free drugs, undermining the intention to promote universal access, and preventing the poor from accessing treatment.

4.5.3 Violations in transparency, accountability and integrity

*Integrity refers to 'honesty' or 'trustworthiness' in the discharge of official duties. Transparency refers to unfettered access by the public to timely and reliable information about decisions and performance in the public sector. Accountability refers to the obligation on the part of public officials to report on the use of public resources and their answerability for failing to meet stated performance objectives.** Any conduct contrary to this definition is a violation.*

Policy

Article 2.1 of ICESCR obliges states to take steps to achieve progressively the full realization of economic, social and cultural rights of their nationals.

Nature of violations

Transparency and accountability by public officers was compromised, destroying public trust in the integrity of leadership. Systems that offered checks and balances were destroyed. In 2009, Transparency International's *Global Corruption Report* placed Zimbabwe at position 166 out of 180, the latter figure being indicative of the worst.***

Case history

- In March, Brigadier-General Douglas Nyikayaramba, a ZANU(PF) supporter and political appointee, as head of a committee to administer the provision of farming inputs, accused nine MDC-T MPs of abusing inputs allocated to MPs for distribution in what was widely perceived as a false accusation to discredit their credibility.

*Special summit for African Health Ministers in 2001, where a declaration was made committing their governments to spending 15 per cent of their budgets on health.

**Elia Armstrong, *Integrity, Transparency and Accountability in Public Administration: Recent Trends, Regional and International Developments and Emerging Issues* (United Nations, 2005), <<http://unpan1.un.org/intradoc/groups/public/documents/un/unpan020955.pdf>>.

***Transparency International, *Global Corruption Report 2009*, <http://www.transparency.org/publications/gcr/gcr_2009>.

4.5.4 Violations of property rights

Illegal expropriation of private property.

Policy

Private property is protected by local legislation. The law was amended in 2000 to allow the state to compulsorily acquire land. The Land Acquisition Act of 2000 provided for the state takeover of farms.

Nature of violations

Farm invasions continued on 12 February, a day after the swearing-in of Prime Minister Morgan Tsvangirai. According to the General Agricultural and Plantation Workers Union of Zimbabwe (GAPWUZ), as of March, 700 families had been displaced, losing their immovable properties as a result.* The Commercial Farmers' Union (CFU) reported that, by August, about 80 more farmers had been forcibly evicted from their farms losing personal property in the process. GAPWUZ reported that over 60,000 farm-workers had been made homeless since February.

Case histories

In a continuation of the farm invasions that began in 2000,

- Edna Madzongwe, President of the Senate, invaded a farm owned by Mr Richard Etheredge, taking over the farm and personal property.
- Mr Michael Campbell's Chegutu farm, Mount Carmel, was appropriated together with all immovable property. The government did not recognize the SADC Tribunal that ruled in favour of Mr Campbell and other farmers who had won the right to remain on their land.

4.5.5 Violations of labour rights

Violation of worker rights and entitlements as provided for in local and international regulations.

Policy

Local laws dealing with labour issues include the Public Services Act and the Labour Relations Act. The Public Health Act, Medical Services Act, and the Medical Dental and Allied Professions Act contain labour regulations that apply only to public health service personnel. The government has ratified some ILO conventions, and these laws generally attempt to comply with international regulations and conventions regarding workers' rights.

Nature of violations

The state-affiliated trade union, the Zimbabwe Federation of Trade Unions (ZFTU), received favourable treatment from the government to the detriment of the more established and worker-oriented ZCTU, whose members continued to be stripped of their right to express themselves.

* Fresh invasions displace 700 families', *The Daily Catalyst* [Crisis in Zimbabwe Coalition], 5 March 2009, <[http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/E5B1FBAF01F36D3FC125757100646C47/\\$file/Crisis+Coalition.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/E5B1FBAF01F36D3FC125757100646C47/$file/Crisis+Coalition.pdf)>.

