



Zimbabwe
HUMAN RIGHTS
N G O F o r u m

POLITICAL VIOLENCE REPORT

April 2009

2 June 2009

A report by the Zimbabwe Human Rights NGO Forum

OVERVIEW

The trends of human rights violations in the country have remained predominantly the same as violence on commercial farms as well as the clampdown on student activists continues. Cases of inter-party violence were also recorded in the month of April; a sign of continued political polarisation. The figures for the monthly totals show an increase in the number of violations as compared to March. April recorded a total of 204 violations as compared to 155 in March. There were increases in the number of violations of freedom of expression, association and movement with the month of April recording a total of 53 violations as compared to 30 in March. The figures for cases of assault also rose in April where 17 cases were recorded as compared to seven in March. Three cases of torture were also recorded in April.

The increase in the number of violations recorded in April can largely be attributed to the upsurge of violence on commercial farms around the country despite the SADC Tribunal ruling as well as other rulings that have been passed by the local courts. A Ministerial fact-finding mission, led by the Deputy Prime Minister Arthur Mutambara and comprising representatives of the three principals to the Global Political Agreement (GPA), was set up to investigate the situation on the farms. The Deputy Prime Minister and his team visited farms in the Chegutu area and ordered an end to the disruptions on the farms. However, this was disregarded by the invaders as seen at Mount Carmel farm where the owner Ben Freeth, his wife and his employees were chased off the farm as soon as Mutambara and his team left.¹ The continued disregard of the rule of law on the commercial farms has seen not only the commercial farmers being harassed but also their employees who have been increasingly targeted for violent attacks and arrested for standing up to the farm invaders.

The ZANU PF youths who have occupied the commercial farms have become a law unto themselves as the Zimbabwe Republic Police (ZRP), continues to be accused of taking no action against the invaders and in some cases arresting the violated instead of the violators. The involvement of senior government and ZANU PF officials, such as the President of the Senate Edna Madzongwe and ZANU PF Senator Muduvuri in the disruption of farming activities is alarming and raises concerns over the commitment to the GPA and the Inclusive government.

¹ "Mutambara Reads the riot act", The Zimbabwe Times, April 20 2009, <http://www.thezimbabwetimes.com/?p=15445>
[Available on line 18 May 2009]

The international Centre for Settlement of Investment Disputes, an arm of the World Bank, awarded US\$21 million in compensation to 13 Dutch farmers whose land was seized by the state. The tribunal argued that Zimbabwe was obliged to compensate the farmers in full due to the bilateral agreement it has with the Netherlands.² This ruling however, like the SADC Tribunal ruling, is likely to be disregarded by the Government of Zimbabwe.

