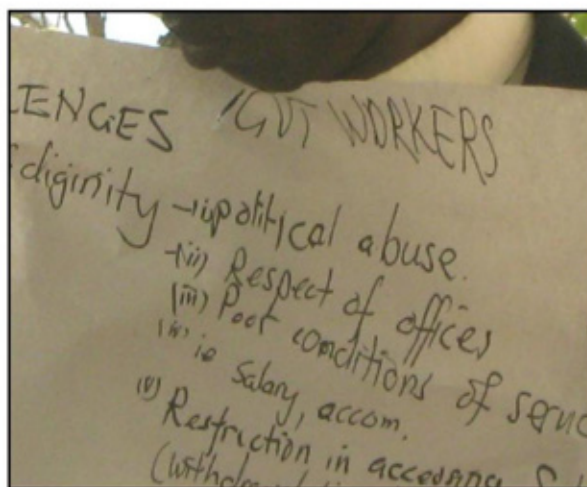


ZIMBABWE HUMAN RIGHTS NGO FORUM

OUTREACH REPORT

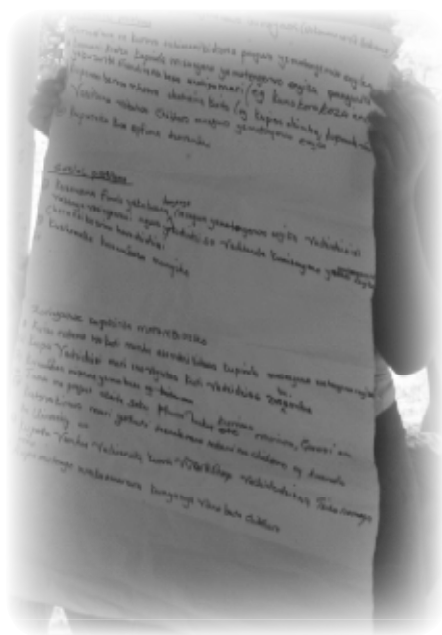
Taking Transitional Justice to the People



Zimbabwe
HUMAN RIGHTS
NGO Forum

Volume 2: 2010

“Who Will Dare Begin the Process of Recovering the Truth?”



Taking Transitional Justice to the People Outreach Report

Volume Two, 2010



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PREFACE

Transitional justice, or the pursuit of comprehensive justice during times of political transition, encompasses criminal justice, restorative justice, social justice and economic justice. It stresses the necessity for truth-seeking mechanisms to be put in place to redress the wrongs of the past and consider ways in which gross violations of human rights can be prevented in the future.

This report, “Who Will Dare Begin the Process of Recovering the Truth” (Volume Two of the *Taking Transitional Justice to the People Outreach Report*) sets out the experiences of the Zimbabwe Human Rights NGO Forum, its members and associates, who conducted outreach meetings in fifty-one constituencies in its community-based programme to take the concept of transitional justice to the community. Reports of the initial fourteen meetings were included in Volume One, published in June 2009.

The concepts of criminal justice, restorative justice, social justice and economic justice guided the meetings, and participants recorded their recommendations to achieve these goals under a variety of headings of their choice. These included: accountability; compensation for victims of political violence; reparations for damages and rehabilitation for both victims and perpetrators of such violence; restoration of justice and the rule of law; impunity; institutional reform and the role of political leaders, the police and the army; electoral reforms; media reform; a clear distinction between the roles of the church and the state; and who could and should lead the process of achieving meaningful transitional justice.

The overriding plea of all the participants was for truth recovery and truth disclosure to redress the human rights abuses of the past and in so doing foster true national reconciliation.

ACKNOWLEDGEMENTS

The Zimbabwe Human Rights NGO Forum acknowledges with appreciation the assistance given by members and associates in conducting community outreach meetings in its Taking Transitional Justice to the People Outreach Programme. They are: Zimbabwe Human Rights Association, Bulawayo Agenda, Gwanda Agenda, Lupane Agenda, Bulawayo Progressive Residents' Association, Gweru Legal Projects Centre, Bulawayo Legal Projects Centre, Mutare Legal Projects Centre, Media Monitoring Project Zimbabwe, Crisis in Zimbabwe Coalition, Legal Resources Foundation, and Educators Association for Human Rights. The Forum would like to thank its funding partners as well.

Their valuable assistance enabled the Forum to access areas where they operate and smoothened the Forum's introduction to the communities, thus assuring acceptability of the Forum's facilitators.

Appreciation is likewise extended to the assistance provided by the community leaders and government officials. However, it is the views and recommendations of the participants at the meetings that have given value to this report as a contribution to the dialogue on Transitional Justice in Zimbabwe. To them we express our most sincere appreciation for their willingness to share their views and aspirations with the Forum to address issues which will be "critical in the transitional times ahead of us".

BACKGROUND TO TRANSITIONAL JUSTICE IN ZIMBABWE

1. The Struggle for Justice and Accountability

The struggle for accountability in Zimbabwe can be traced back to the colonial era. The Catholic Commission for Justice and Peace (CCJP) was one of the first organizations to call for justice in the latter part of the 1970s. They collected data on human rights abuses and managed as early as 1975 to bring the then Rhodesia onto the international agenda. Several reports were produced which included *The Man in the Middle* (May 1975) and *The Civil War in Rhodesia* (August 1976).¹ Amnesty International was also collecting and publishing reports on war crimes in Rhodesia, while the Catholic Institute for International Relations was documenting torture, resettlement and evictions in the same period.

Faced with local resistance and international scrutiny, the Rhodesian government intensified repression. A plethora of laws meant to muzzle dissent and curtail fundamental freedoms were passed. It was between 1960 and 1979 that some of the most repressive pieces of legislation came into effect. These included the Law and Order (Maintenance) Act [Chapter 11:07], initially passed in 1960 but amended and strengthened many times thereafter. This became the foundation of Rhodesian security legislation. Its far-reaching provisions created a range of political offences and imposed strict limitations on all forms of African activity. There was also the Unlawful Organizations Act [Chapter 11:13], passed in 1971, which sought to ban all organizations that were deemed to act against the government. There were several other laws that were meant to avoid accountability for human rights violations. In 1975, the Rhodesian government passed the Rhodesian Indemnity and Compensation Act (No. 45 of 1975). This Act was applied retrospectively to pardon all actions committed by the security forces in the line of duty.

These laws formed the basis of today's culture of brutality, repression and impunity, a culture reflected in the passage of the Emergency Powers (Security Forces Indemnity) Regulations of 1982 by the majority government in Zimbabwe. This law decreed that people acting for or on behalf of the state in good faith, including the army, police and civil servants, could not be held liable for their conduct either under criminal or civil law.

As demand for justice increased from both within and outside the borders of Zimbabwe, the Smith regime tightened its grip on power and closed all democratic space. The armed struggle intensified, and over the duration of the conflict an estimated 30 000 people died, leading to the Lancaster House Conference held in London in 1979. This Conference gave birth to the Lancaster House Agreement, which paved the way for the 1980 general elections. Robert Mugabe won the elections on a popular vote and established the first majority government. ZANU(PF) won 57 seats, PF-ZAPU 20, and UANC 3. Twenty seats in Parliament were reserved for Whites according to the Lancaster House Agreement.

2. Transition to Majority Rule

The new government under Robert Mugabe was faced with the challenge of transforming a

system that was designed to serve the minority to one that served the majority. It had to deal with the complex post-conflict Zimbabwe which included victims and survivors of the past conflict.

The government embarked on a policy of reconciliation. On 17 April 1980, the eve of independence, the then Prime Minister Robert Mugabe said, “the wrongs of the past must now stand forgiven and forgotten”.² The policy of reconciliation promised to bring about political, racial and tribal harmony in order to rebuild war-shattered Zimbabwe. The liberation war had caused so much suffering. Thousands perished, leaving many orphaned and survivors traumatized.

One of the things that the new government did was to provide for compensation to war victims. In pursuit of this, the War Victims Compensation Act [Chapter 11:16] was passed in 1980 to provide for the payment of compensation in respect of injuries to or the death of persons caused by the war. The Act came into force on 14 November 1980. Compensation was paid after assessment and the funds were taken from the Consolidated Revenue Fund. This programme was administered by the Commissioner of War Victims Compensation. The fund was not sufficient to compensate all the victims of the war. Criticism was levelled against the administration of the fund as it was alleged to be corrupt and leaving out the real victims of the war.

In April 1989, the Zimbabwe National Liberation War Veterans’ Association (ZNLWVA) was formed. The association pushed for compensation of all veterans of the liberation struggle. It is observed that “the formation of the [ZNLWVA] was a reactive initiative taken by ex-combatants when it had become abundantly clear that the Government had failed to assist them”.³ The ZNLWVA successfully pushed the government to look into the affairs of its members. In 1992, the government passed the War Veterans Act [Chapter 11:15] to provide for the establishment of schemes for the provision of assistance to war veterans and their dependants and to provide for the establishment of a fund to finance such assistance. The success of the programme is debatable. Financial compensation was paid to veterans of the liberation struggle. The success of the fund is still contested. Senior government officials were accused of looting large sums of money from the fund. No support programmes were given to the beneficiaries of the fund as most of them simply squandered the money and returned to their lives of poverty.

In 1984, the National Heroes Acre was established through the National Heroes Act [Chapter 10:16]. The Act provided for the designation of “national hero” status, the rendering of State assistance to dependants of such heroes, and established a fund to finance State assistance to such dependants.

While all these transitional measures were noble in objective, the approach taken by the government was not holistic and lacked the participation of the people. It was a top to bottom approach. Most people felt left out and the various compensation funds were not administered in a transparent and accountable way. The policy of reconciliation did not go beyond rhetoric. No solid measures were taken to heal wounded communities.

Zimbabwe would soon plunge into bloodshed, evidence that the government’s non-participatory transitional measures had created only “silence” and not reconciliation.

3. The Midlands and Matabeleland Atrocities

In January 1983, following reports of banditry-related activities, the government deployed the North Korea (Democratic People's Republic of Korea)-trained 5th Brigade to Matabeleland. They committed massive atrocities which claimed around 20 000 civilian lives.⁴ This proved that the old system of oppression was still intact and the majority government was ready to step into the shoes of the old regime in the face of any resistance, even against its own people.

While there was official silence about the atrocities in the 1980s, various groups were working at pursuing justice and seeking accountability for the oppressed. On 16 March 1983, Catholic representatives, consisting of CCJP Director Mike Auret, Bishop Karlen and Bishop Mutume met with Prime Minister Robert Mugabe and presented him with a comprehensive dossier of evidence of the atrocities which were being committed by the 5th Brigade in Matabeleland and the Midlands. The evidence had been collected by priests and missionaries who worked in rural Matabeleland and the Midlands. Alongside the dossier, the representatives presented a statement by the Zimbabwe Catholic Bishops Conference entitled, *Reconciliation is Still Possible*. The statement recognized government's duty to maintain law and order even by military means but said that the "methods which should be firm and just have degenerated into brutality and atrocity". The document appealed to the government to find ways of reconciling the parties involved and adopting less harsh strategies in areas of disturbance.⁵

The first documents detailing the atrocities had been submitted to Prime Minister Robert Mugabe on 12 February 1983 but it was only after the face-to-face meeting he had with CCJP representatives on 16 March 1983 that there appeared to be a change in 5th Brigade tactics and a decline in atrocities. This could have been attributed to Mugabe himself responding to prevent further mass killings and beatings.

Nevertheless, on 6 April 1983 Prime Minister Mugabe again refuted allegations of atrocities and accused his critics of being "a band of Jeremiahs [which] included reactionary foreign journalists, Non-Governmental Organizations of dubious status in our midst and sanctimonious prelates", accusing the CCJP of condemning the 5th Brigade but not the dissidents.⁶

In January 1984, the government set up the Chihambakwe Committee of Inquiry to investigate the atrocities in Matabeleland and the Midlands. The four-man Committee was chaired by lawyer Simplicius Chihambakwe. Its findings were never published, although it took testimonies from many witnesses over a five-day period from 10 to 14 January 1984, including from the Director of the CCJP. The witnesses gave evidence of multiple atrocities including mass shootings, burning to death of people in huts, mass beatings, mass detentions involving various methods of torture and general psychological harassment. At the outset, the Committee had stated that it was only hearing evidence of incidences between December 1982 and March 1983.

In 1984, as abuses continued, ZANU(PF) militia and the Central Intelligence Organization joined in. Youths patrolled various areas in the Matabeleland and Midlands regions in preparation for the approaching election. In July 1985, at the height of the conflict, elections were held and ZANU(PF) won while PF-ZAPU retained all 15 seats in Matabeleland.

4. The 1987 Unity Accord

In 1987, there were talks of unity between ZANU(PF) and PF-ZAPU. In the midst of the talks, the CCJP released a confidential document on *Torture in Zimbabwe*. This document revealed the shocking degree of torture committed by agents of the state that had been a closely guarded state secret. Between April and November, raids and killings increased rapidly. PF-ZAPU was banned and its offices raided. Its officials were arrested and detained. It was in the midst of these activities that a peace accord was announced. On 22 December 1987, the Unity Accord was signed by Joshua Nkomo and Robert Mugabe; another attempt at building peace.

PF-ZAPU members of parliament were merged with ZANU(PF) and the Whites lost their quota of seats. Only one MP, from ZANU (Ndonga), remained as the opposition.

On the surface, the Accord was a positive development because it stopped the massacres in Matabeleland, but questions were raised whether it really brought peace or just silence. Some have called it a unity of the leaders as there was no consideration of the victims.

The atmosphere leading to the signing of the Accord and around the venue of the ceremony showed that democracy was going to be sacrificed. Supporters of ZANU(PF) converged at the conference centre where the document was signed, singing revolutionary songs. The message was very clear: “*Tamirira one-party state, yeJongwe.*” [“We now await a one-party state under ZANU(PF)”].

The next opposition would only emerge from within ZANU(PF) in 1990. Former ZANU(PF) politician and ally of Mugabe, Edgar Tekere, formed the Zimbabwe Unity Movement (ZUM) and opposed Robert Mugabe’s drive at perpetuating a one-party state. He stood against Robert Mugabe in the 1990 Presidential election, winning only 17% of the vote after a campaign marked by intimidation that prevented him from campaigning in large areas of the country. At the simultaneous Parliamentary elections, the Parliament was suddenly enlarged to 150 members from 80, with 120 elected and 30 appointed by the President. ZUM won 20% of the vote but only three seats in Parliament. ZUM supporters were the target of violent attacks from supporters of ZANU(PF) and five candidates were murdered. A student representative of ZUM, Israel Mutanhaurwa, was abducted in broad daylight by suspected state agents at the local cinemas in Gweru and was later found dumped (but unharmed) on the outskirts of Mkoba. No one was arrested or convicted of the crime.

5. Civil Society

The political developments after independence highlighted to civic groups and the labour movement the need to hold government accountable. In 1984, the Legal Resources Foundation (LRF), a Charitable and Educational Trust was established to promote human rights through paralegal, educational and publications programmes. The work of the LRF would become critical in pushing for justice and accountability.

As soon as the LRF opened its rural legal advice centre in Lupane in Matabeleland North in 1990, it was confronted with the unaddressed realities and effects of the Matabeleland atrocities

(also known as *Gukurahundi*).⁷ The LRF officers received constant requests for help from the communities still suffering from the aftermath of *Gukurahundi*. They needed help to obtain death certificates for heads of families who had disappeared in the 1980s and to enable children to get birth certificates to entitle them to go to school and for other administrative purposes.⁸

In response to the accounts of the victims, the LRF and CCJP decided to document the atrocities committed during *Gukurahundi*. These efforts resulted in the publication of a report entitled *Breaking the Silence, Building True Peace* in 1997. The report was produced independently from the Chihambakwe Committee of Inquiry and was an attempt by civil society to publicize the human rights violations in Matabeleland and the Midlands. The report used a variety of sources, such as statements from victims; records from missionaries, journalists, and lawyers; interviews; documents from Amnesty International and the Lawyer's Committee for Human Rights; and evidence from graves and disused mine shafts where bodies had been thrown.⁹

To date, *Breaking the Silence* remains the only published report about the atrocities in Matabeleland and the Midlands. Over 2 000 people were interviewed over a period of six years, and evidence was subjected to forensic examination by international experts. The degree of brutality revealed was so shocking that, even before its publication, it caused divisions in civil society. There were fears in the Zimbabwe Catholic Bishops Conference that the report would rip society apart. It took courage, bravery and determination for the producers of the report to publish it. Despite these efforts, the atrocities remain officially unacknowledged and unaddressed.

6. Economic Decline and New Civic Consciousness

In the late 1990s, the rising cost of living caused many other issues to become topical. The government launched a series of economic policies including Economic Structural Adjustment Programmes (ESAPs), without the participation of the broader society. These impacted negatively on the workers who felt that the government was excluding them from the formulation of economic policies. That period also marked the beginning of open confrontation between the government and civil society demanding justice, accountability and good governance. A number of human rights organizations emerged in the period and pursued civic education programmes.

In May 1997, the National Constitutional Assembly (NCA) was formed, a coalition of many organizations, to push for constitutional reform. Civil society became more organized and many other human rights organizations emerged.

In 1998, there were spontaneous food riots in all the major cities, particularly Harare and Chitungwiza. The hungry workers went on the rampage in the streets and high-density suburbs, looting commodities from shops. The police and the army reacted with brutal force against the rioters and eight people were killed; many others were wounded, arrested and tortured during and after the unrest. This led to the formation of the Zimbabwe Human Rights NGO Forum (the Forum) to respond to the crisis that had been created by police brutality against the rioters.

Under the umbrella of the Forum, several human rights NGOs reflected collectively on what action should be taken to reduce the violation of human rights and push for accountability in Zimbabwe. The Forum started the process of collecting and documenting human rights abuses

leading to the publication of the *Monthly Political Violence Report* which became an authoritative source of information for the local and international community on the state of human rights in Zimbabwe.

7. Push for Constitutional Reform and the Birth of a New Political Party

The period covering the years 1999 and 2000 was a time of rapid political drama. The crisis in Zimbabwe had then reached a high level. Amendments to the Constitution were creating more obstacles to accountability. The Constitution of Zimbabwe Amendment (No. 16) Act (No. 5 of 2000) inserted section 16A into the Constitution. This Amendment affected property rights negatively by removing the right to fair compensation regarding land to be acquired compulsorily. It ousted the jurisdiction of the courts on disputes related to land acquisition. The government's power to compulsorily acquire land, and the manner in which it was done, was insulated from the scrutiny of the courts or any other independent body.