ZANU(PF) youths and war veterans prevented teachers in rural areas from engaging in strike action over wage disputes. Some teachers in rural areas were chased away by state security agents and war veterans who accused them of supporting the MDC. Some of these teachers had fled their schools in the run-up to the 27 June 2008 presidential election run-off. They encountered the same hostile forces on their return and were not protected by their employer, the Public Service Commission.

Case histories

- On 12 September, riot police in Harare barred the ZCTU from holding a commemorative march authorized by a High Court judge. Police, armed with guns, water cannons and batons, cordoned off the road leading to the demonstration site.
- On 8 November, ZCTU president, Lovemore Matombo, and four other union leaders were arrested in Victoria Falls after they had attempted to hold a labour meeting. Police held the five labour leaders without charge until a hearing on 12 November. During the hearing the magistrate reprimanded the police for arresting the labour leaders under POSA, as labour organizations are exempt from that legislation.

5.0 MAGNITUDE OF RIGHTS VIOLATIONS

There was a marked decline in human rights violations in 2009 compared to previous years. This fall can be attributed to the establishment of the GNU and the relative political stability that it has created. It might also be due to the fact that 2009 was not an election year. Generally, in the past decade there have been significantly more violations in years in which political processes have occurred. However, a look at total violations for the year shows that a positive relationship between political processes and violence still exists.

An independent, consolidated and relatively comprehensive quantification of diverse human rights violations for 2009 was compiled by the Zimbabwe Peace Project (ZPP), and findings are shown in Figures 2 and 3. It is clear from these data that there is a positive relationship between major political events and human rights violations. The swearing-in of former opposition leaders into government at the beginning of the year and the temporary withdrawal of the MDC-T from the inclusive government towards the end of the year caused a rise in violations. It is also clear that the levels of violence were significantly lower in 2009 than in 2008. This cannot, however, be said to be an improvement in the human rights record for the reasons highlighted above.