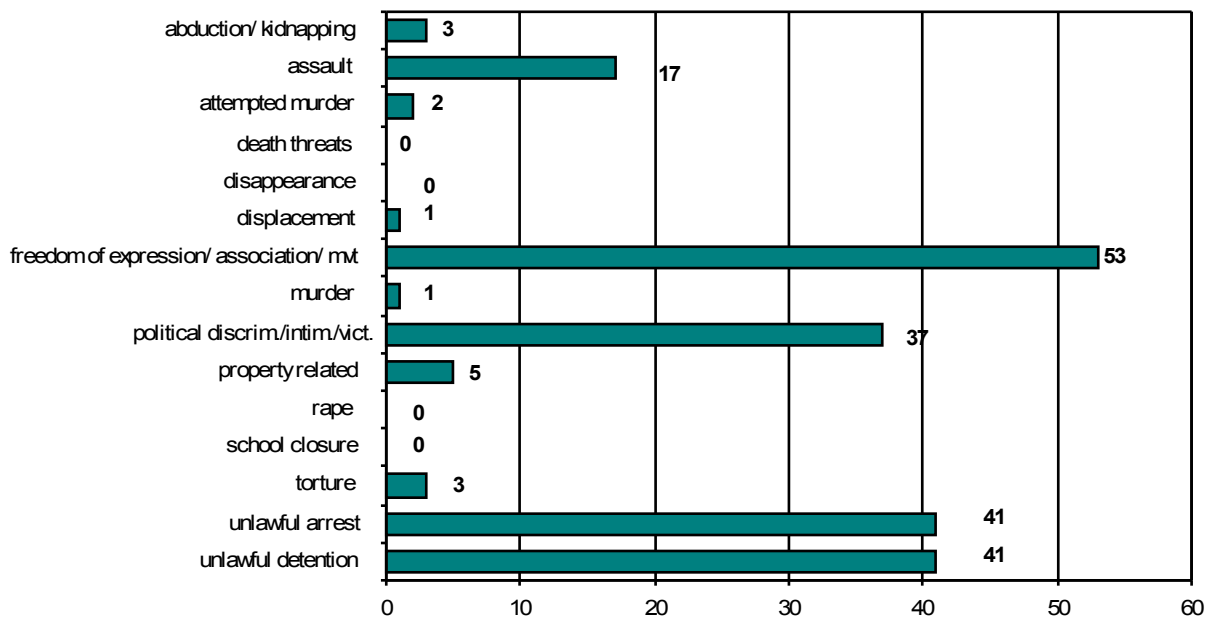
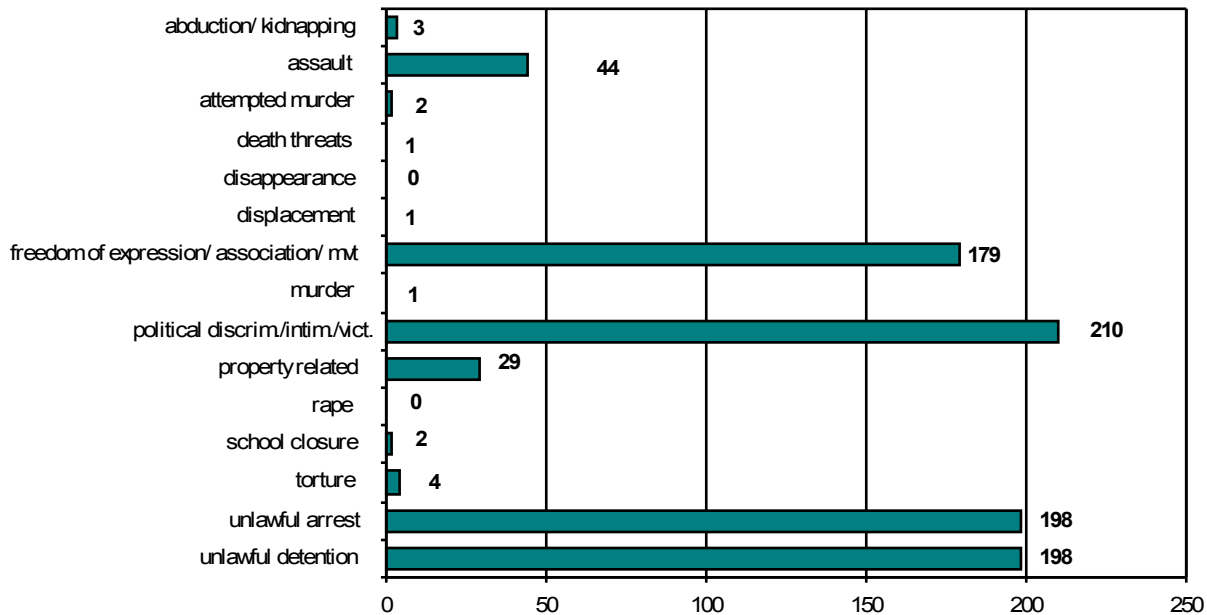
As the issue of high tuition fees for tertiary institutions remains unresolved, protests by students around the country continued. Three protests were held during the month, two by students at the National University of Science and Technology (NUST) in Bulawayo and one at the Great Zimbabwe University (GZU) in Masvingo. As has become the norm, the three protests were violently dealt with by armed anti-riot police officers leading to the arrest, detention and assault of several students. Ten student activists were also suspended from the NUST following the protests.