Sixteen amendments to the Constitution were evidence that it had lost its sanctity. It could be manipulated for political gain. It was also felt that the Constitution was too heavily influenced by the country's colonial past, and that a new Constitution written in the light of the experience of independence was due. Increasing public pressure forced the government to embark on a Constitutional reform process.

On 21 May 1999 President Mugabe announced the convening of a Constitutional Convention which would draft a constitution fit for the country. This led to the appointment of a Constitutional Commission chaired by senior Judge Godfrey Chidyausiku to consult the people and obtain their views on what should be incorporated in a new constitution. The spokesperson for the Commission was Professor Jonathan Moyo, a former government critic.

In 1999, the NCA held a People's Constitutional Convention to define the principles of constitution-making. The Convention criticized the commission and set the stage for a clash with the Constitutional Commission.

Meanwhile, from August to September 1999, the government-appointed Commission held more than 5 000 meetings with local people and groups in Zimbabwe. Instead of adopting a democratic constitution informed by the consultation process, the Commission produced what was seen as a biased document, which further fuelled tensions in the country. Civil society opposed the process and the content as having too much government influence.

At the same time, the worsening economic situation created much agitation in the labour movement. From 26 to 28 February 1999, a National Working Peoples' Convention was held in Harare to find strategies of addressing the problems of the working people of Zimbabwe. The convention noted, among other things, the breach of the rule of law through state-sponsored violence and the abuse of human rights. It also noted widespread corruption and the lack of public accountability in political and economic institutions. At the end, the convention resolved, among other things, that:

A people's constitution, as a reflection of a national value system, should be accompanied by a Truth and Reconciliation Commission to deal with unresolved

aspects of our past that hinder national integration. It should further be supported by a clear accessible and popularly understood mechanism for arbitration on and enforcement of constitutional rights.¹⁰

What is significant about this convention was that instead of just making demands and outlining the same traditional problems workers had discussed in the past, the convention talked of the need for “a strong, democratic, popularly driven and organized movement of the people”.

The convention thus resolved “to take these issues to the people across the country, to mobilize them towards the working people’s agenda, and to implement a vigorous and democratic political movement for change”.¹¹

On 7 August 1999, the Zimbabwe Congress of Trade Unions (ZCTU) at an Extra-Ordinary Congress held in Harare at ZESA Training Centre, adopted the National Working People’s Convention Declaration unanimously.

This declaration led to the formation of the Movement for Democratic Change (MDC) on 11 September 1999. At its inaugural congress, the MDC adopted the *Manifesto and Programme for Change* which among other things stated that it would “promote a process of truth, justice and reconciliation to build national integration, based on the culture of tolerance and respect for human rights and on the exchange of understanding between our different cultures”.¹²

The *Manifesto* made reference to the Matabeleland massacres which “brought death, arbitrary torture and deprivation of an unarmed civilian population” and which were aimed at “establishing authoritarian rule and dominance by the ruling party over all ethnic groups”. The *Manifesto* also stated that the Unity Accord of 1987 had brought peace but not reconciliation, and that it had avoided the substantial issues that needed to be addressed in integrating all the people of Zimbabwe into one nation.

In February 2000, the government presented to the people the Draft Constitution produced by the Constitutional Commission. Civil society rejected both the content and the process that produced the draft. Among other concerns, the draft left too much executive power untouched. The commissioners were appointed by the President and were accountable to him, and there were no proper safeguards to protect the people’s input. Civil society, led by the NCA, campaigned against the draft and delivered a 55% “No” vote.

In the same year, about thirty non-governmental organizations came together to form the Zimbabwe Election Support Network (ZESN) to push for a democratic electoral environment. The coalition was soon faced with the task of analysing the electoral field and documenting election-related abuses and violations. It would soon be flooded with various reports and complaints of violence and irregularities. Its work would become critical in pushing for electoral transparency and accountability.

8. 2000 and 2002 Elections

The launch of the new political party, followed by the “No” vote, increased the tension between government and groups pushing for democratic reforms. The 2000 elections were just a few months down the line. In the run-up to the elections, rule of law continued to break down. There were farm invasions, brutal murders, arson, rape, torture and robberies through out the country. It is estimated that in the run-up to the 2000 elections, 31 people were killed and over 500 were injured. Over 1 600 farms were invaded and over 400 000 farm-workers were displaced, making it impossible for them to participate in the elections. Over 400 farm-workers were hospitalized while 1 500 death threats were received. 250 schools were closed and 6 000 teachers were displaced. More than 500 homesteads belonging to suspected opposition supporters were destroyed through out the country.¹³ In Buhera, two aides to Morgan Tsvangirai the opposition leader, Tichaona Chiminya and Talent Mabika, were petrol-bombed by state agents in their vehicle. Opposition candidates were attacked, arrested, kidnapped or assaulted through out the country. Hate speech against the white farmers and supporters of the new opposition flooded the public media – print and electronic. An atmosphere of fear and anxiety pervaded this election period.

The legal framework and the electoral management system in the run-up to the elections created considerable confusion. The Electoral Supervisory Commission (ESC), the Election Directorate, the Delimitation Commission and the Registrar-General’s Office, which were designed as independent oversight bodies, abandoned their mandate and appeared to act as agents of the ruling party. The voters’ roll was in disarray, for example, names of people who were dead appeared on the roll, and some living voters, especially the youths, had their names missing from the voters’ roll.¹⁴ A free and fair election was impossible in such an environment. At the end of the elections held on 24 and 25 June 2000, ZANU(PF) won 62 seats, MDC 57 and ZANU (Ndonga) won 1 seat.¹⁵

The electoral system had been unable to produce free and democratic elections and created an impasse between the establishment and the emerging democratic forces. The judiciary was flooded with election petitions with which it was not equipped to deal. Post-election violence rocked the nation and hate speech continued. The government crafted such restrictive legislation as the Public Order and Security Act [Chapter 11:17] (POSA) and the Access to Information and Protection of Privacy Act [Chapter 10:27] (AIPPA), which signified a return to pre-independence repression.

Farm invasions intensified in the weeks following the elections. On 10 November 2000, the Supreme Court granted an order by consent declaring that the entry of uninvited persons onto commercial farming properties was unlawful and that police must remove all squatters from the farms. The order was not implemented and on 24 November 2000, about 200 war veterans invaded the Supreme Court calling for the removal of the Chief Justice.

The judiciary remained resolute and several judgments were passed against the government. The government continued to attack the judiciary for being “guardians of white commercial farmers”.¹⁶ This was followed by attacks on targeted judges leading to the forced resignation of Chief Justice Anthony Gubbay in February 2001. Such a development was a blow to any hopes that perpetrators of human rights violations would ever be held accountable.

In the year 2001, discussions started around the Matabeleland Massacres: for example, the Amani Trust in Bulawayo convened a 'Truth and Justice Conference', which focused specifically on the situation in Matabeleland, but, in the light of increased state repression, nothing much seemed possible.

The government was struggling to contain discontentment. Democratic forces continued to push for accountability despite hostility from the government. As the 2002 presidential elections drew nearer, the campaign of violence increased. The Forum reported 54 deaths, 945 cases of torture, 214 kidnappings, 229 cases of intimidation, 143 cases of unlawful detention, 29 disappearances, 99 cases of unlawful arrests among many other violations. 70 000 people were displaced from their homes.¹⁷ Thus the 9–11 March 2002 Presidential election further deepened the crisis in the country. It was from this crisis that negotiations to break the impasse between ZANU(PF) and MDC began.

The atrocities committed during the elections were so gross that civil society renewed calls for accountability. In its report on the March 2002 Presidential elections, ZESN recommended setting up of an independent body to investigate the political violence and facilitate reconciliation and rehabilitation. ZESN also called for a re-run of the Presidential election after an agreed transitional period during which constitutional and electoral reforms conducive to a free and fair election were put in place.¹⁸

9. Civil Society and Justice in Zimbabwe

Despite the call by civil society for democratic reforms, the government remained resolute and unreformed. The independence of the judiciary was compromised and the legal system in Zimbabwe could no longer be trusted to address the ever-increasing violations. Against this background, the civil society organizations in Zimbabwe decided to develop their own positions on how to redress the abuses, using both domestic and international legal and institutional mechanisms. This led to the holding of a symposium in Johannesburg on *Civil Society and Justice in Zimbabwe* from 11 to 13 August 2003.

The Symposium was attended by leaders from over 70 civil society organizations from Zimbabwe, colleagues from South Africa and several international experts on transitional justice. The main purpose of the Symposium was to explore how best to achieve justice in the broadest possible sense for the many victims of past and present human rights abuses in Zimbabwe. It also aimed at promoting an understanding of transitional justice mechanisms and various options available to Zimbabwe.

The Symposium made the following recommendations:

1. That human rights abuses of the past – both during the colonial and post-colonial eras – must be redressed.
2. That mechanisms be put in place to guarantee that human rights abuses never again occur in Zimbabwe.
3. That blanket amnesties for human rights abusers should not be allowed; and specifically that there should be no further general amnesty for human rights abusers.

4. That the necessary institutions be set up to deal with past and present human rights abuses, and that such institutions be empowered not only to investigate and seek the truth but also to recommend criminal prosecution, provide for redress and reparations for victims, and lead to the healing of the nation. Such institutions must encourage and sensitively deal with the special needs of victims. This is particularly important in dealing with women and children as victims.
5. That the Constitution guarantees future respect for human rights and sets up a justice system and other institutions to give effect to such a guarantee.
6. That the government must enable Zimbabweans to take advantage of the protection and remedies offered by international human rights instruments.
7. That there should be an investigation into corruption and asset stripping, and the repossession of all assets misappropriated from state and private enterprise, or acquired through corruption and other illegal means.¹⁹

10. The 2008 Elections

In 2007, an alliance of organizations including churches, civil rights and labour organizations, spearheaded by the Zimbabwe Christian Alliance organized themselves into what they called the *Save Zimbabwe Campaign*. The Alliance organized a prayer rally at Zimbabwe Grounds in Harare's suburb of Highfield. The police crushed the prayer rally ruthlessly, killing an NCA activist, Gift Tandare. Over a hundred people were arrested, including the leaders of the opposition parties and civil society organization. The opposition leader Morgan Tsvangirai was severely assaulted by the police. This caused an international outcry which forced SADC to appoint the then South African President Thabo Mbeki to mediate between the ruling ZANU(PF) and the Movement for Democratic Change, which had split into two formations in 2006.

The mediation process led to the adoption of the *SADC Principles and Guidelines Governing Democratic Elections* in 2008. These guidelines aimed at establishing a standard electoral practice in Southern Africa. For Zimbabwe it meant the "levelling of the electoral playing field", which would result in reforms to the electoral system.

The then ruling party, ZANU(PF), agreed to some of the demands from the MDC. The new system saw, among others, the following:

- establishing of a new election management body;
- abolition of the Electoral Supervisory Commission and;
- abolition of the Delimitation Commission.

The electoral reforms raised hopes for more democratic elections in the future and yet, as the coming elections would expose, these changes did not guarantee the legitimacy of the election. While the management of elections had changed, the political situation deteriorated and hate speech increased.

The possibility of election fraud was reduced but was not eliminated. Repressive legislation remained in force. The election management body was still appointed by the President and had no financial autonomy. While the body was charged with the accreditation of observers, it could only accredit those observers invited by the Ministry of Justice.

There was little tinkering with the media laws in the name of media reform. The electorate's right to free, unbiased and accurate information was still curtailed. In practice, the state did not allow voter education by non-state actors.

It was under this electoral environment that Zimbabwe went to the 29 March 2008 Harmonized (Presidential, Parliamentary and Local Government) Elections. The presidential result was eventually announced on 2 May, five weeks after the polling. These showed that the election did not produce a majority winner as required by law. The law required the winner to have 50% plus one vote. According to section 101(3) of the Electoral Act [Chapter 2:01], a second election (also known as a run-off) was to decide the election. The leader of the opposition, Morgan Tsvangirai, had garnered more votes (47.3%) than Robert Mugabe (42%).

The run-off was eventually set for 27 June 2008 and it turned out to be another bloodbath. By 20 June 2008, the Zimbabwe Association of Doctors for Human Rights had recorded 85 deaths in political violence since the first round of voting.

On 22 June 2008 Morgan Tsvangirai announced that “a credible election, which reflects the will of the people is impossible” and that the MDC-T had decided to withdraw from the presidential run-off. More specifically he accused the State of sponsoring violence, of crippling the MDC's election campaign, decimating MDC structures through widespread arrests and detentions and silencing the media. He further accused the ZEC of bias and complicity with efforts by ZANU(PF) to rig the elections. On 23 June 2008 a letter withdrawing from the run-off was delivered to the ZEC.²⁰

On 25 June, the Chairperson of the ZEC issued a press statement saying that the notice of withdrawal by Tsvangirai had been filed out of time, that it had no legal effect, and that the ZEC would proceed with the election on 27 June. The presidential run-off was held on 27 June and the results were announced on 29 June; Robert Mugabe was declared President with 90% of the vote. Robert Mugabe was sworn in as President by Chief Justice Chidyausiku on 29 June 2008, the same day the results of the one-man election were announced.

There was an outcry and public condemnation of the process throughout the world, including from African observer teams. The SADC Election Observer Mission concluded: “The election did not represent the will of the people of Zimbabwe.”²¹

It was this outcry and the crippling collapse of the economy which drove the main political parties to the negotiating table. On 10 July 2008, ZANU(PF) and the two MDC formations signed a Memorandum of Understanding (MoU) in which they agreed “to commit themselves to a dialogue with each other with a view to creating a genuine, viable, permanent and sustainable solution to the Zimbabwean situation”.²² The MoU kick-started the negotiating process.

As the negotiations dragged on, civil society organizations realized that justice would only come with political change, and yet the protracted negotiations created new fears that change would come at the expense of justice.²³

11. Towards Transition

On 8 and 9 September 2008, members of civil society met at a workshop organized by the Forum and

agreed that given the history of human rights abuse in pre- and post-independence Zimbabwe, there was need for transitional justice mechanisms which would follow these fundamental principles:

- victim-centred;
- comprehensive, inclusive, consultative participation of all stakeholders, particularly the victims;
- the establishment of the truth;
- acknowledgement;
- justice, compensation and reparations;
- national healing and reconciliation;
- non-repetition (never again);
- gender sensitive;
- transparency and accountability; and
- nation-building and reintegration.²⁴

The organizations present at the workshop, having agreed on the principles, also agreed on several non-negotiable minimum demands for a transitional justice process, which included: no amnesty for crimes against humanity, torture, rape and other sexual crimes and economic crimes such as corruption; no extinguishing of civil claims against the perpetrators or the state; comprehensive reparations for victims of human rights violations; no one should hold an official office who has been responsible for gross human rights violations and corruption; a credible and independent truth-seeking inquiry into the conflicts of the past which holds perpetrators to account and which provides victims the opportunity to tell their story; independent monitoring and reform of the operations and structures of the police, army, paramilitary, security co-ordination, administration of justice, food distribution and other organs of state involved in the implementation of the transition.²⁵

Five days after the workshop, on 15 September 2008, the three leaders of Zimbabwe's main political parties signed an Agreement known as the *Global Political Agreement* (GPA). Civil society was relieved to note that there were no guarantees of amnesty in the Agreement. Of particular importance to the discussions around justice and accountability was article 7. While the drafters of the document avoided using the phrase "transitional justice", they talked of "national healing, cohesion and unity in respect of victims of pre and post independence political conflicts".²⁶

In 2009, the Organ on National Healing, Reconciliation and Integration (the Organ) was formed with the aim of finding ways to implement article 7 of the GPA. Three ministers were appointed to lead the Organ: John Nkomo (ZANU(PF)), Sekai Holland (MDC-T) and Gibson Sibanda (MDC-M). The Organ began consultations with traditional leaders, the churches and civil society on how to bring about national healing.

While the capacity of the Organ may be strictly limited, its presence and current efforts spell a world of difference from the previous government policies in which no other stakeholders were

allowed to participate in the national processes regarding reconciliation. It has created a window through which other stakeholders can participate.

12. Taking Transitional Justice to the People

In January 2009, the Forum together with its member and partner organizations launched the *Taking Transitional Justice to the People* programme aimed at taking the transitional justice agenda to the victims of past violations and to establish the people's understanding of and commitment to the concept. The programme aimed at promoting discussion among ordinary Zimbabweans on transitional justice options available to them and gathering their views on the mechanisms they would recommend. The programme took note of the several resolutions by civil society organizations on the need to maintain a victim-centred approach to any transitional justice process in Zimbabwe.

Using the information on violence collected since 1998, the Forum was able to identify 84 constituencies worst affected by political violence. In the end, the Forum conducted consultative meetings in 51 constituencies.* The first report of the findings was produced in June 2009 covering 14 constituencies. The current report is the second volume of the people's recommendations collected during the outreaches and covers the remaining 37 constituencies.

On 10 December 2009, the Forum launched *A People's Guide to Transitional Justice*, a simple and easy to understand booklet that helps communities discuss the concept and mechanisms of transitional justice.

In looking back into history, the Forum is convinced that violence has repeatedly visited Zimbabwe in the past primarily because the voices of the victims were ignored. The outreach teams have sat in villages with victims, listened and documented their stories. Even though some of these atrocities happened decades ago, when one listens to the stories of the victims it is clear that the past needs to be addressed. Although discussion about past and present violations is limited, communities and families continue to share their pain and suffering.

As long as the stories of the victims are not heard, no genuine healing can take place. The *Taking Transitional Justice to the People* programme has therefore put the survivors of political violence at the forefront of any discussions, so that in the end, whatever recommendations are made, they must be shaped by the survivors themselves.

* 2 357 participants attended all the 51 workshops throughout the country. 1 010 were women; 1 347 were men.

SUMMARY OF THE OUTREACH

1. Areas Covered

From February 2009 to February 2010, a total of 51 consultative meetings were organized covering an average radius of 7 km per meeting. These were held in two phases.

The first phase was from January 2009 to June 2009 covering 14 constituencies. The first report for these meetings was published in June 2009. These were in the following constituencies: Bikita East, Bikita South, Bulawayo East, Chiredzi South, Chivi South, Gutu Central, Gwanda, Hwange Central, Masvingo Central, Matobo, Mount Darwin East, Nkulumane, Tsholotsho and Zaka.