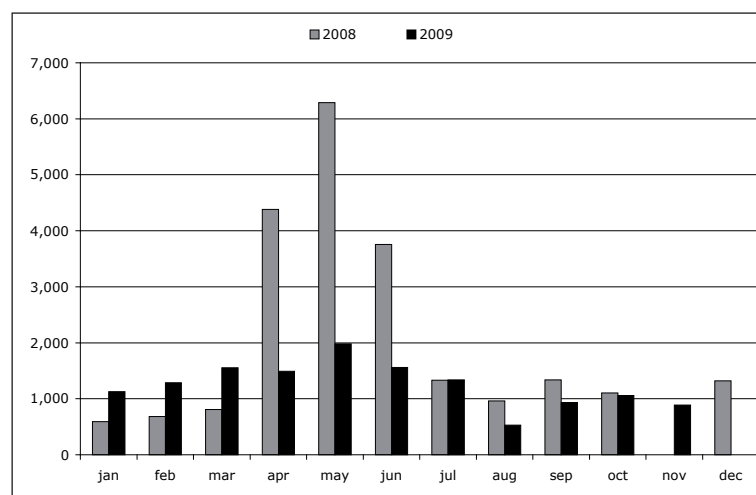


Fig. 2: Number of human rights violations, 2008 and 2009

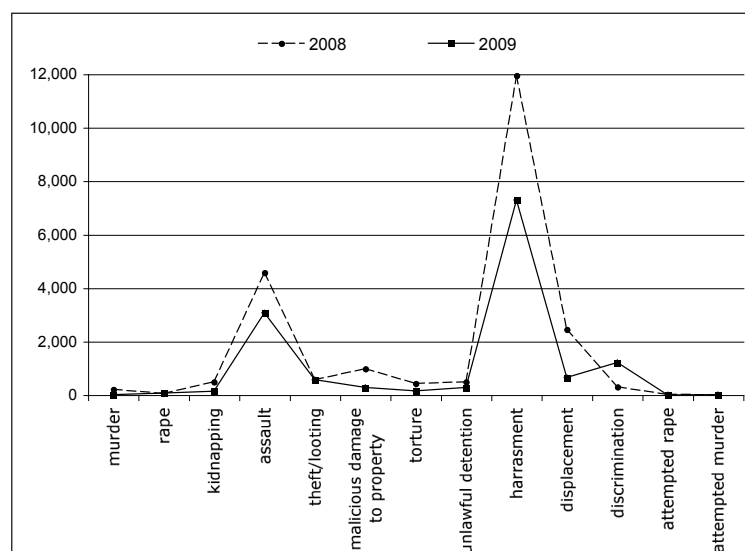


Fig. 3: Number of human rights violations, by type of violation, 2008 and 2009

6.0 CONCLUSION

It is clear from the findings that Zimbabwe still has much to do to repair its human rights record. What is needed is political will by the inclusive government to fully implement domestic laws as well as regional and international instruments on human rights to which Zimbabwe is a signatory. There is also need for increased human rights monitoring, lobbying and advocacy for policy changes.

The principals to the interparty political agreement recognized the multiple threats to the well-being of the people of Zimbabwe, the polarization, divisions, conflict and intolerance that characterized the socio-political environment in the past and undertook to take effective measures to stop, remedy and ensure non-recurrence of these violations. This is a first step in the recognition of and respect for human rights. But neither mere rhetoric nor white-paper commitment to upholding human rights can miraculously stop abuses. Government must translate its promises into action. The culture of impunity must be stopped – this is the surest way of arresting human rights violations.

Appendix 1: Participating organizations

Aids Counselling Trust (ACT)
Amnesty International-Zimbabwe (AI-Z)
Counseling Service Unit (CSU)
Gays and Lesbians of Zimbabwe (GALZ)
Human Rights and Development Trust of Southern Africa (HURIDETSA)
Justice for Children Trust (JCT)
Legal Resources Foundation (LRF)
Media Institute of Southern Africa (MISA)
Media Monitoring Project Zimbabwe (MMPZ)
National Association of NGOs (NANGO)
Nonviolent Action and Strategies for Social Change (NOVASC)
Platform for Youth Development (PWD)
Restoration of Human Rights Zimbabwe (ROHR)
Progressive Teachers Union of Zimbabwe (PTUZ)
Research and Advocacy Unit (RAU)
Students Solidarity Trust (SST)
Transparency International-Zimbabwe (TI-Z)
Women's Trust (WT)
Zimbabwe Association for Crime Prevention and Rehabilitation of the Offender (ZACRO)
Zimbabwe Association of Doctors for Human Rights (ZADHR)
Zimbabwe Election Support Network (ZESN)
Zimbabwe Human Rights Association (ZimRights)
Zimbabwe Lawyers for Human Rights (ZLHR)
Zimbabwe Peace Project (ZPP)
Zimbabwe Union of Journalists (ZUJ)
Zimbabwe Women Lawyers Association (ZWLA)