Incidences of inter-party violence continue to be reported around the country. This report documents three incidences in which MDC supporters have been abducted and tortured by ZANU PF youths in Chitungwiza, Mutoko and Shamva. It is worrying to note, as highlighted in these reports, that some ZANU PF bases are still operational almost a year after the last election was held and continue to be used to torture and punish supporters of other parties. The continued existence and operation of these bases, as well as the continued harassment of political detainees, raises fears and casts doubt on the future of the inclusive government. The police continued to guard Chris Dhlamini and Gandhi Mudzingwa at the Avenues Clinic where they were receiving treatment, even though they had been lawfully released from police custody. The two are MDC officials who are among the group accused of banditry and terrorism. Justice Hungwe castigated the police in a ruling made on 11 November 2008 for failing to bring the suspects to court on time and holding them *incommunicado* and especially for detaining a two-year old child.³

² "World Bank Tribunal Tells Zimbabwe to Pay US\$21M to Evicted Dutch Farmers," Voice of America 27 April 2009, <http://www.voanews.com> <<http://www.voanews.com/>> [Available on line 18 May 2009]

³ "Judge Lambasts Police in MDC Activists' Abductions," Zimbabwe Independent, 8 April 2009, <http://www.thezimbabweindependent.com/index.php/local/22381-judge-lambasts-police-in-mdc-activists-abductions-> [Available online 21 May 2009]

The Human Rights Forum calls upon the GoZ to bring to an end impunity for perpetrators of all human rights abuses and to ensure the rule of law is upheld and respected by all citizens regardless of their political affiliations. There is need for the principals to the Global Political Agreement to speak with one voice in terms of promoting the rule of law and ensuring the protection and security of all persons in the country. The Human Rights Forum also reiterates its constant call upon the ZRP to exercise restraint when dealing with unarmed protestors, as well as to treat all citizens fairly and within the confines of the law in the discharge of their duties.

TOTALS: 1 April to 30 April 2009**Cumulative Totals: 1 January –30 April 2009**

The graphs should be read along with the table depicting the monthly totals of violations for April 2009 on page 14.

Key Abbreviations

AIPPA – Access to Information and Protection of Privacy Act

WOZA – Women of Zimbabwe Arise

CIO – Central Intelligence Organisation
 MDC – Movement for Democratic Change
 MP – Member of Parliament
 NCA – National Constitutional Assembly
 OVT – Organised Violence and Torture

ZANU PF – Zimbabwe African National Union Patriotic Front
 ZCTU – Zimbabwe Congress of Trade Unions
 ZNA – Zimbabwe National Army
 ZPS – Zimbabwe Prison Service
 ZRP – Zimbabwe Republic Police

POSA – Public Order and Security Act

ZNLWVA – Zimbabwe National Liberation War Veterans Association

PTUZ – Progressive Teachers Union of Zimbabwe

ZIMTA – Zimbabwe Teachers Association

ROHR- Restoration of Human Rights Zimbabwe

ZINASU – Zimbabwe National Students Union

UMP – Uzumba Maramba Pfungwe

ZUPCO – Zimbabwe United Passenger Company

Sources: The information contained in this report is derived from statements made to the Public Interest Unit of the Zimbabwe

Human Rights NGO Forum, its members and statements taken by a network of human rights activists and newspaper reports,

Notes to the tables:

Torture:

All cases of torture fall under the definition of torture according to the general definition given in the United Nations Convention against Torture and Other Forms of Cruel, Inhuman and Degrading Treatment and Punishment.

The four elements of torture are:

- 1 **Severe** pain and suffering, whether physical or mental
- 2 **Intentionally** inflicted
- 3 With a **purpose**
- 4 By a state official or another individual acting with the **acquiescence of the state**.

Those individuals referred to in point # 4 as state officials include the ZRP, ZNA,

Unlawful arrest and detention:

Arrest by the Zimbabwe Republic Police (ZRP) with no reasonable suspicion that an offence has been committed. Detention thereafter for a period exceeding 48 hours without access to redress through the courts or subsequent release without charge.

Abduction/kidnapping:

A kidnapping by a member(s) of an organised group that is not the ZRP, ZNLWVA, ZNA, ZPS and the ZNLWVA (as a reserve force of the ZNA).