The second phase was from August 2009 to February 2010 covering 37 constituencies. These were in the following constituencies: Beitbridge, Bindura, Binga North, Buhera Central, Bulilima, Chegutu, Chinhoyi, Chipinge Central, Chiredzi North, Chirumhanzi, Epworth, Gokwe-Kana, Goromonzi South, Hurungwe, Kariba, Lupane East, Makonde, Makoni Central, Manyame, Mbare, Mberengwa East, Mberengwa West, Mhondoro-Mubaira, Mount Darwin, Mutare Central, Mutasa North, Muzarabani, Nkayi, Nyanga South, Sanyati, Shamva North, Shamva South, Shurugwi, Umguza, Zengeza West, Zvimba West and Zvishavane. This report covers the second phase.

2. Methodology for the Entire Outreach

Since 1998, the Forum and its member and partner organizations, have been collecting data on political violence in Zimbabwe. Using this information, 84 constituencies were identified and targeted for the consultative meetings because of the considerable incidence of violence. Of these 84 constituencies the Forum has visited 51 constituencies. In the 51 constituencies, three meetings could not take place because of interference from the police and political players. These were Chipinge Central, Mberengwa (East and West) and Beitbridge.*

1 915 participants attended the meetings in the second phase of the outreach.** 1 113 (58%) of the participants were men and 802 (42%) women. The average age of the participants was 43 years.

The Forum aimed at having 50 participants per meeting, representing various sectors of the society. These included the women, the youths, the traditional leaders, the representatives of religious groups, political groups, government employees, victims of political violence, perpetrators of political violence, and any other group identified by the participants as relevant to that community, e.g. the group of Rastafarians in Epworth. The number of 50 was considered

*It must be noted, though, that at the time of preparing this report, a very successful meeting was held in Beitbridge and attended largely by government employees, local authorities and members of the security sector.

**See Appendix for the schedule of participants and venues where meetings were conducted.

suitable for meaningful engagement on all topics of transitional justice. In the end, the actual attendance averaged 43 participants per meeting. The lowest number of participants was 14 in Muzarabani constituency at Saint Albert's Hospital, and the highest was at Ngonidzashe Council Hall in Norton, Mashonaland West, where there were 142 participants. The youngest participant was a 13-year-old girl in Lupane East and the oldest was a 94-year-old man in Gokwe-Kana.

All the meetings were facilitated by persons who were trained in Transitional Justice mechanisms. These facilitators were drawn from member and partner organizations in all provinces. These facilitators worked closely with local co-ordinators. Thus facilitators and co-ordinators held meetings in their own home areas where they related well with communities such that members of the public could participate freely.

The meetings were consultative in nature. The facilitator would give a brief history of conflict in Zimbabwe, introduce the concept of transitional justice without giving a lecture on what must or must not be done. The introduction served to place the discussion in context and set the ball rolling on the possible avenues available to a society that is emerging from conflict. The participants were then invited to reflect in groups on their current state. As groups, they went on to make recommendations on how to build peace and say "Never Again!" to violence. These are the recommendations that form the crux of this report. After the groups had made their recommendations, the facilitators went on to look at them and classify them into various topics for further discussion. These are the topics that fall under the heading "Recommendations". The facilitators then made detailed presentations on each topic, touching on the international experiences of other societies and interrogating various ways of dealing with possible obstacles. After the detailed discussions, the facilitators invited any afterthoughts from the participants. All contributions from individual responses to group discussions were recorded and reports were compiled immediately after each meeting.

3. Structure of Individual Reports

The individual reports for each meeting have been recorded in the same format for easy reading. The headings vary with the participants' suggestions which differed at each meeting. The percentage attendance by women is noted under the heading "Sex". It is the perception of the Forum that women face many obstacles to free expression and any transitional justice process must be gender sensitive. Thus in this outreach the Forum sought to monitor the participation of women as the starting point of driving towards engendering transitional justice.

All views have been faithfully recorded from each meeting in the language used by the participants. Wherever a group or an individual participant has made a recommendation or expressed an opinion, his/her identity or group is indicated at the end of the statement. Unattributed recommendations indicate the views expressed by the meeting in general.

All quotations have been recorded verbatim.

4. Challenges during the Outreach

a) Harassment of Participants

In most of the constituencies, there were reports of harassment and intimidation. In Chipinge Central, at a meeting held on 15 September 2009 at Paidamoyo Primary School, a group of participants approached the facilitators in confidence and reported that they could not participate actively because they were afraid of the war veterans and some youth militias who had threatened unspecified action.

After the meeting in Zvimba West which was held on 26 November 2009, it was later reported by the local co-ordinator that one of the participants was visited by a ZANU(PF) delegation led by a retired major in the company of the ZANU(PF) youth chairperson for Zvimba West. It was reported that they accused her of speaking against the army during the workshop. The retired major is alleged to have told the female participant that they could facilitate the disappearance of her husband and she would lose her stand at the flea market. The participant went to report the matter at Zvimba Police Station where she was attended to by a Police Internal Security and Intelligence Officer who, she said, undertook to take action.

On 27 November 2009, the local co-ordinator received a phone call from a person (identified) from Chinhoyi. The local co-ordinator reports that the caller told him that he had done something wrong by organizing a workshop that brought MDC people. As a punishment, he was therefore going to lose his job (employer named).

b) Interference by Political Players

In Mberengwa West, the ZANU(PF) councillor and chairperson of the council told the facilitators in the presence of two police officers that the transitional justice meeting could not take place in Mberengwa because 'the subject of transitional justice and national healing was forbidden'. If the facilitators thought otherwise they would need to look for and get the permission from the ZANU(PF) chairperson for the area. The councillor said that the agenda of the meeting was political in nature, and the party that ruled Mberengwa was very protective of their space and such meetings ruffled feathers and as such the Mberengwa leadership could not allow them. He said he was a very small fish in such matters and he feared for himself if he allowed such a meeting to take place. The police said in the face of the councillor's concerns, they too were bound by what he had said because he represented the local people. When the Forum attempted to go to Mberengwa West, South and North, the facilitators were told to go back to the councillor as he was the chairperson.

In Chipinge, ZANU(PF) activists arrived at Paidamoyo Primary School, the venue for the meeting and accused the local co-ordinators of misleading the participants and deceiving them into attending a political meeting. When the meeting finally took off, they forbade people from grouping or even participating. They said the people in Chipinge had nothing to say. During the discussion, where the ZANU(PF) councillor did not like the flow or issue under discussion, he would interrupt the meeting by chanting the ZANU(PF) slogan.

In Mount Darwin South, the ZANU(PF) activists tried to block the meeting which took place on 14 October 2009 at Mount Darwin Sports Club. The administrator of the Sports

Club only allowed the meeting to proceed after the police intervened. A follow-up meeting to distribute literature was stopped.

In Mbare, the ZANU(PF) members who had been invited to the meeting on 20 October 2009 refused to attend. They told the local co-ordinator that they could not attend it because the Prime Minister had announced disengagement from working with ZANU(PF) in government.

In Mhondoro-Mubaira, the facilitators were alerted that a ZANU(PF) councillor had ordered the traditional leaders not to attend.

In Sanyati at a meeting held on 16 February 2010, during the meeting, ZANU(PF) youths accused their councillor of calling for a meeting that was hostile to their party policies. The conflict was resolved peacefully and the meeting went on with participation even from those youths.

c) Interference from the police

There was also interference from the police in some instances such as Bindura, Shurugwi and Beitbridge. In such instances, the police would find a reason to stop, disrupt or postpone the meeting giving a flimsy excuse. The Bindura meeting was initially stopped by a police Superintendent on 8 October 2009, who alleged that the outreach team needed clearance from the Ministry of Justice. The meeting was later held on 16 April 2010.

In Shurugwi and Chirumhanzi, the police initially stopped the meetings saying the atmosphere was tense because of the conflicts in the government regarding the constitution-making process, while in Beitbridge, the police said there was a shortage of water so it was unhealthy for anyone to hold a public meeting. In Mberengwa, the police said they had no power over ZANU(PF) councillors.

Notes

¹ Catholic Commission for Justice and Peace in Rhodesia [CCJPR], *The Man in the Middle: Torture, Resettlement and Eviction* (Salisbury: CIIR, 1975); CCJPR, *Civil War in Rhodesia* (Salisbury: CIIR, 1976).

² V. de Waal, *The Politics of Reconciliation Zimbabwe's First Decade*. London: C. Hurst, 2002.

³ M. Musemwa, 'The Ambiguities of Democracy: The Demobilisation of Zimbabwean Ex-combatants and the Ordeal of Rehabilitation, 1980–1993', in J. Cilliers, *Dismissed: Demobilisation and Re-integration of Former Combatants in Africa* (Pretoria, Institute of Security Studies, 1995).

⁴ Catholic Commission for Justice and Peace in Zimbabwe [CCJPZ] and Legal Resources Foundation [LRF], *Breaking the Silence, Building True Peace: Report on the Disturbances in Matabeleland and the Midlands, 1980–1989* (Harare: CCJPZ and LRF, 1997).

⁵ CCJPZ and LRF, *Gukurahundi in Zimbabwe: A Report on the Disturbances in Matabeleland and the Midlands, 1980–1988* (New York: Columbia University Press, 2008).

⁶ CCJPZ and LRF, *Breaking the Silence, Building True Peace*.

⁷ *Gukurahundi* was the code name given to the operations of the 5th Brigade in Matabeleland. *Gukurahundi* is a Shona word that means "the early rain which washes away the chaff before the spring rains".

⁸ "Gukurahundi in Zimbabwe", a speech by Eileen Sawyer, former National Director of the Legal Resources Foundation, Chatham House, London, 4 September 2007. Available at <<http://davidcoltart.com/?p=346>>.

⁹ CCJPZ and LRF, *Breaking the Silence, Building True Peace*.

¹⁰ T. F. Kondo, 'The "Workers Driven" and "People-centred" Development Process for Zimbabwe (June 1996 to February 2000)', Comprehensive Report for the Advocacy Programme Beyond ESAP Phase 1 (Harare: Zimbabwe Congress of Trade Unions, 2000), 129–31.

- ¹¹ Ibid., 131.
- ¹² Ibid., 156.
- ¹³ ZESN, *Report on the 2000 Parliamentary Elections, Zimbabwe* (Harare: ZESN, 2000).
- ¹⁴ Ibid.
- ¹⁵ Ibid.
- ¹⁶ Human Rights Watch, *“Our Hands Are Tied”: Erosion of the Rule of Law in Zimbabwe* (New York: Human Rights Watch, 2008).
- ¹⁷ Electoral Institute of South Africa [EISA], *Zimbabwe: 2008 Presidential Run-off*. Available at <<http://www.eisa.org.za/WEF/zim2008runoff.htm>>.
- ¹⁸ ZESN, *Report on the Zimbabwe Presidential Elections, March 2002* (Harare: ZESN, 2002).
- ¹⁹ T. Lesizwe, *Civil Society and Justice in Zimbabwe*, Summary of proceedings of a symposium held in Johannesburg 11–13 August 2003 (Johannesburg: Themba Lesizwe on behalf of Southern African Trauma Coalition).
- ²⁰ EISA, *Zimbabwe: 2008 Presidential Run-off*.
- ²¹ ZESN, *Report on 2008 Elections* (Harare: ZESN, 2008).
- ²² Memorandum of Understanding signed between ZANU(PF) and MDC formations on 10 July 2008.
- ²³ Anthony Reeler, “The Historical Developments of Transitional Justice in Zimbabwe”, Essential Skills Course on Transitional Justice, 24–25 September 2009 (unpublished).
- ²⁴ Zimbabwe Human Rights NGO Forum, <<http://www.hrforumzim.com>>
- ²⁵ Ibid.
- ²⁶ Agreement between the Zimbabwe African National Union - Patriotic Front (ZANU-PF) and the Two Movement for Democratic Change (MDC) Formations on Resolving the Challenges Facing Zimbabwe [“Global Political Agreement”], Article 7 (Harare, 2008).

CONSTITUENCY REPORTS

HARARE METROPOLITAN PROVINCE



EPWORTH

1. CONSTITUENCY: EPWORTH
2. PROVINCE: HARARE METROPOLITAN
3. VENUE: ST. PATRICK ROMAN CATHOLIC CHURCH
4. DATE: 23 SEPTEMBER 2009
5. PARTICIPANTS: No.: 56
Sex: 30% female
Age: 21–60, average 31 years
From: church leaders, youths, local leaders, farmers, political activists, survivors of political violence, and women

6. RECOMMENDATIONS

i. Prosecutions

- The perpetrators of political violence should be prosecuted first before matters of reconciliation are discussed [women and survivors of political violence].
- Prosecution would deter perpetrators from committing further acts of violence [women].

ii Institutional reforms

- Institutional reforms in the police force are very necessary because it is corrupt and partisan [women and political activists]
- Rule of law can be achieved only if the defence forces are purged of partisanship. Some security officials were accused of torturing members of opposition parties for their beliefs [participants].

iii. Restitution

- There is need for effective restitution for those who were violated or who lost their assets because of political violence [women, youths, political activists and survivors of political violence].
- Restitution should go hand in hand with prosecution.
- Recovery mechanisms should address the loss of homes, rape, disability and national healing. There are people infected with HIV as a result of violence who need ARV therapy as restitution [survivors of political violence].

iv. Truth recovery

- Truth before reconciliation can be achieved and the government has to come out in the open on this matter [political violence survivors].
- Some survivors were traumatized by the disappearances and deaths that happened to their relatives and have lots of questions which need explanation.
- The perpetrators must lead in the explanations surrounding the fate of disappeared and deceased people, and this can be achieved if the process of truth recovery is officially instituted.

7. OBSERVATIONS

- The participants did not prescribe the method of institutional reform or truth recovery but they expressed the hope that the government would come up with a mechanism that met their expectations.

MBARE

1. CONSTITUENCY: MBARE
2. PROVINCE: HARARE METROPOLITAN PROVINCE
3. VENUE: MAI MUSODZI HALL
4. DATE: 20 OCTOBER 2009
5. PARTICIPANTS: No.: 69
Sex: 15% female
Age: 22–77, average: 38 years
From: political activists, local business people, victims of political violence, peasant farmers, the homeless, church representatives, and youths

6. RECOMMENDATIONS

i. Representation of the disabled

- The disabled must be represented in every level and aspect of any transitional justice process. “We do not want to be represented by people who are not disabled, but we want one of their own, so that our concerns are taken care of” [group of the disabled].

ii. Political violence

- There can be no healing if violence is still happening. Political violence has left many families homeless. Other families were simply told to vacate their home because of political beliefs [women and youth group].

iii. Reparations

- Those who were affected negatively by past events must be restored to their original position. Those whose houses were destroyed must have them built again. Women used to run informal markets, which were erased by the government. The government must rebuild those stands and let them continue with trading [women and church representatives].
- There is need to compensate all those who were raped or faced any kind of sexual harassment [church representatives].

iv. Accountability

- “Those who committed offences must be punished accordingly” [church representatives].
- There can only be justice for victims if the perpetrators are brought to book and are punished for their offences [political activists].

v. Institutional reform

- The police and the traditional leaders are being abused by the politicians to commit atrocities. These institutions must be reformed so that they serve and do not harass the people [political activists].
- The police must stop unlawful arrests and the harassment of activists [political activists].

- Institutions that distribute inputs for agricultural purposes are partisan and they must be reformed to ensure equal access to resources [local leaders and political activists].
- The Church must take over running of elections because politicians have failed [church representatives].

7. OBSERVATIONS

This meeting was one-sided. There was no debate. This was caused by the absence of ZANU(PF) members, who boycotted the meeting saying that they could not participate in such a meeting because the Prime Minister, Morgan Tsvangirai, had disengaged from ZANU(PF) in government. Participants seemed to agree on everything.

ZENGEZA

1. CONSTITUENCY: ZENGEZA WEST
2. PROVINCE: HARARE METROPOLITAN
3. VENUE: ZENGEZA PRIMARY SCHOOL
4. DATE: 12 FEBRUARY 2010
5. PARTICIPANTS: No.: 80
Sex: 52% female
Age: 15–56, average 30 years
From: human rights activists, women activists, traditional leaders, spirit mediums, government employees, political activists and youths

6. RECOMMENDATIONS

i. Institutional reforms

- There is an urgent need to reform all institutions of government, particularly the security sector, civil service, social services, parastatals. The police needs urgent reform since it did nothing to protect women from violence such as rape [women].
- Some government institutions need vetting.
- The media must be reformed, and laws like AIPPA and POSA must be repealed. [political activists].
- There is need to rebuild the collapsed education sector, reform the judiciary system, particularly the Attorney-General's office [youths, political activists].

ii. Reparations

- There can never be healing without reparations for Operation Murambatsvina losses and political violence [women, youths and political activists].
- The victims of political violence need rehabilitation.
- The perpetrators must pay for the damages, but where they are poor, the sponsor must pay. The state must pay as the last resort, particularly for damages related to Operation Murambatsvina [participants].

iii. Reconciliation

- The work of the Organ on National Healing, Reconciliation and Integration was commended, but the leadership of the reconciliation should not be left in the hands of perpetrators of political violence.
- Reconciliation mechanism must be led by women and victims of political violence, independent people trusted by the whole society [participants].

iv Truth recovery

- The Organ is ignoring the need to talk about what happened in the past, and the need to recover the past as a way to go forward [political activists].
- A credible truth-recovery process is one which is led by credible civil society institutions, not by government officials.

7. OBSERVATIONS

- The participants felt that the way forward was only when the past was recovered and openly acknowledged by the government and the record of that past was put straight.
- They were not comfortable with impunity and wanted those who committed atrocities arrested, but that would be achieved when the institutions of state were transformed.