Appendix 2: Local human rights organizations in Zimbabwe, 2009

Organization	Telephone
Action Aid International Zimbabwe	(0)4-788122/3/5, 776127
Africa Community Publishing and Development Trust (ACPD)	(0)4-253608/9
African Civilian Standby Roster for Humanitarian and Peace building Missions (AFDEM)	(0)9-76033, 76075
African Development Education Network (ADEN)	(0)4-491066/7, 491856/8/9, Ext 128
African Regional Youth Initiative (ARYI)	(0)772-445558
Amani Trust	(0)4-773496, 737509, 772843, (0)772-260378
Amnesty International Zimbabwe	(0)4-2926811, 2917725
Catholic Commission for Justice and Peace in Zimbabwe (CCJPZ)	(0)4-704415
Center for Research and Development (CRD) [Formerly Civic Alliance for Democracy and Governance (CADEGO)]	(0)20-65411, 65437
Centre for Community Development in Zimbabwe (CCDZ)	(0)4-776038
Child Protection Society	(0)4-710024-25, 708829
Child line	(0)4-796741, 793715-6, (0)9-880052, (0)9-888891
Christian Legal Society - Zimbabwe (CLS)	(0)772-(0)9-883517, (0)712588441, (0)712-561487
Educators Association For Human Rights (EAHR)	(0)20-60190, 64623, (0)712-424683, (0)772-466925
ENVISION Zimbabwe Women's Trust	(0)773-583748
Family Support Trust (FST)	(0)4-668056/7
Farm Community Trust of Zimbabwe (FCTZ)	(0)4-309889, 309898, 300290, 309244
FOSENET - National NGO Food Security Network	(0)4-722427, (0)772-370542
Gays and Lesbians of Zimbabwe (GALZ)	(0)4-741736, 740614, 2906609, 2906610
Gweru Legal Projects Centre	(0)54-221665; 224507
Harare City Junior Council	(0)4-752577/9, 781810/7
Hope Orphan Support Services (HOSS)	(0)65-517, (0)712-794186, (0)772-206793
Human Rights and Development Trust of Southern Africa (HURIDETSA)	(0)4-250632
Human Rights NGO Forum	(0)4-250511
Hwange Human Rights Youth Forum	(0)773-565946, (0)712-760548
International Socialist Organisation (ISO)	(0)4-704209, (0)772-370554, (0)772-908847
J.F. Kapnek Trust	(0)4-792152/3, 734367, 735531, 738296
Justice AIDS Trust	(0)4-307720
Justice for Agriculture (JAG)	(0)4-799410
Kunzwana Women's Association	(0)4-747190, 747519
Legal Resources Foundation (LRF)	(0)4-251171-4, 728213
Leonard Cheshire Zimbabwe Trust	(0)4-2925455, 2928109
Media Institute of Southern Africa - Zimbabwe Chapter (MISA-Zimbabwe)	(0)4-776165, 746838
Midlands AIDS Service Organisation (MASO)	(0)54-250356, 250377, 252649
MS-Zimbabwe (Danish Association for International Cooperation)	(0)4-253145-8
Musasa Project	(0)4-736245, 734381, 794983, Hotline: 0800-3268727
Mutare Legal Projects Centre	(0)20-65263, 66730
National Association of Societies for the Care of the Handicapped (NASCOH)	(0)4-2900041
National Constitutional Assembly (NCA)	(0)4-250700, 250959, (0)772-286800, 501603
New Hope Zimbabwe	(0)4-2936543, (0)773-107447
New Zimbabwe Foundation	(0)9-205567/8, (0)773-453654
Pastime Trust	(0)4-735800/1, 2917355
Practical Empowerment & Networking Youth Association (PENYA) Trust	