Disappearance:

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

Property related

These are incidents in which property rights have been violated. This includes arson, property damage and destruction and theft.

Cases of Political Violence

Note: The identities of victims whose names have not been published in the press and are not public

officials are protected. This is done in order to protect the victim from further violence, intimidation and possible recriminatory attacks.

The purpose of this report is to record the nature of the politically-motivated violence and intimidation that continues to prevail in the country. The Monthly Political Violence Reports are primarily based on victims' accounts, accompanied by medical evidence where possible, and obtained from member organisations of the Forum and other partner organisations. Use is also made of press reports.

The Report cannot be considered as the exhaustive record of all incidents of politically-motivated violence in Zimbabwe in the period under review. Nevertheless, every incident reported to the Human Rights Forum directly or through its members is meticulously documented and included in the reports. Care is also taken to record the incidents in the language in which they were reported to the Forum.

The situation prevailing in the country is such that it has not been possible to verify all of these accounts. The Human Rights Forum has done what it can to verify the reports, and is satisfied that the vast majority of them are substantially true. It is also not possible to rule out whether a victim's account is exaggerated or contains inaccuracies.

All reports derived from the press are denoted with the symbol Σ .

BULAWAYO

Bulawayo Central

6 April 2009

Students from the National University of Science and Technology (NUST) took part in two protests on 6 April 2009 and on 16 April 2009 against what they termed exorbitant tuition fees and the decision by University authorities to bar students who failed to pay tuition fees from writing examinations. Sixteen students were arrested and detained at Bulawayo Central Police Station. Two students sustained serious injuries after members of the Zimbabwe Republic Police anti-riot squad assaulted them. The anti-riot police were armed with AK-47 rifles, teargas canisters and baton sticks. Ten students' activists were suspended; these include NUST Student Representative Council (SRC) President Kurayi Hoyi, Samson Nxumalo, Vivid Gwede, Mukai Chigumo, Christopher Hwacha, Tawanda Saiti, Fotune Karimanzira, Degray Ziramba, Michael Zimamba, and Taurai Chimwanza.

HARARE

Chitungwiza

12 April 2009

The male victim reports that he was assaulted and abducted by ZANU PF youths while on his way home from work. He had just dropped off at Tabudurira bus stop when he met the group of ZANU PF youths who were in the company of a teacher from the area who had also been a ZANU PF polling agent during the Harmonised Elections in 2008. The teacher accused the victim of being an MDC supporter and he was forced to chant ZANU PF slogans before being assaulted with open hands and baton sticks. The victim was then force-marched to the ZANU PF base at Tabudirira where he was detained and assaulted for three days. On the fourth day he was taken to another ZANU PF base at Chitangezuva where he was detained for a day before being released. The ZANU PF youths ordered the victim to report to the base daily. The victim also lost his cell phone during the period he was detained. Due to fear of further victimisation, the victim did not report the incident to the police.

Sunningdale

24 April 2009

The male victim reports that he was arrested and assaulted by police officers on allegations of public drinking. He was in his yard drinking alcohol when a group of police officers passed by his gate. They summoned him outside the yard and accused him of public drinking before forcing him to their Post. At the Police Post, the victim was assaulted with booted feet and baton sticks. He was detained for an hour before being released without charge.

MANICALAND

Mutare South

6 April 2009

Two male victims report that they were assaulted by war veterans and ZANU PF youths for working for a white commercial farmer. The two were security personnel at Kashark farm in Vhumba and guarded the property on the farm. The victims were assaulted with thick sticks as well as kicked and slapped all over the body. They were also detained at a camp for three days.

20 April 2009

The male victim, an employee at a commercial farm, reports that he was assaulted by ZANU PF youths who had occupied his employer's farm. He was beaten with sticks all over his body and forced to leave the farm. He was arrested following the skirmishes and detained at Mutare Central Police Station,

MASHONALAND CENTRAL

Shamva North

19 April 2009

The female victim, a member of MDC youth assembly, reports that she was abducted and detained by suspected ZANU PF youths. The youths arrived at the victim's home in a blue pick-up truck and blind folded her with a cloth before dragging her into their car. The youths drove her to an unknown location where they locked her up in a room with two other women. An unknown substance was injected into her buttocks and her hands were tied behind her back with chains. The victim was detained for three days before being released.