MANICALAND PROVINCE



BUHERA CENTRAL

1. CONSTITUENCY: BUHERA CENTRAL
2. PROVINCE: MANICALAND
3. VENUE: MASASA BUSINESS CENTRE
4. DATE: 19 AUGUST 2009
5. PARTICIPANTS: No.: 26
Sex: 41% female
Age: 17–77, average 37 years
From: government employees, traditional leaders, political activists, women, youths, peasant farmers and church representatives

6. RECOMMENDATIONS

i. Accountability

- Perpetrators must be prosecuted for their offences and there must be an end to a culture of violence [women].
- Everyone must be accountable for the atrocities committed in the past. It does not matter to which political party one belonged, everyone must be held accountable.
- Perpetrators of serious offences like rape must be committed to prison.

ii. A culture of human rights

- There must be an end to a culture of abuse.
- There is need for legislative reform to protect fundamental freedoms like freedom of movement [government employees].
- Human rights officers must be closer to the people and introduce civic education programmes for the communities so that the people are made aware of their rights. [government employees].

iii. Community development

- Community development is being negatively affected by the conduct of dishonest politicians.
- Community development programmes must be prioritized.

iv. Reparations

- In reconciling perpetrators and victims, there is need to redress the injuries suffered by the victims.
- All loss must be compensated. An elderly man speaking on behalf of victims asked, “*Moyo yedu ingasukwa sei? Kana kuti hurumende ichatipa here huku dzedu kuti tione kuregerera ava?*” [“How can our hearts be cleansed? Will the government compensate us for our lost chickens so that we can forgive these people?”]
- The victims of political violence should be compensated and should get assistance such as school fees, books and uniforms for their children [government employees].
- Arresting offenders is not enough; they must pay back what they looted and repair what they damaged [women].

v. Reconciliation

- True forgiveness does not come from radio announcements. Reconciliation means that the offender must seek his victims and plead for forgiveness after acknowledgment of wrong.
- It is wrong for anyone to insist that the victim must forgive and forget while he/she sees the livestock grabbed from his/her home breeding at the neighbour's house.
- It is very painful to continue seeing the people who committed assaults still roaming freely and making more threats. It becomes difficult to forgive and it becomes a big temptation to take the law into one's hands.
- There is need for those who looted to come out, confess and restore other people's property and be reconciled to their enemies.
- Though reconciliation must take place, criminal acts must be punished to satisfy the demands of justice.
- A proper judicial process must take place to make sure no innocent persons are 'bundled' to prison with the perpetrators. The real truth must be sought.

vi. Institutional reform

- The security sector needs to work in a way that combats impunity. Political and election related crimes must be treated with gravity, and proper sanction must come upon perpetrators [government employees].
- The police must not allow the political tensions to be an excuse for criminal activities like rape. A male participant complained that they had made several reports during the election period concerning some very serious violations like rape and the police did nothing, saying it was election time.
- Reforming the security sector can work to help victims be assured that violence will not come again.
- There is need for continuous documentation in the security institutions for the sake of future reference.
- The military must stay in the barracks and be confined to their constitutional duties.

7. OBSERVATION

There meeting was held during a time when there was heavy military presence in the area. This was reflected in the participants' views. The area was politically charged following the tension between political parties after the funeral of the late Susan Tsvangirai, the Prime Minister's wife.

CHIPINGE CENTRAL

1. CONSTITUENCY: CHIPINGE CENTRAL
2. PROVINCE: MANICALAND
3. VENUE: PAIDAMOYO PRIMARY SCHOOL
4. DATE: 15 SEPTEMBER 2009
5. PARTICIPANTS: No.: 76
Sex: 35% Female
Age: 20–72: average 46 years
From: school children, government employees, resettled farmers, traditional leaders, local business people and political activists

6. PROCEEDINGS

i. Interruption of programme

- The programme that was scheduled to start at 9:30 a.m. only started at 3:15 p.m.
- As soon as the facilitators arrived, the ZANU(PF) activists arrived at the venue and declared that meeting was not going to take place because they did not know of the meeting.
- After a lengthy exchange for about 30 minutes between the ZANU(PF) activists and the local co-ordinators, the police officers helped cool the atmosphere.
- The local co-ordinator told the political activists that there was a meeting because they had notified the local leadership of a meeting which was why people turned up. The Headman, though not present, had sent his son to represent him. The representative said he was aware of the meeting and wanted the meeting to proceed.
- Meanwhile the people had gathered at the local school and it was resolved that the participants would be asked if they wanted the meeting to take place. The ZANU(PF) councillor for Ward 6 said he would gladly do it, but only after they finished another meeting which he was supposed to address.

ii. Participants approach the facilitators

- The local leadership then went to talk to the people. While the councillor was talking to the people, individual villagers approached the facilitators and said that they were not going to leave the place until they had participated in the meeting. They pointed out to the facilitators the people who were trying to block the meeting as the perpetrators of political violence who feared that the people would name them. They also said that before the meeting, a few days earlier, another meeting had been held by ZANU(PF) war veterans where people were warned against giving their views to NGOs regarding the constitution. They said that the activists were probably mistaken that the Forum had come to talk about the constitution.
- A resettled farmer approached the Forum facilitators. He sat with them and started to chronicle, in a low voice, the politics of Chipinge District. He showed the facilitators a very big gum tree which had become a 'victim' of political violence. The tree was labelled 'MDC', he narrated. He said that angry ZANU(PF) youths came armed with axes and brought down the tree, then went ahead to cut it into pieces. It's crime? MDC

people used to gather under that tree. Three more villagers confirmed the story.

- The councillor dragged proceedings on until after 3.00p.m. At 3.15 p.m., the Forum facilitators were invited to come and address the people.

iii. Attempts to address the participants

- The local co-ordinator apologised to the participants regarding the confusion. After the introduction, one of the facilitators gave an overview of transitional justice.
- He said it was important that societies decide what mechanisms they needed to create sustainable peace in their communities.
- He said because of time constraints, he was going to ask that the people go into groups according to interests: the youths, the women, government workers, traditional leaders, business people, farmers and other interest groups present.

iv. Refusal and disturbances

- One villager asked if the issues had anything to do with the Kariba Draft constitution, to which the facilitator explained that the programme had nothing to do with the Kariba Draft.
- One man, who described himself as a politician, said that there would be no groups and that they were not going to give any information unless the facilitators were ready to openly tell the participants that they had solutions to those problems.
- The councillor was in agreement with the ‘politician’ and he started chanting a ZANU(PF) slogan. He said the idea of groups was a ‘divide and rule’ tactic made to interfere with their right to speak as a group.
- A local activist said that as far as he was concerned, the Global Political Agreement had been signed and as such there was no need to worry about human rights. The political leaders knew what they were doing.
- Another activist said that the grouping was meant to force people of different opinions to come together and that would cause ‘a war’. People must be grouped into political parties.
- One activist said that the leaders of one of the parties in government were corrupt because they were getting two salaries, another one from unknown sources.
- An elderly woman said they had no problems and the facilitators must go back and tell whoever sent them that they had no problems.
- Another participant, identified reliably as a former councillor for ZANU(PF), told the gathering that only a few people were blocking progress and preventing others from speaking. He advised the facilitators that when they left they should not conclude that the people had rejected them but that a few misguided people had blocked their views.
- The facilitator said that he would ask each particular interest group if it had any issues it wanted to raise, to which a small but very militant grouping shouted “No!” They had no problems. “Did you bring the groups?” another woman asked.
- The Councillor started another ZANU(PF) slogan and said that they had a right to speak as one group. He said their only problem was that they had no dairy cows and the recommendation was that they needed dairy cows and assurance that their land would not be taken away.
- The facilitator said he was closing the meeting and invited those who needed some literature to collect it. A group of government workers approached the facilitators and

asked to write their concerns in private. They wrote their concerns at the back of the register as follows:

- Harassment of teachers by certain party members
- Interference at the workplace
- Victimisation of teachers
- Torture
- Vandalisation of resources by some party individuals
- Political intolerance.

They expressed fear of harassment and no recommendations were made.

- A larger group of women showed disappointment at the outcome and openly told the facilitators that they had problems in the area and they hoped one day that the perpetrators would face justice.
- The facilitators immediately packed up the materials and left the constituency.

MAKONI CENTRAL

1. CONSTITUENCY: MAKONI CENTRAL
2. PROVINCE: MANICALAND
3. VENUE: SALVATION ARMY CHURCH
4. DATE: 25 AUGUST 2009
5. PARTICIPANTS: No.: 41
Sex: 48% female
Age: 21–81, average 29 years
From: church representatives, youths, women, political activists, traditional leaders and government employees

6. RECOMMENDATIONS

i. Truth recovery

- There is need to recover all truth. “*Tinoda kuti paitwe inonzi ‘Operation Wakatumwa Nani?’ Munhu wese akapara mhosva anofanira kuti adure munhu akamutuma kuti anopara mhosva iyoyo.*” [“We desire that there be what is called ‘Operation Who Sent You?’ Everyone who committed an offence must reveal the person who sent him to commit such an offence.”] [male participant].
- The normal course of justice must bring out all truths necessary. While people may have been sent, it was wrong to follow orders to kill. Hence those who followed such orders must stand before justice and reveal everything [male participant].
- Recovering the truth will not be easy because the chief instigators are the ones in power pretending to “preach healing, and yet, if the truth be told, while these people are in charge, there will a backlash on the victims. People would rather be silent until there is a change of administration. This can only come if we change the rules of the game, the constitution, then remove the perpetrators from positions of power” [male participant].
- There can be no healing if the politicians are going to lead the process because they are the perpetrators. If there is going to be any Truth Commission, “the politicians must not be part of it, because the truth is not in them” [male participant].
- There is something “fundamentally wrong with the President appointing anybody charged with healing because he and his party participated in killing people” [male participant].

ii. Reparations and accountability

Note: The issues raised touched both reparations and accountability.

- “Personally, I believe we should just forgive each other in a genuine way without necessarily asking those who wronged us to pay us anything in any form” [male participant].

The above point drew opposition in the meeting. Another believed that “those who committed acts of violence and stole property should pay restitution to those that they wronged. I can not just forgive a neighbour who caused my home to be burned down or who stole my livestock” [male participant].

- It is the duty of government to compensate all those who lost their properties. Most perpetrators are either poor or unknown [male participant].

- Human rights organisations must open offices in Makoni constituency to help create a culture of human rights and accountability [female participant].
- There must be equality before the law. The necessary punishments must visit all those who broke the law [political activists].

iii. Reconciliation

- There is so much fear in Rusape. It is too early to commence reconciliation because currently people are gripped with fear and the police are still harassing people. Perpetrators of gross human rights atrocities since 2 000 are still in power and threatening more violence. It is really difficult to ask people to reconcile if they are still being beaten up and threatened with more violence [male participant who identified himself as a human rights activist].

iv. Institutional reform

- The security sector must reform. The police are still arresting people and accusing them of “supporting the opposition” [political activists].
- There is need for human rights NGOs to come to areas like Rusape and help with the struggle to transform the communities to respect human rights and “not just to loot the things that come from the donors” [male participant].
- Both the state and private media seem concerned with what is happening in Mutare and Harare while people in areas like Rusape are kept in the dark. The media must cover all areas [government employees].
- There must be reform of the electoral systems but this should be done through the new constitution [political activists].

7. OBSERVATIONS

There was more active participation from individuals than from the groups. Some individuals who identified themselves as human rights activists said that there was so much fear in the community. The representatives of the Church were also very active and they noted that the churches in Makoni had been subjected to intense victimisation. Participation by political groups was one-sided. It appeared that the other political side did not attend, or, if they did, they did not come out in the open to participate.

MUTARE CENTRAL

1. CONSTITUENCY: MUTARE CENTRAL
2. PROVINCE: MANICALAND
3. VENUE: SCOUT HALL
4. DATE: 02 SEPTEMBER 2009
5. PARTICIPANTS: No.: 31
Sex: 48% female
Age: 21–67, average 31 years
From: local business leaders, human rights activists, youths, church representatives, women, political activists and government employees

6. RECOMMENDATIONS

i. Accountability

- Perpetrators of political violence must face justice [political activists and women's group].
- Systems of accountability are also systems of reconciliation. Without a culture of accountability, you cannot guarantee non-repetition [church representatives].

ii. Reparations and reconciliation

- Reparations must be paid to all those who had been wounded or dispossessed of their property [church representatives and business people].
- Those who committed bad things in the past must approach those they had injured and seek forgiveness [church representatives].
- There must be ways of reconciling past enemies. Those who committed offences must acknowledge their wrongs [church representatives].
- Reconciliation must start from grassroots, not from the leaders making declarations in Victoria Falls. Such a model of reconciliation will not trickle down to the masses who suffered the worst [church representatives].
- Reconciliation cannot be achieved in a short time, the way politicians are trying to do it. It can take a lengthy period of time, trying to weave various approaches including assessment of reparations in order to achieve reconciliation [church representatives].
- Any reconciliation programme must consider reparation because it is not possible for one to forgive someone who has stolen his oxen while he sees them next door every day [male participant]

iii. Institutional reform

- The current state of the judiciary cannot deliver justice. After reporting a matter, one has to wait for long periods for justice to be done. Perpetrators continue to make further threats. As long as perpetrators are not punished by the courts, there can't be reconciliation. "*Chinokanganwa idemo, muti haukanganwe.*" ["The perpetrator can forget, not the victim."] [male participant].
- There are institutions which tend to fuel further violence because if one makes a report

of a violation, and then the next day one meets the person who killed their relative walking freely in the streets, he/she may be tempted to mete out instant justice. It would be different if it had just been done [male participant].

- There is need to dismantle the institutions of violence. There are common denominators in this culture of violence. It is not proper that the same people who masterminded the Matabeleland massacres are still controlling security systems [male participant].

iv. Where do we begin? (If we have to address the past, which past should we take?)

- We should begin in the year 2 000 because this must be a manageable period with victims still surviving. There is no fresh memory to recover the truth of what happened during *Gukurahundi* [some participants].
- It was discriminatory in nature to leave out the *Gukurahundi* period. This timing would departmentalise the victims [some participants].
- Participants in the end agreed that *Gukurahundi* could not afford to be left out of any transitional justice mechanism.

v. Change of government

- “*Kugadza nhaka huona dzavamwe.*” [“We draw lessons from other experiences.”] “Has it ever happened anywhere that the same government that committed the atrocities can lead transitional justice” [male participant].

vi. Who must lead the process

- Parliament must lead the process of reconciliation [some participants].
- The Church is the proper body to do so because that was its primary purpose of existence.

8. OBSERVATIONS

The meeting was dominated by people who identified themselves as political activists and human rights activists. At the beginning, participants seemed not ready to open up, but as the discussions progressed, they became active.

MUTASA CENTRAL

1. CONSTITUENCY: MUTASA CENTRAL
2. PROVINCE: MANICALAND
3. VENUE: CHADZINGWA BUSINESS CENTRE
4. DATE: 03 SEPTEMBER 2009
5. PARTICIPANTS: No.: 44
Sex: 55% female
Age: 21–76, average 42 years
From: local business leaders, traditional leaders, women, political activists, government employees and youths

6. RECOMMENDATIONS

i. Truth recovery

- The truth must be revealed first in order for proper healing to take place and to build lasting peace [youth, women and political activists].
- It would be difficult for one to forgive someone he/she does not know. Some committed these offences in groups at night and no one knows them. If their identities are revealed, then one may move on and decide if they can forgive the person [female participant, who identified herself as a victim of political violence].
- The ‘commanders of violence’ still operating in the villages must be brought out and be made to say out in the open the things which they did [political activists].

ii. Prosecutions/Accountability

- There must be ‘justice’ for all those who participated in criminal activities. Perpetrators of political violence have all along been acting as if they are above the law [youth and political activists].
- There is no way of moving forward without rule of law. A participant pointed out the spot where he said someone’s livestock was burnt by people who they knew. “These people have support of powerful politicians. As far as these people were untouchables [above the law]” [male participant].
- All those who directed violence must be tried for their offences [youths].
- The youths who were used to perpetrate political violence must receive psycho-social support [youths].
- All rapists must face justice before people begin to talk about reconciliation.

iii. Reparations

- Everyone who was injured must be compensated and those who were killed, their families must be looked after. Those who have lost their property must have it returned. If it cannot be traced, it must be replaced [youth and traditional leaders].
- All processes must be all-inclusive and the youths must have a major role [youth].
- Benefits for the affected must be properly guarded so that they reach the intended beneficiaries. In this country no one really knew who was a youth and who was not. The old people always force themselves into youth programmes [elderly male participant].

iv. Reconciliation

- There must be acknowledgement for wrong before reconciliation [local leadership].
- Those who injured others must come out and ask for forgiveness [local leadership].
- If there is compensation, this should be done openly and truthfully to promote reconciliation [local leadership].
- The traditional leaders cannot be part of any mechanism for reconciliation because they were perpetrators themselves [male participant].

v. Institutional reform

- The Grain Marketing Board must be reformed to make sure everyone has access to resources. It should not just be for the benefit of politicians and those connected to them [women's group].
- The judiciary must be centralised. Local courts must be empowered to deal with local matters because the traditional leaders understand their communities. This would speed up justice delivery [traditional leaders].

7. OBSERVATIONS

During the presentation of the group of local leaders, there was a lot of grumbling from the participants. They accused the local leadership of participating in political violence and then pretending they were forced to do so.

MUTASA NORTH

1. CONSTITUENCY: MUTASA NORTH
2. PROVINCE: MANICALAND
3. VENUE: HAUNA GROWTH POINT
4. DATE: 10 SEPTEMBER 2009
5. PARTICIPANTS: No.: 46
Sex: 39% female
Age: 15–61, average 33 years
From: government employees, youths, traditional leaders, peasant farmers, health workers, church leaders, the disabled, villagers and political activists

6. RECOMMENDATIONS

i. Respect for human rights

- There is need to create a culture of respecting human rights, beginning with local communities [government employees].
- Education is a basic human right which must not be interfered with. In the past period this right had been disrespected as teachers were harassed and schools went on without resources because of the political situation [government employees].
- The right to education must be secured through legal reform to ensure that political activities do not interfere with this right [youth group].
- Fundamental freedoms must be restored. Everyone must be free to participate in the political affairs of the country as they please and will, without being forced to act contrary to their will. “We want to be free from threats in a liberated country we profess, regardless of my political affiliation” [government employees].
- The government must work on making sure that economic rights are realised. Programmes must be put in place to increase the economic performance of communities, for example access to inputs [farmers].
- Economic fundamentals must be restored. Politics has eroded away the economy [local business people and informal traders].
- The police must stop destroying flea markets of people who are seeking honest livelihood [informal traders].
- The government must put in place facilities that are friendly to drivers of the rural economy. This will reduce useless imports from South Africa and China.

ii. Institutional reform

- The system of traditional leadership must be strengthened and secured against political influences. During political upheavals, traditional leaders lost their power and they became vulnerable to political influences [traditional leaders].
- During economic difficulties, the traditional leaders saw the ugly face of poverty and found it difficult to deal with urgent matters like starvation or political violence. There is need for capacity-building programmes to equip the traditional leaders with resources and skills to deal with crisis in times of conflict [traditional leaders].

iii. Accountability

The war veterans who were responsible for electoral violence must be held accountable:

“Panyaya yepolitical violence yakaitika, dai hurumende yagadzirisa nyaya yema war veterans kuti panouyazve mamwe maelections, zvakaaitika izvi zvisadzokorodzeka nekuti mawar veterans iwaya ndiwo ainyanya kurova nekuhundutsira vanhu.” [“Regarding the recent acts of political violence, the government must deal with the war veterans so that there is no violence in the next elections because the war veterans were at the forefront of beating and intimidating people.”]