Organization	Telephone
Progressive Teachers' Union of Zimbabwe (PTUZ)	(0)4-741937
Research and Advocacy Unit (RAU)	(0)4-339421
Restoration of Human Rights Zimbabwe (ROHR)	(0)4-744593
Savanna Arts	(0)733-868880
Solidarity Peace Trust	+27-(0)39-6825869
Southern Africa AIDS Information Dissemination Service (SAfAIDS)	(0)4-336193/4, 307898, 335015, 2917771/2
Southern African Federation of the Disabled (SAFOD)	(0)9-69356
St Joseph's House for Boys	(0)4-775658
Students Solidarity Trust (SST)	(0)772-251384, (0)772-295682
Swedish Cooperative Centre - Zimbabwe Country Office	(0)4-707494, 730437
Training and Research Support Centre (TARSC)	(0)4-708835, 705108, (0)772-234646
Trinity Project Trust	(0)9-71038
Victors in Motion Youth Association	(0)70-31717, (0)712-312794
Women and AIDS Support Network (WASN)	(0)4-791401/4
Women and Law In Southern Africa Research and Education Trust (WLSA)	(0)4-253001-3, 2928337
Women in Politics Support Unit (WiPSU)	(0)773-370634, 372571/2, 372569, (0)772-942395
Women of Zimbabwe Arise (WOZA)	(0)712-213885, (0)772-898110, (0)772-362668
Women's Action Group (WAG)	(0)4-339292, 308738
Women's Coalition	(0)4-775765, 2965418
Women's Trust (formerly Women Leadership & Governance Institute)	(0)4-708724, 797978, (0)772-910161/2
Young Women Christian Association (YWCA)	(0)4-486403, 486755, 487491, (0)772-327030
Youth Affirmative Foundation	(0)4-620131-4
Youth Agenda Trust	(0)4-2936385
Youth Ahead Zimbabwe	(0)4-758480
Youth Career Development Zimbabwe (YCDZ)	(0)773-244227
Youth Forum	(0)4-710237
Zimbabwe Association for Crime Prevention and Rehabilitation of the Offender (ZACRO)	(0)4-772946/770046
Zimbabwe Association of Doctors for Human Rights (ZADHR)	(0)4-703430, 708118, 251468, (0)772-260380
Zimbabwe Civic Education Trust (ZIMCET)	(0)4-747427, 778324
Zimbabwe Coalition on Debt and Development (ZIMCODD)	(0)4-776830/1
Zimbabwe Community Conflict Resolution Agenda (ZIMCCRA)	(0)2067875
Zimbabwe Congress of Trade Unions (ZCTU)	(0)4-794702, 794742, 793093
Zimbabwe Council of Churches (ZCC)	(0)4-748235, 773654, 780101
Zimbabwe Exiles Forum (ZEF)	+27-(0)12-3226969
Zimbabwe Human Rights Association (ZimRights)	(0)4-707278, 705898, 791428
Zimbabwe Human Rights NGO Forum	(0)4-250511, 250486 (Direct line to director)
Zimbabwe Lawyers for Human Rights (ZLHR)	(0)4-251468, 705370, 708118, (0)712-619747
Zimbabwe National Association of the Deaf (ZIMNAD)	(0)4-2932480/1
Zimbabwe National Students Union (ZINASU)	(0)734-024956
Zimbabwe National Students Union (ZINASU) - Chinyere	(0)4-793246, (0)772-127397
Zimbabwe National Students Union (ZINASU) -	(0)773-022456, (0)773-010369
Zimbabwe Peace Project (ZPP)	(0)4-747719, 2930180, 2930182
Zimbabwe Poets for Human Rights (ZPHR)	(0)4-740156, (0)774-163602
Zimbabwe Women Lawyers Association (ZWLA)	(0)4-706676, 703766, 708491. (0)9-887186

Appendix 3: Cumulative table of violations, 2009

Acts	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Murder	0	0	0	0	0	0	0	0	5	3	0	-	8
Rape	4	12	8	7	8	7	5	6	3	5	2	-	67
Kidnapping/ Abduction	21	20	17	13	15	11	13	9	8	5	10	-	142
Assault	270	378	367	292	398	308	30	129	205	226	187	-	3,070
Theft/ Looting	80	44	78	76	92	64	39	13	24	45	17	-	572
MDP	40	29	28	37	34	32	25	8	13	22	15	-	283
Torture	17	13	33	27	13	10	19	6	8	6	3	-	155
Unlawful Detention	37	41	35	34	36	32	18	1	17	10	14	-	275
Harassment/ Intimidation	553	658	787	740	976	829	765	286	538	627	531	-	7,290
Displacement	75	51	65	78	56	88	87	23	35	51	44	-	653
Discrimination	28	39	134	186	355	171	52	46	79	54	67	-	1,211
Attempted rape	0	0	0	0	0	1	0	0	1	1	0	-	3
Attempted Murder	0	0	0	0	0	5	2	0	0	3	0	-	10
Total	1,125	1,285	1,552	1,490	1,983	1,558	1,335	527	936	1,058	890	0	13,739

Source: Zimbabwe Peace Project, Summaries on Politically-Motivated Human Rights and Food-Related Violations.