MASHONALAND EAST

Mutoko South

8 April 2009

The male victim reports that he was assaulted and abducted by ZANU PF youths. He was at his work place when he was seized by the youths who took him to their base. At the ZANU PF base the victim was assaulted all over his body with sticks and forced to drink black paint that was being used to paint a nearby shop. He tried to escape but was recaptured and assaulted. He was detained at the base for one week, before being released.

MASHONALAND WEST

Chegututu East

The Zimbabwean

1 May 2009

20 April 2009. Four farm workers were reportedly severely assaulted by ZANU PF youths for talking to the Deputy Prime Minister Arthur Mutambara about the situation on Twyford farm. The Prime Minister was on a fact-finding mission on the disturbances that have been occurring in the Chegutu farming area. The four farm workers were attacked soon after the Prime Minister and his delegation had left the farm. Almost a week after the assault, the four workers had not been taken to the hospital because they did not have police reports, which are required by the hospitals before treating a patient who has been assaulted. The police had allegedly taken no action on the matter.

5 April 2009

The farm manager at Twyford, Joseph, was forced to barricade himself in his house twice in one week, following threats by ZANU PF youths who had occupied the farm. The youths had been trying to drive him and other employees at the farm off the property. The ZANU PF youths had earlier broken all the windows at Joseph's home and had been using the farm kiosk to sell farm produce grown by the farm owner Catherine Meridith. Twyford farm is being occupied by ZANU PF youths reportedly aligned to Jamaya Muduvuri a ZANU PF senator who is claiming ownership of the farm.

3 April 2009

At Mount Carmel farm, one Landmine Chigombira, who calls himself 'Chimbambaira', (Shona for landmine) and a group of youths, claimed ownership of the farm and threatened the owners and employees of the farm. On 3 April Chimbambaira walked into the main house with ten men and gave Bruce Campbell five minutes to leave the house. The workers at the farm protested against the invasion and told Chimbambaira and his men to leave, which they did but they returned the following day. A report was made to the police but no action was taken. The police later came to the farm firing live ammunition and arrested seven employees at the farm as well as the farm manager. On 4 April, Sainos, one of the employees at the farm, was thrown into a fire and sustained a fractured skull after Chimbambaira assaulted him with a metal pipe. Other employees were also assaulted on the day. However the police did not make any arrests. On 5 April Chimbambaira again gave Mike Campbell two hours to leave his house to which he complied fearing the same fate that had befallen his employees the previous day. The guards on the farm were also forced to leave their jobs and threatened with death if they returned.

12 April 2009

It is reported that a man was murdered by security personnel working for the President of the Senate Edna Madzongwe, after he was caught stealing oranges from Stockdale farm. Edna Madzongwe has claimed ownership of Stockdale farm from the Etheredge family following a new wave of farm invasions around the country. The male victim was reportedly apprehended and taken to the citrus packing-shed where he was allegedly tortured for most of the night by the guards. He was released the following morning at around 05:00hrs and his body was discovered almost an hour later near the entrance to the farm. A report was made to the police at around 06:00hrs, but they only came to the scene at 09:30hrs. The police picked up three guards working for Madzongwe as well as two former Stockdale farm employees for questioning, but they were all reportedly later released without charge. That afternoon a group of about 30 people, believed to be part of the local farming community, came to Stockdale and chased Madzongwe's guards away. They are also reported to have gone to the farm cottage and called for Madzongwe to leave. She is reported to have forcibly occupied the farm cottage on 5 March 2009.

20 April 2009

The Chegutu Lands Officer, Mr Kunonga, reportedly threw out property belonging to Mr de Boils, a commercial farmer on Reydon farm, in order to force him off the farm. Mr. Kunonga, who was accompanied by a group of men, allegedly broke the locks to Mr. de Boils' home and began throwing his property out of the house. This was in violation of an earlier High Court Order allowing Mr. de Boils to continue with farming activities. When Mr. de Boils went to Chegutu Police Station to report the matter, he was served with papers informing him to appear in court in the next three days on allegations of staying on the farm illegally.