The perpetrators must be dealt with once and for all so that they won't repeat what they did [male participant].

iv. Reparations

- The human rights crises created by Murambatsvina must be addressed: *“Ini ndinoda kutaura nezve Tsunami yakakaitika 2007 iya. Vamwe takatozouya kuno kumusha nekuti takange tisisina pekugara. Taiva self employed asi nazvino hatina pekushandira. Saka dai hurumende yazotigadzirirawo kana tuma home industries kuti tiwane pekushandira. Vakaitwa displaced vasina pekugara vovakirwa pekugara.”* [“I want to talk about Tsunami which happened in 2007. Some of us had to come here to the countryside for we were now homeless. We were self-employed and up to now we have no employment. So we appeal to the government to set up home industries so that we can work. Those who were displaced, something must be built for them so that they have a place to stay.”]

Note: Tsunami is a code name that was given to Murambatsvina by members of the public due to the ferocity with which the campaign was unleashed.

- All victims of political violence must be compensated adequately [the women and farmers groups].

v. Reconciliation

- The current state of political activity has divided family units. The society and families are now run by slogans, whether it's food distribution or any other activity. There is need to reunite the families and community values on the family. This can happen if sound rule of law is brought back [women].
- Opportunities must be levelled because women were the ones that worked for families, and if they are rehabilitated and their source of livelihood restored, then they can feed their families again.

7. OBSERVATIONS

The meeting was attended by political activists from the two main political parties, ZANU(PF) and MDC-T. The participation of local business people was exceptional, as they touched a broad range of issues affecting rural communities. This was one of the few meetings where participants talked about economic democracy. However, participants seemed to avoid political issues.

NYANGA SOUTH

1. CONSTITUENCY: NYANGA SOUTH
2. PROVINCE: MANICALAND
3. VENUE: HOLY CROSS TRAINING CENTRE
4. DATE: 09 SEPTEMBER 2009
5. PARTICIPANTS: No.: 49
Sex: 42% female
Age: 16–63, average 46 years
From: government employees, traditional leaders, political activists, women, youths, school children, victims of political violence and church leaders

6. RECOMMENDATIONS

i. Truth recovery

- There must be a Truth, Justice and Reconciliation Commission. The truth must be told without fear [political activists].
- The work of the commission must touch everyone; from the politicians who participated in the unrest to the Church [political activists and church representatives].
- There is need to discover where these things came from because without such truths being told, nothing will move. “The people are hurting” [male member of the church representatives].
- Truth recovery in Zimbabwe is long overdue and people need the truth to fix things before the next elections [male participant].

ii. Reparations

- All those who caused pain and suffering to others and took people’s property must ask for forgiveness and pay for the damages they caused [church representatives and the women’s group].
- The victims must be identified and be compensated according to the injuries they suffered [government employees].
- Those who killed must come forward and ask for forgiveness [political activists].
- It is up to the victims to forgive or not because it is not for anyone to forgive the person who destroyed twenty years’ worth of labour [political activists].

iii. Accountability

- Those who committed criminal offences must be arrested. There were people who were arrested for crimes they did not commit and these people must be freed [youths].
- There can be no peace without justice, and no justice without peace, so there is need to work out everything. Those who killed must be prosecuted [political activists].

iv. Reconciliation

- There is need for reconciliation. Women had suffered badly as they were victims of the worst of atrocities, which included rape and killings, but they really want to see the

people being reconciled so that such things do not happen again [women's group].

- There is need to promote brotherhood and fraternity. There is need to work towards the mending of relationships in families and even between teachers and parents. These relationships were eroded by politics when the youths were sent to beat up their teachers and parents and when teachers went on strike and the parents were not happy [government employees].

v. Restoration of freedoms

- Rule of law and fundamental freedoms must be restored. The youths must not be forced to do what they do not want. They must not be forced to participate in political activities against their will [youth group].
- Politics has eroded away all cultural activities. There is no more brewing of traditional *mhamba* [beer] because of political turmoil. People must be free to participate in their cultural activities. Cultural life has been disrupted by politics because each time they try to gather for cultural activities, they will be accused of doing politics [traditional leaders].

vi. Separation of Church and State

- Freedom of worship must be restored and secured. The politicians are at the moment harassing the Church and forcing church members to attend political meetings. People are stopped from attending worship services and sometimes they have to go into the forest to pray, but if you are caught there, they will say you are practising opposition politics. There must be restoration of fundamental freedoms so that the Church can worship without political interference [church representatives].

vii. Institutional reform

- Institutions of government and society must reform. The civil service needs rehabilitation. Economic mismanagement has destroyed the institutions of government [government employees].
- The schools are now political institutions. Some of them were used as torture bases during the period of elections [government employees].
- The government must channel money towards reviving the economy rather than militarization of the state [government employees].
- All the youths who were terrorising people during the election period must be removed from the government payroll, and the civil service must become professional again [government employees and youth group].
- The government must revive the industries and all the pillars of the economy so that the youths may get back to work again [youth group].
- The Grain Marketing Board is being used “not to feed the nation but to feed ZANU(PF) terrorists”. Ordinary people in genuine need no longer access food from the GMB [government employees].
- The election management system must stop being partisan. “In the past, people were being forced to vote for a particular political party and they were accused of being supporters of the opposition so they were stopped from participating in the management of elections. The system must change. We must stop political fanaticism and people should accept political defeat” [government employees].

- The powers and authority of the traditional leadership must be restored. Politicians are usurping power from traditional leadership [traditional leaders].
- Traditional leadership must be respected by all political parties. Politicians must desist from forcing traditional leaders to align themselves with any particular political party.

7. OBSERVATIONS

- Holy Cross Training Centre is a Church-run institution that takes care of the underprivileged, and the participation of women and youth groups was outstanding.
- The political activists in the meeting admitted to engaging in acts of violence but only in defence of themselves, although participants on one side only admitted to this.
- Participation in the meeting lacked debate on political violence. This probably was because only one political party acknowledged its presence.

MASHONALAND CENTRAL PROVINCE



BINDURA

1. CONSTITUENCY: BINDURA CONSTITUENCY
2. PROVINCE: MASHONALAND CENTRAL
3. VENUE: RAN MINE PRIMARY SCHOOL
4. DATE: 16 APRIL 2010
5. PARTICIPANTS: No.: 32
Sex: 50% female
Age: 15–53, average 23 years
From: church leaders, youths, women, political activists, government employees, perpetrators and victims of political violence

6. RECOMMENDATIONS

i. Restoration of freedoms

- There is need to restore the freedoms to belong to political parties of choice, and to associate politically and religiously in order to recoup the dignity of persons and families [religious leaders, political activists].

ii. Restoration of rule of law

The breakdown of the rule of law is a concern. Women suffer more as victims of rape and other political abuses [women].

Perpetrators of violence should be arrested, and those occupying influential positions in society need to be relieved of those posts.

iii. Reparations

- Compensation should be in the form of the rebuilding of homes by perpetrators [victims of political violence].
- Where the perpetrators are unknown, government should provide compensation.

iv. Institutional reforms

- The police must be transformed effectively since the institution affects many lives of the people [political activists].
- The police force must cease being partisan and must protect individual political choices.
- The institutions that cause fear or torture citizens, like the National Youth Service, must be disbanded [participants]
- The electoral system is in a shambles, subject to manipulation, secretive and weak, and needs drastic reform in order to deliver democracy.

v. Reconciliation

- There is need for reconciliation. The question is who should lead it.
- Politicians, traditional leaders and some church leaders lacked the legitimacy to lead the process as some had led violent campaigns or supported violent conduct [some participants].

- Some politicians were accused of being insincere in their call for reconciliation.
- The reconciliation process should be locally driven with the assistance of credible civil society.

7. OBSERVATIONS

- This meeting had been initially cancelled by the police.
- The meeting was attended by members of the main political parties: MDC-T and ZANU(PF). Some of the political activists were identified by fellow participants as perpetrators of political violence.
- During the meeting, emotions were boiling up, with women accusing politicians of preaching peace only during the day. One of the participants reported that there had been a national healing meeting where people were asked to 'confess' without fear and yet later they were thoroughly beaten.
- Not all participants were comfortable with the process of transitional justice being led by the politicians and traditional leadership or some church leaders because they believed these lacked local legitimacy because of their part in violence.

MOUNT DARWIN SOUTH

1. CONSTITUENCY: MOUNT DARWIN SOUTH
2. PROVINCE: MASHONALAND CENTRAL
3. VENUE: MOUNT DARWIN SOUTH SPORTS CLUB
4. DATE: 14 OCTOBER 2009
5. PARTICIPANTS: No.: 66
Sex: 9% female
Age: 20–73, average 38 years
From: church leaders, youths, local leaders, peasant farmers, political activists, survivors of political violence, perpetrators of political violence, state agents, government employees, the disabled, and representatives from the Ministries of Education, Youth, Gender Employment Creation, Women’s Affairs, the District Administrator’s office, District Development Fund, Department of Social Welfare, and the Border Gezi Training Centre.

6. RECOMMENDATIONS

i. Reconciliation and national healing

- Where do we begin?
- On what period should we focus?
- Injuries were sustained during the liberation struggle for which many did not receive compensation, and people were not helped to recover from the deadly experiences of the liberation war [disabled group].
- The nation was moving ahead leaving such people behind rotting in poverty [disabled group].
- The disabled must be represented by their own members at every level of decision-making.

ii. Reparations

- Reparations must be part of any credible transitional justice mechanism [women’s group].
- Homes destroyed must be rebuilt, trading stands restored and those raped compensated [political activists]

iii. Accountability

- “Those who committed offences must be punished accordingly” [political activists].
- Prosecutions as part of a transitional justice mechanism could be an option to consider as a means of restoring public confidence in the rule of law [women’s group and church group].

iv. Restorative justice

- “Justice” is the key word [political activists].

- Such justice should come in the form of compensation, imprisonment, and counselling and civic education on human rights, should be paid to all who had suffered in one way or another, and perpetrators must be imprisoned [political activists].
- Some youths who had committed offences against communities, including political violence and rape, needed to receive counselling because “there were no choices for most youths. They were forced to kill people and to burn houses ... there was no democracy, no freedom of choice. If you do not obey you will die and you will see others being killed.”

v. Institutional reform

- The militarization of government institutions and politicization of traditional leaders are causes for alarm. All government institutions must be demilitarized. Traditional leaders must be apolitical [youth group].
- The police should not be told “hands off political matters”.
- Recruitment in government institutions is based on party affiliations. There is no chance of acceptance for those who are not members of a political party [youth group].
- Government institutions should serve everyone, particularly the media, the police and the Ministry of Education.
- The district has access to one newspaper only, i.e. the *Herald*, and all would benefit if media laws were reformed to welcome other parties in order to provide more balanced views and access [youth group].
- The Reserve Bank of Zimbabwe has become a political tool to reward perpetrators of political violence and punish those of divergent views.
- Government institutions are simply engaging in affirmative action in order to correct historical imbalances [youths from the National Youth Service].
- Reform of the educational curriculum is necessary, as is improving professionalism and non-partisanship in the work of the security sector [youth group].
- Confidence in the institutions that serve the public must be restored [most participants].

vi. Separation of Church and State

- There is a culture of intolerance by politicians of the work of the Church during election periods, which impacts negatively on the fundamental freedoms of the right to association and freedom of worship [church group]

vii. Truth commissions

- A truth commission could be an alternative in a situation where victims have no other place to tell their stories.
- Experiences in other countries, such as South Africa, could be of value if a truth commission were constituted by the State.

7. OBSERVATIONS

- The meeting drew participants from both victims and perpetrators of political violence. It was held at a government institution, which had been accused of hiding perpetrators of political violence. Despite this, participants bravely attended the workshop, giving their different opinions freely.

- Leaders from several government ministries and establishments who were present showed a progressive and objective attitude, agreeing with most of the discussions, particularly on the need for institutional reform.
- Despite visible tension, it appears that the community is ready to engage and transform from a community of fear and intolerance to a more peaceful and democratic one.
- It was an all-inclusive consultative meeting largely as the local co-ordinator, through whom the Forum facilitators worked, had ensured that most local leaders, especially from government structures, were invited and that proper traditional structures were observed.
- A telling final observation came from a youth from the Border Gezi Training Centre to the effect that whatever mechanism was going to be adopted, it had to be a local product and locally driven, adding that there was a tendency by foreign powers to interfere in domestic issues.

MUZARABANI

1. CONSTITUENCY: MUZARABANI
2. PROVINCE: MASHONALAND CENTRAL
3. VENUE: ST. ALBERT MISSION HOSPITAL
4. DATE: 15 OCTOBER 2009
5. PARTICIPANTS: No.: 14
Sex: 28% female
Age: 22–77, average 38 years
From: political activists, local business people, political violence victims, farmers and youths

6. RECOMMENDATIONS

i. Rule of law

- The rule of law was seen as the most critical need for the constituency.
- “What kind of a country is this? Everyone does what they want. It’s like a family where the father goes to prostitute somewhere, the mother follows suit and the children do likewise. No rules, nothing. Everyone does what he or she wants. I am able to kill. But I do not kill. Not because I am afraid of the law in this country, but because I am afraid of God ...” [male victim of political violence].
- It is impossible to heal and receive justice where there was no rule of law.

ii. Restitution and reconciliation

- Reparations are a precondition for reconciliation [youths, political activists, and women].
- Those who lost property and suffered torture must receive compensation before reconciliation [women]
- Reconciliation must not be forced on anyone. “*Chinonzi regedza ndechiri mumaoko kwete chiri mumoyo ...*” [“What is said ‘let go’ is what you hold with hands, not what is in the heart ...”] [male participant].
- Traditional leaders who perpetrated violence, displacements and loss of property were expected to pay.
- Government was expected to assist with projects as compensation to the affected victims.

iii. Accountability

- The restoration of the rule of law can lead to the process of accountability for acts of violence and deterrence.
- The people were not free to participate in certain processes because of a high level of intimidation and impunity.

iv. Institutional reforms

- The government institutions were corrupt and partisan and therefore needed to be reformed [all participants].

- The traditional leaders and the police are compromised and officials therefore need vetting and re-training [political activists].
- The public media, particularly the Zimbabwe Broadcasting Corporation, needs reform. The laws that affect the freedom of expression need to be reformed [youths and political activists].

v. Constitutional reform

- The Constitution should be reformed in the areas of the presidential powers.
- The Constitution must provide for freedom of worship [church leaders].

7. OBSERVATIONS

- The participants also noted the need to involve both the victims and the perpetrators in the transitional justice processes to limit suspicions and mistrust.
- There were concerns for a victim-centred process of reparations and healing, not something imposed by the state. The victims called for leadership to come down to the people and design work-plans on national healing together.
- The meeting was held against a background of fear. Local co-ordinators were afraid to bring people together even after the police had agreed to cover the meeting.

SHAMVA NORTH

1. CONSTITUENCY:	SHAMVA NORTH
2. PROVINCE:	MASHONALAND CENTRAL
3. VENUE:	MADZIVA BUSINESS CENTRE
4. DATE:	12 OCTOBER 2009
5. PARTICIPANTS:	No.: 25 Sex: 40% female Age: 25–69, average 42 years From: church leaders, youths, village leaders, women, political activists and farmers

6. RECOMMENDATIONS

i. Prevalence of political violence

- It was a challenge to start national healing in an atmosphere of violence and intimidation.
- The perpetrators who were not arrested or made to account for their acts of violence continue to intimidate people with impunity.
- The constitution-making process is threatened by political violence.
- Addressing the security concerns is important in addressing the problems of intimidation and violence [political activists].

ii. Accountability

- The culture of impunity must end and the perpetrators of violence must be brought to book [women, political activists].
- Accountability is achievable when the rule of law is restored and the judiciary allowed to work effectively without undue influence.

iii. Restitution

- Compensation must be made to the victims of human rights violations through rebuilding destroyed property and paying for enforced participation in political violence and abuse [women].

iv. Restoration of freedoms

- Restoration of the freedom to organize political meetings and freedom of expression must be restored so that healing can take place [political activists].
- The youths and church leadership want to enjoy the freedom to belong to a political party of choice and freedom of worship to be guaranteed.

v. Institutional reforms

- The judiciary, security sector, the public media and the electoral system need reform.
- An independent human rights commission is required and there is a need to train judges, magistrates and lawyers so that they work professionally for the cause of justice.
- The police, army, central intelligence organization and the youth militia were accused of committing human rights violations.

- The police are partisan and need specific attention in order to gain public trust.
- The militia are stealing and extorting property from the members of the public. [farmers].
- Restoration of the rule of law and security of freedom can be achieved if the whole security system is dismantled and built anew [political activists]
- The electoral system is subject to manipulation by ZANU(PF) and there is need for a credible election management body which is able to deliver democracy [all participants].

7. OBSERVATIONS

- The highlight of the meeting was the participation by the group of women who called themselves politicians and the male elderly participants. The women made most of the recommendations and even as everyone else, including the youths, acted as if they were afraid, the women spoke clearly on the issues affecting the community.
- The facilitators were invited by the participants to attend one of the meetings that was going to be addressed by the war veterans. Despite the clear efforts to intimidate the people, their participation showed defiance of fear.

SHAMVA SOUTH

1. CONSTITUENCY: SHAMVA SOUTH
2. PROVINCE: MASHONALAND CENTRAL
3. VENUE: SAVE THE CHILDREN HALL
4. DATE: 12 OCTOBER 2009
5. PARTICIPANTS: No.: 40
Sex: 52% female
Age: 21–54, average 33 years
From: church leaders, village leaders, youths, women, government employees and political activists

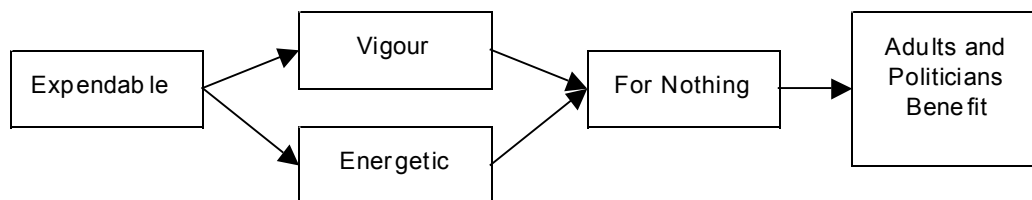
6. RECOMMENDATIONS

i. Reconciliation

- A comprehensive reconciliation process must involve all members of society [traditional leaders, youths].
- Traditional leaders must lead the process of healing and promotion of a culture of tolerance [participants]
- The government must empower traditional leaders in the area of reconciliation [participants].
- Women and youths must be involved in the healing process because they are usually adversely affected by any violent political process [women and youths]
- The Inclusive Government must openly visit areas affected by political violence, condemn it and apologize for violence committed [participants].

ii. Restitution

- “Reconstruct what was destroyed” and “heal what was wounded”. Restoration of the displaced and provision of humanitarian support are necessary [traditional leaders].
- The perpetrators of violence must pay for their actions [youths].
- The youths must be rehabilitated. The youths went further to describe the state of ‘youth’ in Zimbabwe that required rehabilitation and restoration. They made this diagram:



- The diagram describes the unfortunate cycle in which the youths find themselves. In the end, they become “a bunch of destitutes and sex slaves” at both family level and political level. They end up settling for anything, hence they became vulnerable to abusive politicians. This condition of the youths needs rehabilitation and the government must ensure that the youths regain their dignity. Part of this would come through “practicable empowerment policies”, “enforceable rights” and “inclusion of youth in all levels of leadership in government and the private sector”.

iii. Accountability

- Rapists must be jailed because there is a possibility of their repeating the same violent acts in the event of the announcement of new elections [women].
- Restoration of the rule of law assists in deterring perpetrators and can force them to account or even reform.

iv. Institutional reform

- Civil service reform is necessary in order to restore the basic rights such as the right to health and education.
- Reforms should be led by civil society.
- The National Youth Service, army and the police need urgent reform since they are alleged to have committed or condoned human rights violations.

7. OBSERVATIONS

- There was high attendance of traditional leaders and active participation by the youths. Their contributions stand out.
- The meeting was held in the same premises as ZANU(PF) offices, but none of the participants identified himself as from that party. It was not clear who comprised the group of political activists.

MASHONALAND EAST PROVINCE



GOROMONZI SOUTH

1. CONSTITUENCY: GOROMONZI SOUTH
2. PROVINCE: MASHONALAND EAST
3. VENUE: WINDSOR PARK SHOPPING CENTRE.
4. DATE: 02 OCTOBER 2009
5. PARTICIPANTS: No.: 40
Sex: 15% female
Age: 19–48, average 29 years
From: church leaders, youths, farmers, political activists, survivors of political violence and women

6. RECOMMENDATIONS

i. Accountability

- Healing will be possible only when perpetrators of political violence are made to account [survivors of political violence].
- Restoration of the rule of law will discourage perpetrators from committing further violations [participants].
- There must be guarantees that further violations will not take place before the victims can forgive the perpetrators [survivors].
- There must be accountability and transparency in the distribution of resources and farm inputs [villagers and farmers].

ii. Institutional reform

- The security sector is partisan. The police, war veterans and the National Youth Service youths are responsible for political violence [survivors of political violence].
- Vetting is necessary for the police service to reform [survivors of political violence].
- National Youth Service programme must be banned [survivors of political violence].
- There is need for human rights training for the security sector, particularly the police.
- An independent judiciary, professional civil service and functioning education system are necessary to ensure access and enjoyment of all human rights.

iii. Truth recovery

- Rape, displacement, torture and murder took place and they need to be discussed openly.
- Perpetrators of violence need to be confronted and investigations of what happened need to be carried out [survivors of political violence].
- Cases of political coercion have to be exposed and perpetrators shamed so that healing can take place.

iv. Restitution

- Complete restitution for property stolen or destroyed must be made [youths].
- For injuries sustained as a result of rape or torture, medical assistance is needed [women and victims of political violence].

The government must ensure that all victims are compensated and perpetrators, not the taxpayer, must compensate. If the perpetrator cannot pay, then the political party must.

v. Church and State

- Politicians must stay away from church business [church representatives].
- Politicians must respect churches and allow them to worship in peace and freedom. [church representatives].

7. OBSERVATIONS

- There is still tension across the political divide and this increased when people discussed sensitive issues of violations. This tension could have kept away the perpetrators from the meeting which was dominated by the victims of violence, who included predominantly males from the Goromonzi villages and Ruwa high-density residential area.

MASHONALAND WEST PROVINCE



CHEGUTU

1. CONSTITUENCY: CHEGUTU EAST
2. PROVINCE: MASHONALAND WEST
3. VENUE: UNITED METHODIST CHURCH
4. DATE: 29 JANUARY 2010
5. PARTICIPANTS: No. 28
Sex: 39% female
Age: 17–72, average 37 years
From: church leaders, youths, women, political activists, women, and government employees

6. RECOMMENDATIONS

i. Truth recovery

- “If we do not learn from our past, we will be punished by the future” [youth].
- Truth recovery is key to national healing [church leadership]
- Without the truth, it will be difficult to heal.
- The Church could lead the process because its leaders are honest and have already started the process of healing the communities [church leadership].
- The Church is easily intimidated so civil society should lead the truth recovery [political activists].

ii. Institutional reform

- Institutional reforms should top the priority list because of the violence, torture, intimidation and corruption taking place as a result of failed institutions. The civil service, security sector, constitution and traditional leadership need urgent reform [most participants].

a. The security sector

- Security sector reform must be aimed at restoring the rule of law [political activists].
- The Central Intelligence Organisation must be dismantled because it has become an institution of violence [political activists].
- The police and the army need to be professionalized and made independent from manipulation by the politicians [women’s group].

b. The civil service

- The education and health sectors were in need of immediate reform [youth, government employees].
- The civil service is very corrupt and self-serving without regard to its mandate [church representatives].
- There must be attractive remuneration for teachers in order to retain them at schools [youth group].

c. Constitutional reform

- There is need for a constitution that protects women from exploitation, meets their needs and takes them out of poverty [women's group].
- The constitution must give universal lasting protection, not be one meant to protect individual interests, "The individual will die. Our constitution must live beyond him" [female participant].

d. Traditional leadership

- The traditional leadership is partisan [most participants].
- The law needs to be reformed to protect the traditional authority from abuse by politicians, such that the traditional leaders are effective and responsible [political activists].
- The traditional authorities are vulnerable to manipulation by politicians and government officials.

iii. Accountability

- The perpetrators of violence need to be prosecuted under a reformed judiciary and police system.
- Victims of political violence feel that there is always a threat of renewed violations unless the perpetrators are brought before the law [women's group].
- Vulnerable individuals who suffer because of the escalation in political violence need assurance that the law will protect them [political activists].

iv. Reparations

- There must be a reparations programme that targets victims of political violence [youth group].
- Reparations must be paid for the losses suffered as a result of the collapsed banking sector and general economic implosion [women's group].
- The perpetrators have to compensate. "*Mumwe nemumwe ngaamire netwake.*" ["Each man for himself."] The person who committed an offence should pay. In the case where the perpetrator is unknown or incapable, then the government should pay.

7. OBSERVATIONS

- Only one unidentified political party was present at the meeting.
- The participants agreed on the need for transitional justice.
- The church representatives spoke strongly for truth recovery, drawing on real examples of their experiences in peace-building.

CHINHOYI

1. CONSTITUENCY: CHINHOYI
2. PROVINCE: MASHONALAND WEST
3. VENUE: ST. PETER'S PASTORAL CENTRE
4. DATE: 29 OCTOBER 2009
5. PARTICIPANTS: No.: 56
Sex: 7% female
Age: 18–60, average 33 years
From: government employees, students, unemployed youths, church representatives, women's groups, political activists, survivors of political violence, farmers, informal traders, community activists.

6. RECOMMENDATIONS

i. Reconciliation and national healing

- There must be no forgiveness for perpetrators who do not admit to wrongful conduct [participants].
- No one should be forced to forgive anyone against their will.
- Reconciliation should be co-ordinated by local leadership through community resources. [male participant]

ii. Restitution

- A way of compensating victims of past violence must be devised, and compensation must be adequate and coupled with a guarantee of non-repetition [participants].
- The instigators themselves should come out in the open and own up to their actions.

iii. Who must implement the transitional justice mechanism?

- The current authority cannot fairly implement this because office bearers of the current government are perpetrators and lack goodwill; some leaders have featured in several violent incidents [male participant].
- An independent body must implement any transitional justice process [participants].
- Civil society should be the body to implement this [youth group].
- Would civil society do justice to the needs of all sectors? [women].

iv. Institutional reform

- Government institutions have become institutions of violence and these need to be dismantled [participants].
- The security arms and the judiciary must be professional. All government institutions must be depoliticized and reformed in a way that promotes respect for human rights, free and fair elections, justice without favour, investor confidence and equal distribution of resources [political activists].
- Government institutions must be run in such a way that they are viable and civil servants' salaries must be raised above the poverty datum line [government employees].

v. Accountability

- There is need to push strongly for accountability [students].
- The perpetrators of political violence and their masters must stand before the law and be tried for their wrongs [students].
- The process of ensuring that the perpetrators own up to their activities must be left to the local communities [elderly male].

vi. Restorative justice

- There is need to rehabilitate both victims and perpetrators [various groups]
- Part of such a programme should include holding counselling sessions for affected families.

vii. Separation of Church and State

- It has become a political tradition to interfere with the activities of the Church during elections [church representatives].
- Politicians must recognise freedom of worship and assembly and the Church must be true to carrying out its social responsibilities such as feeding orphans and caring for the vulnerable groups [church representatives].

viii. The constitution

- There is need to speed up the constitution-making process upon which hangs most issues affecting transitional justice, as the constitution is “the bridge between now and a future full of hope” [male youth].

7. OBSERVATIONS

- Within the various interest groups, discussions were deep and divisive on who was competent to implement the transitional justice process. All groups were given the opportunity to look into their own individual situations and needs.
- Several participants came from government institutions.
- Victims of political violence included students from Chinhoyi University of Technology. There were very few female participants.

HURUNGWE

1. CONSTITUENCY: HURUNGWE
2. PROVINCE: MASHONALAND WEST
3. VENUE: CHURCH OF CHRIST
4. DATE: 06 SEPTEMBER 2009
5. PARTICIPANTS: No.: 63
Sex: 35% female
Age: 15–62, average 31 years
From: church representatives, youth, women, political activists and government employees

6. RECOMMENDATIONS

i. Bad governance

- All challenges are caused by bad governance. Everything must be fixed at the root cause, which is bad governance [male participant].
- There is need to put an end to the long period of dominance by the same people and the same systems. This must be done through a new constitution [male participant].

ii. Institutional reform

- The institutions of government must respect human rights and the will of the people. In the past, these institutions have been used to suppress the people's will [political activists].
- The people who work in government institutions must be retrained to ensure that they are professional. They must know that no party is allowed to control government institutions. They are for the benefit of the people [political activists].
- Security personnel must uphold the law and not treat anyone as above the law. There are still criminal elements who committed offences but they continue untouched by the law. The security's duty must be to weed out such elements [government employees].
- The media must not be confined to the major cities only. There is a blackout of information [youth]

iii. Accountability

- The police must bring to justice all perpetrators of political violence. Justice comes before reconciliation [youth group].
- Some people were influenced to commit crimes. The “big fishes” which were behind the atrocities must be brought before the law. If they are not brought before the law, they will continue to sponsor violence “from the comfort of their offices” [youth group].

iv. Reconciliation and rehabilitation of victims

- The youths who were forced to commit offences must be rehabilitated back to their families and societies. Those who had dropped out of school must be re-enrolled and trained in life schools so that they do not continue to be used by politicians [youth and women's groups].

- The people who looted property must return what they looted before they are admitted back into the communities [church representatives].
- People must simply forgive and move forward. The Bible teaches that past is past and people must forgive in order to move forward [female participant].
- Whatever is done, people should not assume that everyone is a Christian. Everyone must be listened to [male participant].

v. Separation of Church and State

- There is need to separate the Church and the State.
- The Church must be free to worship and to assemble without harassment by the state.

7. OBSERVATIONS

- The area is peri-urban and participants are knowledgeable about issues of governance.
- Divisions were caused in the meeting by some participants saying only God could avenge while other participants maintained that people must forgive and forget. They argued that it should not be assumed that everyone was a Christian and that Christian principles should not be imposed on people.

KARIBA

1. CONSTITUENCY: KARIBA
2. PROVINCE: MASHONALAND WEST
3. VENUE: ST. PAUL'S ANGLICAN CHURCH
4. DATE: 19 NOVEMBER 2009
5. PARTICIPANTS: No.: 29
Sex: 34% female
Age: 18–71, average 31 years
From: church leaders, youths, women, political activists, women, NGOs and government employees.

7. RECOMMENDATIONS

i. Truth recovery

- A truth commission is a good way to deal with the past [some participants].
- The mechanism must be localized, with elders and traditional leaders working with the affected communities to identify victims and perpetrators [male participants].
- Truth recovery mechanisms need not alienate the perpetrators [male participant].
- A truth commission needs to wait until tension in the country has subsided. He did not say when it is going to subside [male participant].
- There is no political will to end violence in the Inclusive Government [male participant].
- No effort has been made by the principals of the GPA to denounce violence or end hate speech fanning violence and intimidation.

ii. Institutional reform

- Reforms in the security sector are important [church leaders].
- The security sector must be non-partisan and free from manipulation by politicians [political activists].
- There is need to reform the rest of the public sector institutions so that they become professional and apolitical [political activists].
- There is need to dismantle the National Youth Service because it is serving partisan interests [political activists].
- The police must protect people. In the past they failed to perform their duties. “We were so vulnerable such that our homes were not safe anymore. We had to sleep outside with elephants so that we are not attacked.” In other words, they sought protection from wildlife, because the police failed to perform their duties [political activists].

iii. Accountability

- There is no confidence in the Zimbabwe government’s ability to uphold the principle of accountability, and the idea of a truth commission would work towards establishing accountability [male participant].
- All political violence-related crimes have to be accounted for by the political parties and leaders of those parties [political activists].

- There must be individual accountability from perpetrators of violence as a form of deterrence [youth].
- All who committed crimes must be brought to justice and the guilty imprisoned [political activists].

iv. Restitution

- The government must pay restitution for time and opportunities lost when they were coerced into political activities [youth].
- The rape victims or sexual violence victims must be identified and provided with medical assistance like Anti-Retroviral Therapy [youth and women's groups].
- The government must provide for the upkeep of orphans and all the other people who lost their source of livelihood during the conflict [women group]
- There must be compensation for the displaced in the form of rebuilding of houses and restoration of property destroyed or stolen [women and political activists]

v. Separation of Church and State

- The Church must be protected from the politicians who abused the congregations by forcing them to attend rallies [church representatives]

vi. Reconciliation

- There is need to reconcile opponents and not exclude anyone from the process. "The perpetrators also need a commission. On this earth, the words, 'I am sorry' are difficult to speak. That's why we need a commission to help us come to each other" [male participant].

7. OBSERVATIONS:

- Government employees did not give their views at the meeting, signalling the level of intimidation and vulnerability of the civil service employees. By their silence, it can be said they contributed to the realization of the need for institutional reform.
- The people lamented lack of political will. They said political will is a vehicle for the process of healing and reconciliation.

MAKONDE

1. CONSTITUENCY: MAKONDE
2. PROVINCE: MASHONALAND WEST
3. VENUE: MAKONDE CHURCH OF CHRIST, MHANGURA
4. DATE: 25 NOVEMBER 2009
5. PARTICIPANTS: No.: 58
Sex: 32% female
Age: 18–75, average 39 years
From: church leaders, youths, women, political activists, traditional leaders, and governmental employees

6. RECOMMENDATIONS

i. Accountability

- Institutions that promote transparency and accountability, especially for leaders, need to be strengthened [youth group].
- “A thing called crime must regain its ugliness.”
- “Do Zimbabwean institutions have the ability to push for accountability?” [elderly man].
- In Makonde, there are chiefs and elders who know the things that had taken place during that period of the conflict and they should ensure perpetrators are made accountable and the guilty punished accordingly [elderly man].
- During political violence the women paid for the sins of their husbands who had taken flight. Therefore they demanded, “Men, please stand for yourselves” [women’s group].
- “In Mhangura, crime must become a crime again! When we see people bragging about crime, that is very disturbing. They must be arrested and we must see them in the arms of the law. Even if they later get a lenient sentence, but if we see something being done, at least we rejoice” [a young male participant].
- The courts “cannot appease an avenging spirit” [a young male participant].
- “If the courts acquit a murderer, then what? *Chokwadi munopera kunge mutsvairo.*” [“The avenging spirit will wipe you off.”] Justice is not only for the living but also and especially for the dead. If proper justice is not pursued, the spirits of the dead will pursue extra-judicial measures. The Chiefs and elders know the sad things that took place during the period of conflict. These must lead communities in making sure perpetrators are accountable and that the guilty are punished accordingly [elderly traditional leader].

ii. Truth recovery

- Before pushing for accountability the truth ought to be known. There are various ways of recovering the truth [most participants].
- Truth requires diligent and sober research while remaining very faithful to the demands of justice and peace, and Zimbabwe has a great deal to learn from the South African experience. Like South Africa, Zimbabwe must allow its people “to pour their hearts out” [male political activist from an undisclosed political party].