21 April 2009

18 male workers were rounded up and harassed by ZANU PF youths occupying Twyford Farm. Five of them, including a 65 year old, were severely assaulted. The ZANU PF youths are reported to have been working under the instruction of one Senator Muduvuri of ZANU PF, who has since claimed ownership of the farm. A report was made at Chegutu Police Station, however the police took no action. The employer of the 18 men was instructed by the Member in Charge at the station to contact Mr. Muduvuri and resolve the matter with him since he was the owner of the farm. The occupation of the farm is in disregard of a Court Order, given by Justice Gowora on 9 March 2009, for the youths to leave the farm.

21 April 2009

Two male employees of Stockdale farm were injured when two police officers fired at the vehicle in which they were travelling. The two men were sitting at the back of a truck driven by their employer James Etheredge. Peter and James Etheredge, together with some of their employees, had gone to the farm in two separate vehicles to check on their property which they had been forced to leave a few weeks earlier when the farm was forcibly occupied by ZANU PF youths allegedly on behalf of Edna Madzongwe, the President of the Senate. Two police officers, armed with 7.62 caliber rifles, fired four times at the two vehicles, hitting the two employees on the legs. One of the employees was critically injured and in danger of losing his leg. James Etheredge immediately drove the injured men to Harare for medical attention while Peter Etheredge was accosted by a truck-load of police officers as he tried to leave the farm. He was forced out of the driver's seat into the passenger seat before being driven to Chegutu Police Station by one of the police officers. He was detained at the police station for four days before being released without charge. One of the two injured employees was also later arrested.

MASVINGO

Chiredzi

6 April 2009

Teresa Warth, the wife of a commercial farmer Gary Warth of Wasara Ranch, was arrested and detained at Chiredzi Police Station on allegations of illegally staying in her home. She was released on the same day after appearing before a Chiredzi magistrate. Mrs. Warth is jointly charged with her husband.

Masvingo Central

20 April 2009

Thirteen students from GZU were arrested and detained at Rujeko Police Station after participating in a protest against the tuition fees proposed by the Ministry of Higher and Tertiary Education. The protest, which took place in the city centre, was also triggered by the decision by the University's Vice Chancellor Professor Obert Maravanyika to bar students who had not paid tuition fees from sitting for their examinations. Twenty-four students were also picked up by police at the campus. The arrested students included the ZINASU Legal Affairs Secretary Courage Ngwarai who spent seven days in police custody before appearing in court where he was granted bail.

MIDLANDS

Gokwe

6 April 2009

An eight-year-old girl sustained burns on her abdomen and chest following a retributive attack on her family by alleged ZANU PF supporters. The group of ZANU PF supporters had come to the family's home to reclaim a plough which had been taken by the girl's father from a ZANU PF supporter in another retributive attack. They arrived at the family's home at around 20:00hrs and tried to take the plough and other family belongings. A scuffle ensued between the ZANU PF supporters and some of the family members. One ZANU PF supporter kicked over a bucket of hot water that was on the fireplace and the water splashed onto the girl's abdomen and chest resulting in the burns. The victim's father claims that the ZANU PF supporters had ransacked his house and taken his plough during the 2008 Presidential election Run-off and that he had been merely "taking back his property".

Monthly totals of human rights violations from 1 January 2009 – 30 April 2009

Table 1

	January	February	March	April	Total
Abduction/ kidnapping	0	0	0	3	3
Assault	6	14	7	17	44
Attempted Murder	0	0	0	2	2
Death threats	1	0	0	0	1
Disappearance	0	0	0	0	0
Displacement	0	0	0	1	1
Freedom of expr/ass/mvt	2	94	30	53	179
Murder	0	0	0	1	1
Political Discrim/ intim/vict	26	110	37	37	210
Property Related	1	7	16	5	29
Rape	0	0	0	0	0
School Closure	0	0	2	0	2
Torture	0	0	1	3	4
Unlawful Arrest	21	105	31	41	198
Unlawful Detention	21	105	31	41	198