- The truth is sacred. People must come out and confess. If you confess, “*Chero ngozi inoshaya samba*” [“Even the offended spirits of the dead lose power to avenge”] [political activist from an undisclosed party].
- Zimbabwe has a number of commissions which have made excellent recommendations, all which were ignored. Building from that experience, commissions could be set up to begin the process of truth recovery [political activist from an undisclosed party].
- Women are concerned over the political will of the leaders in this process, saying there is a need for the leadership to be “faithful to the truth”. The leadership of the country was ready to sacrifice truth for political gain, concluding: “That’s why they lie each time they go to [election] campaigns” [view strongly supported by women’s group].
- Whoever leads the process must be someone who can be trusted. Someone who is in court one day being charged with violence cannot the next day be seen preaching peace [all participants].
- The current leadership can only be measured by their attitude towards past atrocities. “If they cannot admit the shameful things they did in Matabeleland, why should we expect them to do anything now?” [women’s group].
- The church is full of politicians [a view expressed by one unnamed group of political activists and disputed by church representatives who “wished to assure the nation they were non-partisan”].
- “Removing the church is like removing God from the process. It does not work” [church representatives].
- Traditional leaders are best placed to lead the process of truth recovery [elderly male] because they knew what happened on both sides of the political divide [a view not accepted by the political activists who maintained that the previous regime had managed to strike fear into the hearts of the chiefs].
- All political parties are under the chiefs and they do not participate in politics. If politicians give them a chance, they will deliver the truth to the people and reconciliation to the nation. “We know the actual methods of doing it” [traditional leaders].

iii. Reparations

- Besides the obvious victim of political violence, any transitional justice mechanism must also treat anyone who witnessed violence as a victim of political violence [a victim].
- There must be compensation for all victims of political violence and it must come from government because it failed to protect its citizens [female participant who identified herself with ZANU(PF)].
- Candidates (election) who sponsored violence must also pay compensation [victim whose political affiliation was not specified].
- “You can rebuild a house. What about a woman who was raped?” [victim of political violence, on the rehabilitation of victims].
- The emotional trauma experienced by someone whose house had been burnt down might be alleviated, but “they [must] apologize and buy my house which they destroyed” [victim].

iv. Institutional reform

a. The judiciary

- People do not think that the courts can assist them; matters drag on and it is now too expensive for them to continue going to court [several participants in support of the above-mentioned victim].
- The independence and efficiency of the judiciary must be restored so that justice can be dispensed again. “There is no justice in this country. We must fix the system” [young male participant, youth group].

b. The security sector

- The police force is a partisan institution [all groups, including government employees].
- “In my profession, when a patient comes for attention, I look at the degree of injury. I do not ask for a party card. The same is what we expect from our police force” [medical professional speaking for government employees].
- Lack of professionalism had been experienced recently at a roadblock where one of the police officers was wearing his uniform with the T-shirt of a political party over his shirt. This had looked ridiculous.

c. Traditional leaders

- Traditional leaders are a very important institution of local governance in Makonde. However, because of the “evil political culture”, the strength of the institution has collapsed threatening local governance. Politicians came from outside and caused chaos [traditional leaders].
- Consequently legal reform is recommended to give them power to regain charge of their communities. They must be protected from politicians and given sufficient power to manage their communities. In Makonde violence had been perpetrated by people brought in by politicians from outside. Politicians have become so “grossly indecent” [male participant].
- The police force must regain its professional identity and politicians must leave the police to do their work [groups in general].
- Politicians must recognize freedom of worship and assembly and the Church must be left to carry out its social responsibilities such as feeding orphans and caring for the vulnerable groups [church group].

d. The electoral management system

- The commission that runs the elections lacks independence. Respect is demanded from politicians and the election managers. Delays in releasing results show disrespect for the electorate; refusal to congratulate the winner equally so [supported by almost all participants who identified themselves as the “electorate”]. “*Adyiwa ngaape mumwe chishanu.*” [“The loser must shake hands with the winner.”] [female ZANU(PF) political activist].

e. The civil service

- The vibrancy of the civil service sector must be restored for everyone’s benefit [government employees].

- As a result of economic challenges, the civil service is surviving on donor funds. Some sectors were not “favourites” with the donors and this created a disparity in conditions within the service, which left some sectors, such as education, totally impoverished. Measures must be put in place to promote the welfare of all civil servants without discrimination [local medical professional speaking for the whole group of government employees].

v) Fundamental rights and freedoms

- Women need legal reform and representation to ensure that there is balanced access to resources. Opportunities are closed to them because of traditional dominance by men [women’s group].
- Churches need freedom of association and their freedom of worship to be respected by the State. They prayed for legal reform to reign in the conduct of politicians as regards respect for their institution as well as all the fundamental freedoms associated with their ministry [church group].

vi. Reconciliation

- With regard to reconciliation, political leaders are qualified more as obstacles than agents of reconciliation. Leaders must set the pace, otherwise they must get out of the process. “*Mapofu haatungamirirani.*” [“Two blind men cannot lead each other.”] [all groups except the group of political activists].
- The process of reconciliation can be likened to music. Leaders in the Inclusive Government are like instrumentalists playing tunes that are in total disharmony. The people cannot dance. The solution is that the people take the instruments and let the politicians dance. Only communities can lead the process of reconciliation.

7. OBSERVATIONS

- The meeting drew participants from all political parties in Makonde, including minority parties like ZAPU and MDC-M. Debate was very healthy and constructive. More issues came out of this meeting than any of the Forum’s previous meetings. A record of four traditional chiefs attended the meeting and all were respected by their subjects. Security agents were also present but participants were free to make recommendations about security sector reform.
- The participation of traditional leaders made a big difference to the meeting, especially in areas like Makonde where they are respected. It is recommended that they continue to be encouraged to participate in meetings because their contributions are critical to the development of the community-driven process of traditional justice.
- Makonde is a mining, multicultural community with nationalities from neighbouring countries, and the traditional leaders were appointed by their respective cultural groups. They were cleared by the community of any partisan participation in politics. They do not owe their existence as an institution of local government to any political establishment.
- Participants were critical of the mission of the Forum, saying that it should aim at “eliminating” and not “reducing” organized violence and torture. They challenged civil society to bring the three principals of the Global Political Agreement to the grassroots people as a test of their commitment to national healing, reconciliation and integration.

MANYAME

1. CONSTITUENCY: MANYAME (NORTON)
2. PROVINCE: MASHONALAND CENTRAL
3. VENUE: NGONIDZASHE COUNCIL HALL
4. DATE: 28 JANUARY 2010
5. PARTICIPANTS: No.: 142
Sex: 51% female
Age: 18–60, average 33 years
From: church leaders, youths, women, political activists, traditional leaders, government employees and farmers

6. RECOMMENDATIONS

i. Accountability

- The desire to push for accountability is the first principle in all sections of society.
- Accountability helps to curb discrimination in the distribution of national resources [traditional leaders].
- Measures must be put in place to ensure that distribution of inputs is not politicized and that beneficiaries of a particular intervention are indeed the actual recipients [farmers].
- Scandal has become a culture in Africa because of lack of accountability and in Europe what is tolerated in Zimbabwe would cause a minister to resign. There are crimes that cried out for accountability [political activists supported by participants in plenary session].
- Human life is sacred. “*Munhu akasiyana nehuku inonzi yaida kudyiwa.*” [“A human being is different from a chicken which one can say he/she wanted to eat.”] [political activists].

ii. Institutional reform

a. Politicians and traditional leaders

- Traditional leaders and politicians accuse each other of “varying political views”.
- Transformation of traditional leaders must begin with the traditional government of the chiefs, headman and village heads. They have been infiltrated by politicians who have exposed them to ridicule. Everything that they sought to do is now controlled by politicians. “*Hatisisina basa, tangova mifananidzo.*” [“We have lost all power. We are now just political pawns.”] [traditional leaders].
- When government says it is supporting traditional leaders, these are political moves. For example, the housing scheme for chiefs is true and houses are being built but they never belong to the traditional leaders as they soon become party property and are converted to torture bases [traditional leaders].
- Traditional leaders have become part and parcel of “terrorist political groups”, facilitating the torture of people who hold divergent views [political activists].
- Reforms must touch the civil service, traditional government, local government; the security systems, the banking and electoral systems [political activists and government employees].

- The chiefs are interfering with the civic process and are undermining democracy and development and forcing people to rally behind chosen political groups [political activists].

b. Local government

- The Minister of Local Government has too much power, which is used to undermine the work of local government [this position was supported and emphasized by Norton residents, who argued they had no participation in local governance and that this could be addressed by allowing ratepayers to participate in important decisions; currently local government thinks the electoral vote gives them all power to do whatever they want].

c. The judiciary and the security services

- The judiciary and the security services must serve the people and not the government [political activists].
- The police need retraining in professional service to the people so that they become apolitical. The key is in transforming the minds of the men and women who serve in the security services [government employers].
- “You will see a very good member of the neighbourhood watch committee behaving so well. Just give him the ZRP uniform and he becomes a monster.” [male participant].
- Human rights organizations must go to the barracks, not to “wage a war against the security forces” but to dismantle the mentality there and train security forces to respect human rights [male participant].

d. National Youth Service

- It is a criminal institution meant to cow the nation into supporting one political group. As such, the programme must be disbanded [political activists].
- The National Youth Service is a good thing, which has been hijacked by power-hungry politicians. What is required is a change of mentality [political activists].

e. The electoral system

- There must be reform of the electoral system [youth and church representatives].
- Intimidation during elections is severe, and people should not be forced to attend political gatherings [women in the group of church representatives].
- The voters’ role must be protected from electoral fraudsters and the media must cover all political actions without bias. As a solution to the manipulation of the voters’ roll and in order to open up all democratic space, everyone with a national ID should be allowed to vote on the production of the ID [youths]

f. Access to official documents

- Access to official documents should be made easy and affordable to ensure that no one is disenfranchised [female participants from all groups who said the process of obtaining official documents was unfriendly to women].
- The law must allow women to access all documents for their children, even when the father is not present or known [women’s group].

g. The central bank

- The Reserve Bank of Zimbabwe has evolved into a political institution and it needs to be reformed to make it independent [youths and political activists]

h. Parliament

- Parliament must be reformed. It has become too weak, allowing the Executive to do almost everything unchecked [male participant]

iii. Truth recovery

- “There can be no reconciliation without truth” [this was the first statement from the floor before participants went into their respective groups and was reinforced by some political activists who said there had been a spate of disappearances that had gone undisclosed].
- All atrocities called for truth recovery before reconciliation can take place, including the recent abductions [political activists].

iv. Reparations

- Reparation must be linked to truth recovery.
- Everyone deserved to be compensated for the wrongs that were done to them [political activists].
- Government must put a reparations programme in place to help rehabilitate the victims of political violence [government employees].
- Most government employees and leaders were victims of political violence and had been chased from their homes [government employees].
- During the 27 June presidential run-off election, civil servants who had served as polling officers were subjected to gross psychological torture during the “so-called verification and collation exercise”; acts which, coupled with the economic challenges, had caused serious anguish [government employees].
- There is need to provide counselling for all youths who have participated in political violence. Some have participated under duress and need to be healed of the psychological effects of such acts [youth group].

7. OBSERVATIONS

- Thirteen councillors out of 14 wards attended the meeting in the constituency. This showed great interest by local leadership in transitional justice discussions.
- Members of the two main political parties attended the meeting in the constituency and participated together in making recommendations.
- The 142 participants at the meeting closely followed the proceedings right up to the end. Despite the political composition, there were no signs of fear or intimidation. However, there were some strong reservations articulated about politicians being trusted to lead truth recovery.
- The participation of women at this meeting was exceptional. The person who represented the government employees was a woman who spoke with great enthusiasm and caused much interest in the affairs of the government employees. The majority of the councillors were women, including the chairperson.
- This meeting recorded the highest number of participants in the entire outreach.

MHONDORO-MUBAIRA

1. CONSTITUENCY: MHONDORO-MUBAIRA
2. PROVINCE: MASHONALAND WEST
3. VENUE: MHONDORO NORTH CLINIC
4. DATE: 17 FEBRUARY 2010
5. PARTICIPANTS: No.: 37
Sex: 41% female
Age: 16–72, average 46 years
From: youths, peasants, farmers, women, village elders, political activists, church leaders, and villagers

6. RECOMMENDATIONS

i. Institutional reform

a. Constitutional reform

- The election management system, political violence, lack of adequate information for the rural voters, access to aid and resources by minority parties and the current state of the security sector are causes for concern. Consequently, reform of the respective institutions is recommended, starting with the constitution [political activists].
- The constitution is the source of most of the problems caused by impunity. Constitutional reform is therefore required to create a solid base for the reform of institutions [political activists].

b. Security services

- The police and the army must be reformed to ensure that they perform their duties impartially [male participant].
- They must not be involved in politics and must stop taking bribes. “Once you see them putting on their traffic uniforms, you know they are now looking for breakfast.” They must not be used by politicians to terrorize the nation [elderly male participant].
- The notoriety of the security personnel is caused by a culture of impunity. Some people consider themselves “above the law”, hence they create problems in the running of the police and the army [male participant].
- There is need for constitutional reform to align the delinquent security forces and there should be a programme to restrain the serving members of the security sector so that they respect human rights [male participant].
- Can the security forces be restrained? “If I was in power, I would replace all the security forces with a totally new force” [youthful male participant].

c. The electoral system

- Zimbabwe has a long and “rich” legacy of manipulating elections and the election management system allows certain political parties to control the environment and manipulate the entire process [political activists].

- Political violence and intimidation need to be dealt with as part of the holistic electoral reform programme [political activists].
- Election time is the worst of all times in the country. There is fear that the next election will bring a new wave of violence [political activists and women].
- The next election must be held under international supervision [male participant].
- The election management system is what gives birth to a nation's leadership, and if the system is flawed, the wrong people find themselves at the top "Zimbabweans must choose their own leaders" [male participant].

d. Media reform

- There is information blackout for rural people and there is need to open the media environment to allow players to invest in information [political activists].

e. The civil service

- The education system must be totally revamped [youth group].
- Access to official documents is a cause for concern [women's group].
- The civil service needs to be reformed so that it can begin serving the people [male participant].

f. The traditional leadership

- The traditional leadership is a cause for concern. They interfere with the political and property rights of the villagers [women, political activists, youths].
- Traditional leaders have no power or control over ethnic property such as land belonging to villagers and must stop black-mailing villagers or threatening to take land from an individual simply because he has refused to support a political party [political activists].
- The traditional leadership frustrates the villagers. "If they stay for long, they begin to think they own the people. They have a problem of mentality. They need to be transformed" [male participant].
- Traditional leaders take instructions from politicians [male participant].
- There must be reforms to protect freedom of worship because church leaders do not want to be forced into traditional rituals [church group].
- Traditional courts cannot be an alternative to other measures and traditional leaders cannot be involved in truth recovery as they had participated in violence. They are no longer chiefs but political appointees; appointed by a minister [named] then salaried "for their crimes". They cannot be trusted with the truth [unanimous].

ii. Accountability

- All people who participated in the political violence must be brought before the courts. However, only a reformed police force and judiciary can handle the prosecution. "*Maoko ese ane tsvina ngaapiswe.*" ["All dirty hands must be burned."] [elderly participant].

iii. Truth recovery

- Because of the state of the judiciary and the police force, other measures to recover the truth should be considered such as the truth commission which was used in South Africa. "A commission is better because of its flexibility and the possibility of

reconciliation. Courts only work for the rich. There is a complication there” [individual participant].

- The people would rather trust an international body to lead the process of the truth recovery. If it was not possible, then they could settle for civil society [unanimous].

iv. Reparations

- While the emphasis was on accountability and institutional reforms, participants would want to avoid the judiciary because much of the time the legal system has got nothing for the victims; victims would benefit from a truth commission which would make recommendations for the reparations to the victims. Although the state may bear the overall duty to pay for reparations for the suffering, perpetrators too must pay [all groups].

7. OBSERVATIONS

- ZANU(PF) politically dominates Mhondoro-Mubaira. The councillors and traditional leaders are not very open to human rights organizations. The facilitators were informed that the ZANU(PF) councillor had instructed traditional leaders not to attend the meeting.
- However, the participation of those who attended indicated that although there is a history of intimidation and political violence, the community is ready to come out of their “shell of misery” and discuss matters of transitional justice. Consequently, the meeting was successful in stimulating discussion around the issue and allowing participants to open a closed chapter in their area. They also got the opportunity to review their own local governance.
- However, the boycott called for by the councillor was very unfortunate in that it robbed the society of the participation of both sides of the political divide.

SANYATI

1. CONSTITUENCY: SANYATI
2. PROVINCE: MASHONALAND WEST
3. VENUE: NYIMO HALL
4. DATE: 16 FEBRUARY 2010
5. PARTICIPANTS: No.: 60
Sex: 28% female
Age: 22–78, average 44 years
From: church representatives, youths, local leaders, peasant farmers, political activists, survivors of political violence, suspected perpetrators of political violence, suspected state agents and ordinary villagers

6. RECOMMENDATIONS

i. Truth recovery

- No one was above the law and whatever happened must be brought to light.
- People needed to face the truth and decide what to do with it.
- There was extreme torture in the country during the elections [political activists].
- Girls were exploited at the political bases in many ways [women].
- Churches complained of being forced to dance *kongonya* at the political rallies.
- The precondition of the healing process is the uncovering of this suffering [participants].

Managing the truth

- There was no agreed position.
- Civil society must lead the process because they have the capacity to do so [elderly participant].
- Civil society has been in the field collecting data on human rights violations, they have the qualifications, know the people, and have the equipment [one group of political activists was angered by this proposition and called for a party-based process].
- Traditional leaders must lead the process because they have the relevant experience working with the communities. They know the depth of suffering [villagers].
- Let bygones be bygones. “Past is past” [young man].
- “We have the Inclusive Government now and all of us must now leave the past to the past” [women were bitterly against such a view].
- Truth recovery is unnecessary and impractical. “I think the militia have repented. The country is so big that we can’t deal with all the issues that require attention. We can manage to forgive and forget” [individual youth].
- “More people died during the liberation war than during run-off” [youthful community leader].
- Society must follow the “forgive and forget” route [female participant].
- “We ignore, we forgive and forget and we give them immunity. They will repeat again” [female participant].

ii. Accountability/Prosecutions

- Prosecutions as a form of accountability and truth recovery are desirable.
- The state of the police and judiciary threatened the processes of accountability.
- The police and judiciary were too corrupt and manipulated by politicians.
- However, accountability was no exception, “There is none above the law. We must return to law” [participant].

iii. Institutional reform

- The electoral system, security sector, the civil service, the constitution and supporting institutions were touched upon.

a. The electoral system

- Participants claiming to belong to ZANU(PF) and MDC-T demanded reforms in the electoral system through the establishment of a truly independent election management body and legislative reforms to encourage freer participation in elections [political activists].
- POSA and AIPPA must be repealed [political activists].
- The electoral process must be open to international scrutiny, and traditional leaders need to steer away from compromising the integrity of elections by being apolitical.
- Election violence was deplorable [church leadership and youths].

b. Security sector

- The current security system has failed to serve the society [all participants].
- The police and the military must keep away from politics [political activists].
- The National Youth Service programme must be disbanded because it breeds criminals [a group of youths]

c. The judiciary

- The judiciary has rampant corruption and is in need of effective funding [participants].
- The need to empower the community courts was highlighted because the current judiciary was overwhelmed.
- The judiciary must not be involved in politics.

iv. Reparations

- Standards in the education sector have declined. The government should compensate in the form of income-generating projects to allow the youths to be re-established.

v. Separation of the Church and State to enhance freedoms

- Political activities were interfering with church operations as the members are being forced to attend rallies.
- Political activities must not encroach on the church activities [church leaders].

7. OBSERVATIONS

- The meeting was attended by members of ZANU(PF) and MDC-T.
- ZANU(PF) was not comfortable with certain issues raised at the meeting and attempted to stop the meeting from proceeding. This was resolved peacefully.