Monthly Totals	78	435	155	204	872
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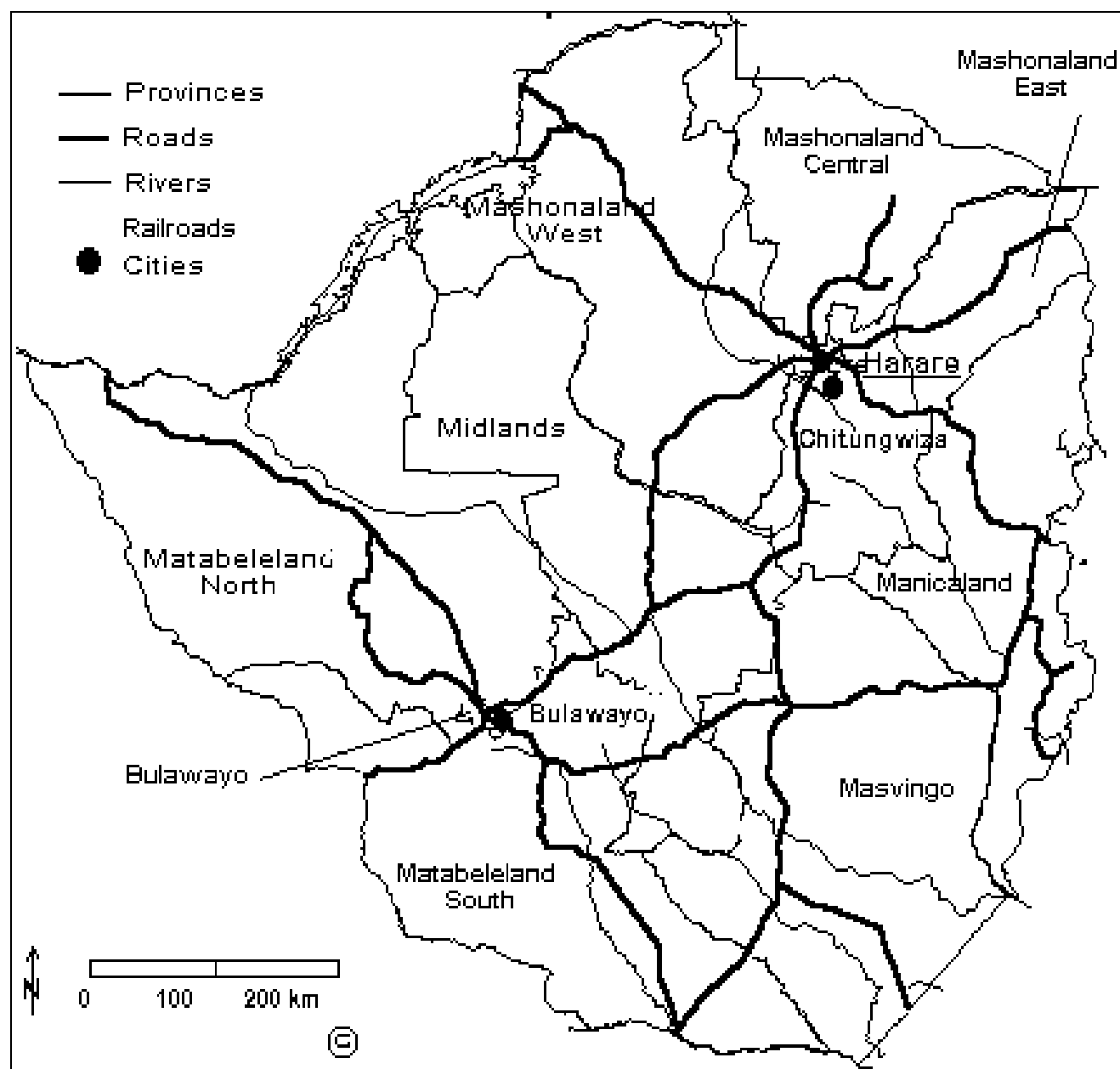
	MAIN EVENTS 2009
January	
1	A group of soldiers in Masvingo goes on the rampage assaulting residents and looting property.
8	Armed Security personnel raid an outdoor adventure camp in Ruwa on allegations that it is being used to train bandits.
10	Rowdy soldiers assault traders and loot goods at Makoni Shopping Center in Chitungwiza.
13	War veterans loot goods and cash at a shopping center in Ngundu.

February	
5	Three commercial farmers who were part of the group of farmers that won the SADC Tribunal ruling on land redistribution are arrested and released the following day without charge.
10	Eight <i>Women of Zimbabwe Arise (WOZA)</i> members and two lawyers, Roselyn Hanzi and Tawanda Zhuwarara, are arrested in Harare following a march by WOZA.
11	Morgan Tsvangirai is sworn in as the Prime Minister of Zimbabwe while Thokozani Khupe (MDC T) and Arthur Mutambara (MDC M) are sworn in as Deputy Prime Ministers in the Government of National Unity (GNU).
13	Roy Bennett, the MDC T Treasurer General is arrested at Charles Prince airport and charged with treason. The charges are later altered and he now faces charges of attempting to commit banditry, terrorism and sabotage.
28	President Robert Mugabe celebrates his 85 th Birthday in Chinhoyi at an extravagant reception and in his celebratory speech orders commercial farmers to leave their farms. "Again I want to say, the farmers who owned these farms, which now have been designated and offered to new owners, must respect that law. They must vacate those farms, they must vacate those farms, they must vacate those farms." ⁴

⁴ Zimbabwe Independent, Friday 6 March 2009 <http://www.thezimbabweindependent.com/index.php/local/22151-mugabe-bash-scraps-for-povo-as-vvips-gorge-> [Available on line 20 March 2009]

March	
4	Three student leaders, Respect Ndanga, Innocent Kapoya and Kelvin Veremu are arrested and detained at Bindura Central Police Station on allegations of inciting public violence following a protest against high tuition fees being charged at state universities.
6	Mutare Magistrate Livingstone Chipadze is arrested for ordering the release of Roy Bennett the Deputy Minister of Agriculture Elect. He is charged with criminal abuse of office for allegedly contravening section 174, sub- section 1A of the Criminal Law Codification and Reform Act, Chapter 9:23.
11	MDC and ZANU PF supporters clash at the funeral of the Prime Minister's late wife Susan Tsvangirai. Ten homes and livestock are burnt during the violence.
25	Two WOZA members, Patricia Ndlovu, aged 53, and Georgina Muzaza, aged 84, are arrested in Bulawayo whilst trying to engage the Headmistress of Mpumelelo Primary School over the running of the school and the demands made by the school on parents.
April	
6	Students at the National University of Science and Technology (NUST) in Bulawayo protest Against the high Tuition fees being charged at state universities.
17	An interparty task force led by Deputy Prime Minister Arthur Mutambara is set up to investigate disturbances on commercial farms.
20	Four farm workers are reportedly severely assaulted by ZANU PF youths for talking to the Deputy Prime Minister Arthur Mutambara about the situation on Twyford farm in Chegutu.
20	Thirteen students from Great Zimbabwe University (GZU) in Masvingo are arrested and detained at Rujeko Police Station after participating in a protest against the high tuition fees being charged at state Universities.

ADMINISTRATIVE MAP OF ZIMBABWE



The Zimbabwe Human Rights NGO Forum (also known as the “Human Rights Forum”) is a coalition comprising 16 member organisations. It has been in existence since January 1998 when non-Governmental organisations working in the field of human rights joined together to provide legal and psychosocial assistance to the victims of the Food Riots of January 1998.

The Human Rights Forum has now expanded its objectives to assist victims of organised violence, using the following definition:

“Organised violence” means the inter-human infliction of significant avoidable pain and suffering by an organised group according to a declared or implied strategy and/or system of ideas and attitudes. It comprises any violent action, which is unacceptable by general human standards, and relates to the victims’ mental and physical well-being.”

The Human Rights Forum operates a Research and Documentation Unit and offers legal services to assist victims of organised violence and torture claim compensation from perpetrators through its Public Interest Unit.

Member organisations of the Human Rights Forum are:

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

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