ZVIMBA WEST

1. CONSTITUENCY: ZVIMBA WEST
2. PROVINCE: MASHONALAND WEST
3. VENUE: ST. KIZITO CATHOLIC CHURCH
MUROMBEDZI GROWTH POINT
4. DATE: 26 NOVEMBER 2009
5. PARTICIPANTS: No.: 24
Sex: 29% female
Age: 19–81, average 38 years
From: church leaders, youths, women, political activists, traditional leaders and government employees

6. RECOMMENDATIONS

i. Truth Recovery

- There is a need to expose the evil things that were done during the dark days of violence; there are still secret agents fanning violence [elderly male participant].
- It would be difficult to build peace unless the identity of the perpetrators and the nature of the deeds were exposed [political activists].
- Local truth recovery mechanisms are necessary to identify affected families and bring them together [youth group] but there are questions whether local leaders in the area are equal to the challenge as many of their close relatives participated in violence. Help is therefore needed from the top to enable the communities to confront the past [women's group].
- Nevertheless, the role of local leaders in truth recovery is critical, as they know what happened in their area. The challenge is they have been intimidated and are still fearful. [elderly male participant].
- "Who will dare begin the process of recovering the truth?" [elderly male participant].

ii. Accountability

- There can be no healing if the community continues to see perpetrators moving around and being rewarded for the pain they had caused. "Why should perpetrators of gross violations continue to live among us?" [male participant].
- The law must take its course and those who committed offences must be sent to prison.
- Systems of accountability have broken down and there is no hope that, if people go to court, justice will be done [youth group].

iii. Reparations

- Wrongdoers must acknowledge their guilt, starting with the leaders, who must humble themselves, come to the people and apologize for what they have done [a youth].
- Too many victims were being forgotten, and victims of politically motivated crimes, such as rape, should be offered counselling, while perpetrators themselves should pay the victims for the injuries they had caused [youth group].

- Women, in particular, suffered as a result of the state of the economy and politics. They lost their flea markets. Being forced to attend political rallies meant they had had to abandon their businesses [women's group].
- As compensation, the government should accord informal traders a free year to conduct their business without tax to enable them to recover from the "economic pit" [women's group].

iv. Institutional reform

a. Election management

- The integrity of the institution has been affected because of the way the system is managed, thus it was easy to mistrust the process [male participant]. This mistrust was understandable because it should not take three months to release results after an election [political activists].
- Some political parties feel they do not own the process and become suspicious when they lose [political activists].
- Strong laws that guide the election process from the pre-election period are necessary and there must be stiff penalties for offenders [political activists].

b. Media institutions

- The media is sacrificing the truth through partisan reporting.
- Media reform is required to ensure that accurate information is transmitted [youth group].

c. Security sector

- The defence forces are being used to intimidate the electorate before elections. This is wrong, as the army must serve the people [elderly male].
- Politicians must let the police officers do their work without intimidation and the police must be free to arrest all those who violate the law, regardless of political affiliation. "If I arrest an officer from Party A, I must not be transferred to Bulawayo for doing my work. So politicians please, let us do our work" [government employee].

d. Traditional leadership

- The traditional leaders consider themselves to be a vulnerable class who have lost their power and dignity because of the conduct of politicians. They wish for legal protection to enable them to execute their traditional duties with full authority. The laws have made them completely powerless in that all criminal matters, even those they are supposed to resolve, are being referred to the police [traditional leaders].
- Traditional leaders have been intimidated and used by politicians and as such have abrogated their responsibilities as leaders of the people [some participants]. Nevertheless, some traditional leaders had maintained their integrity during the conflict, declaring that they did not want violence.
- They could work with other elders and respectable community leaders to lead the peace process [other participants].

v. The Church

- The Church can be trusted [women's and youth group]. However, in the past, one church leader was heard announcing publicly that he was praying for someone's death [political activists].
- Thus the Church is compromised and as such cannot be trusted with the truth [political activist]. When the Church introduced prayers to encourage their followers to pray for peace, the politicians reacted angrily. This has intimidated the church, which still remains too fearful to handle the truth [male participant]. However, the formation of the Inclusive Government has eased the situation [church group].

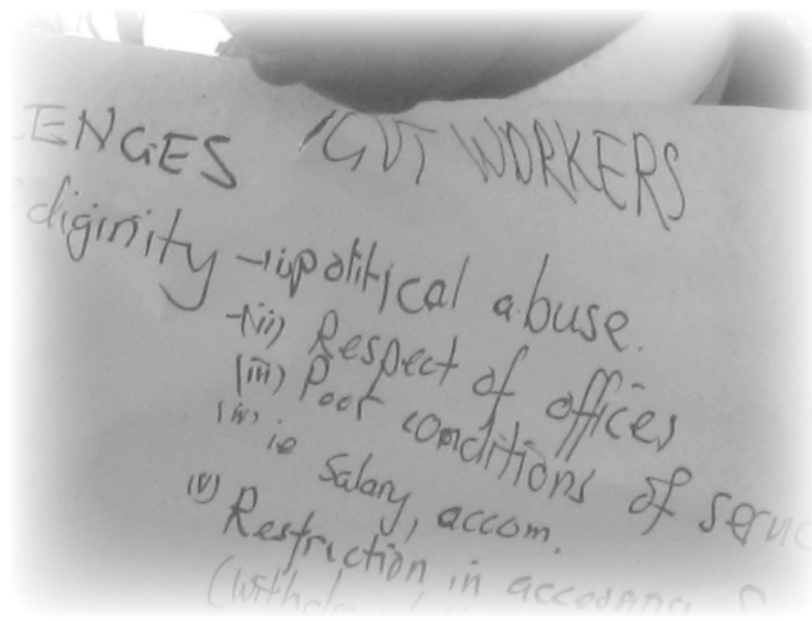
7. OBSERVATIONS

- This was a small meeting, dominated by men.
- The meeting drew participants from the main political parties and the traditional leaders, with MDC participants being outnumbered by ZANU(PF) participants.
- It was reported to be the first meeting to be held in Zvimba in seven years bringing together all political players: identified as bitter political rivals in past elections.
- It was worth noting that the meeting was conducted in a friendly atmosphere, concluding with a prayer where all participants held hands, and a peace commitment was made between the bitter rivals.
- However, the disturbances that followed bore witness to the intimidation to which participants had made reference in the meeting and to the accuracy of the views expressed by them.

8. THREATS AFTER THE WORKSHOP

- The local co-ordinator reported that one of the female participants was visited by a ZANU(PF) delegation, led by a retired army Major in the company of the ZANU(PF) youth chairperson for Zvimba West, who accused her of speaking against the army at the workshop. He allegedly told her that they could facilitate the disappearance of her husband and that she would lose her stand at the flea market.
- The participant reported the matter to the Zvimba Police Station, where she was apparently promised by a police officer that he would visit the people who had approached her.
- On 29 November 2009, the local Forum co-ordinator reported that he had been phoned by a caller from Chinhoyi (who identified himself by a first name) who allegedly said he had done wrong by organizing a workshop which had brought MDC people together and that, as a punishment, he was going to lose his job in Zvimba [name of employer supplied].

MASVINGO PROVINCE



CHIREDDI NORTH

1. CONSTITUENCY: CHIREDDI NORTH
2. PROVINCE: MASVINGO
3. VENUE: SAVE TRAINING CENTRE
4. DATE: 30 SEPTEMBER 2009
5. PARTICIPANTS: No.: 46
Sex: 50% female
Age: 19–36, average 29 years
From: school children, school leavers, traditional leaders, women, informal traders, entrepreneurs, youth, church representatives and government employees

6. RECOMMENDATIONS

i. Restoration of fundamental freedoms

- There is too much fear in society to begin talking about healing without addressing the fear of the people and the lack of freedom [general discussion with participants].
- The teachers in the schools are being constantly harassed and threatened with further violence. All rights must be fully restored. Everyone must be free to associate with whomever they wish, to join associations they feel adequately represent their aspirations, and to express themselves without fear [government employees].
- Politicians must leave the Church alone. They must stop forcing them to *toyi-toyi* and sloganeer because it is contrary to their beliefs and to the law. The Church must be free to preach the Gospel [church representatives].

ii. Truth recovery

- Chiredzi, as a multicultural community, has suffered abuses from all angles – economic, cultural, tribal, political and religious angles. In that regard, the normal legal process has no capacity to address these problems. General law does not appreciate this diversity. So it is recommended that a commission must look into the matters [women and youth's groups].
- Some of the problems include tribalism by leaders, and minority groups being forced to participate in cultural activities like circumcision [women and youth groups].
- In addition to these, there is political violence, intimidation and dispossession of ancestral property. All these need a special body which could help society deal with such challenges [women and youth groups].
- There cannot be any way forward when the truth is not known. Once the real truth is known, then the people can proceed to the next step of building peace [all participants].
- Although there is a government-initiated national healing programme, it will not have any effect on the community and most of the victims because people are not yet free to speak. There cannot be any healing when the victims have not been accorded the opportunity to speak out their experiences and concerns [government employee].
- Victims and survivors of past atrocities must be part of the commission. The commission

is expected to make recommendations as to how the society can amend its wrongs and repair the damages caused [government employees].

iii. Reparations

- The society has suffered greatly because of *Murambatsvina*, price controls and the activities of the RBZ, and corruption at the Grain Marketing Board. These cannot be repaired in any monetary way but the society expects sanitization of the environment, revival of industry, and reform of the Reserve Bank, the Grain Marketing Board, the parastatals and the entire civil service [local entrepreneurs].
- There must be tax exemption for all informal traders until such time as they have adequately recovered. The government benefited from destroying flea-markets and freezing their “trillions” in banks, so it can afford tax exemption [women in informal trading].
- With regard to victims of political violence who have been left without limbs and suffering irreparable damage, some being raped and some orphaned, the government must provide Anti-Retroviral Therapy to all women who had contracted HIV because of politically motivated rape, and look after all the orphans. Programmes must be put in place to look after those who had been left disabled as result of political violence [youth group].
- The government must provide for counselling to all those who have been victimized, the witnesses to violence, the families and the perpetrators themselves, to allow for healing. [government employees].
- The principals to the GPA must visit all areas affected by violence and apologize to the victims of political violence. Burned houses must be rebuilt [women’s group].

iv. Accountability

- The law must be applied to all those who committed offences. No one must be seen to be above the law [all groups].
- There are doubts that the current institutions have the capacity to dispense justice and whether the perpetrators would not escape justice [youth and government employees].

v. Institutional reform

- There is too much corruption in the government institutions expected to dispense justice and apply the law. There is need to make sure that the police and the army are non-partisan and that the judiciary is impartial [youth group].
- There is need to retrain the police, soldiers and the CIO. They must understand the dignity of the human person [entrepreneurs’ group].
- Politicians must stop interfering with the security systems [church representatives].
- Reform of government institutions like the Reserve Bank and the Grain Marketing Board is necessary as they are “reaping where they did not sow” [farmers and entrepreneurs’ groups].

7. OBSERVATIONS

- The meeting was a great success, considering the reports of violence and intimidation in Chiredzi.
- The wounds of the past are still very fresh in Chiredzi. The facilitators were shown a

couple of youths who appeared mentally defective and the community said they are suffering from “June 27”, the name which they give to the mental breakdown that affected perpetrators of political violence in the run-up to the 27 June presidential run-off election in 2008.

- However, participants turned up and they were participating freely, but it was interesting to note that none of the participants wanted to identify him/herself as a political activist.

MATABELELAND NORTH PROVINCE



BINGA NORTH

1. CONSTITUENCY: BINGA NORTH
2. PROVINCE: MATABELELAND NORTH
3. VENUE: NSENGA HILL PRIMARY SCHOOL
4. DATE: 18 SEPTEMBER 2009
5. PARTICIPANTS: No.: 46
Sex: 39% female
Age: 15–61, average 33 years
From: police officers, government employees, traditional leaders, peasant farmers, the Member of Parliament, women and church representatives

6. RECOMMENDATIONS

i. Political violence

- During the election, children were forced to attend what they called “command centres”, where they were abused and forced to engage in violence against fellow villagers. This must stop [women’s group].

ii. Traditional leadership

- Traditional leaders have been stripped of their power and they are now being forced to align themselves with the dominant political authority. They are forced to deliver “false judgements” in dealing with subjects. Their traditional responsibilities have been dropped and they now have to do what politicians want them to do [political activists and traditional leaders].

iii. Breakdown of the health and education system

- A war-like political situation negatively affects the education system. Both teachers and school children were forced out of school to take part in political activities. It was critical to the youths that schools had been closed down, while in the few that remained open, the working and learning conditions collapsed [youth and women’s groups].
- The shortage of medicines in clinics and hospitals is of great concern.

iv. Institutional reform

- Members of the police force are now performing political duties. People are arrested on trumped-up charges. Members of the neighbourhood watch committee said police officers were forced to attend political meetings [group of local police officers and youths].
- The police must remain within the bounds of the law and not party loyalty. There must be reform of the entire civil service so that it serves the people, and not individuals or certain sections of the society.
- Society must focus on building a culture of good local and national governance and human rights through civic education. Human rights, especially workers’ rights, must be known by the people [government employees].

- Leadership must be shared [church representatives].
- There must be a change of government. Institutions can only be reformed if the current government is changed [an individual male participant].
- The Zimbabwe National Army is there to protect the nation and not to cause violence against the people. The police should strive to maintain law and order instead of breeding corruption [male participant].

v. Reconciliation

- The political situation has set youths against their parents. Enmity has replaced respect [youth group].
- This has created a culture of hatred [government employees].
- There must be workshops through out the country on reconciliation. The churches must be part of the process [group of local police officers].

vi. Reparations

- There is need for victims of past violations to be compensated adequately as part of the healing process [church representatives].

7. OBSERVATIONS

- This meeting drew participants from both victims and perpetrators of violence. The perpetrators and victims worked together in groups.
- The victims spoke freely about the violence to which they were subjected. They participated freely without fear.
- There were signs of strong opposition to the past violations, but there was no tension or signs of bitterness during the meeting.

LUPANE EAST

1. CONSTITUENCY: LUPANE EAST
2. PROVINCE: MATABELELAND NORTH
3. VENUE: SIBANGANI PRIMARY SCHOOL
4. DATE: 06 NOVEMBER 2009
5. PARTICIPANTS: No.: 137
Sex: 72% female
Age: 13–79, average 42 years
From: school children, school leavers, traditional leaders, women and government employees

6. RECOMMENDATIONS

i. Traditional leadership

- Traditional leaders are “being used to further the political whims of ZANU(PF), only to be discarded like old rags after outliving their usefulness. This has resulted in the people labelling us traitors who are worse off than dogs.” Traditional leaders are forced into rounding up people like cattle so that they vote for a particular party. This has contributed to the loss of respect for traditional leaders and their counterparts, the community leaders. Now they are considered to be *inhlekisa* [laughing stock] by the people [male participant].
- The dignity of traditional leaders as leaders needs to be restored [traditional leaders].

ii. Truth recovery

- “*Kunzima ukuthi ungathi uyaxola ungazi ukuthi uxolela bani njalo umxolelani.*” [“It is important for the perpetrators to come out into the open and confess their crimes.”] It is difficult to forgive someone when you don’t know what he or she has done and why you should forgive [group of youths].
- “*Okulempondo akufihlwa emgodleni.*” [“Whatever wrong one might have committed some time back and has been hiding will eventually come into the open.” or “The truth will always find its way out.”] It is important for people to come out into the open and “confess their sins” for the process to go forward. For some, it may just be enough for perpetrators to come into the open and apologize for the wrong they did. The mere fact that someone has acknowledged guilt can be an important part of healing [group of youths].

iii. Institutional reform

- “*Indlel’ampholisa lama CIO enza ngayo angani bahlala kwelabo ilizwe hatshi kuleli esikilo. Benza santando benganakile lutho.*” [“The police and the Central Intelligence Organization have become a law unto themselves. Whatever they want to do to whomever, they do without fear.”]
- “*Akusela lutho olusebenzayo. Lanxa ungonelwa ngumuntu uye emapholiseni utshelwa ukuthi uhambe uyebuya lomuntu wakhona.*” [“Nothing works any more in this country. Even if someone commits a crime against you, you’re told to go and bring the culprit to the

police station, notwithstanding the danger in which you are placed.”] What makes things worse is the fact that some of these people were perpetrators of heinous crimes during the elections and during the *Gukurahundi* atrocities, making it difficult to pursue their prosecution under the current circumstances.

iv. Judiciary

- The justice system is not capable of delivering justice to the people. Most of the officials staffing the courts are steeped in partisan politics to the extent that it is difficult to expect them to be impartial.
- If the system is revamped and the bad apples in the system shown their marching orders, then it is possible to restore the independence and efficiency of the judiciary [one participant].

v. Reparations

- “There is nothing that will bring back my family and as such nothing meaningful can be done by the government to compensate me, except for government assisting in schooling my siblings” [one female participant, who stated that her parents were shot by state agents].
- Reparations must be paid to those that are victims of political violence. Those that lost limbs must be given money to assist them to carry out the basic tasks that they are not able to do anymore.

vi. Rehabilitation of victims

- Women were raped by the perpetrators and were left with unwanted children who are a painful reminder of that particular period. For them, rehabilitation will not make a difference, as it does not make the children sired by these perpetrators go away [women’s group].
- *“Ihloka lingakhohlwa ukuthi ligamule ugodo, kodwa ugodo kalusoze lukhohlwe.”* [“The perpetrator may forget that he did harm to the victim but the victim won’t forget.”] It is easier to pay back someone whose wheelbarrow was taken by someone; but how can one pay back someone who was raped or had his limbs cut off or his parents killed? [one participant].

vii. Reconciliation

- If a bone gets stuck in your throat, you need to open your mouth to have it removed [one participant].
- Solutions to reconciliation must not be forced down people’s throats as one may get bitten in the process of doing so.

7. OBSERVATIONS

- The participant turnout in Lupane was overwhelming. There were 132 participants at a meeting where 50 were expected. Facilitators were convinced that the reason for this turnout was the subject of discussion, which has not been made a subject of public discussion in the past.

UMGUZA

1. CONSTITUENCY: UMGUZA
2. PROVINCE: MATABELELAND NORTH
3. VENUE: HLANGANANI PRIMARY SCHOOL
4. DATE: 05 NOVEMBER 2009
5. PARTICIPANTS: No.: 34
Sex: 32% female
Age: 29–77, average 51 years
From: village elders, local leaders, government employees, youths, local business people and women

6. RECOMMENDATIONS:

i. Institutional reform

- Since *Gukurahundi*, the State has become a gangster-type organization and citizens do not know when they are going to be attacked.
- There is a need to rebuild trust and faith in the government institutions. The police must be reformed and loved and not feared by the people. The story of Matabeleland has not been told because the government is controlling the media.

ii. Accountability

- The perpetrators of past crimes must stand before the courts and answer for their wrongs.
- There is no need to trust the government if it does not take responsibility for past abuses and “repent”. Accountability must begin with the government itself [one participant].
- All those who participated in the Matabeleland massacres must “face the music”.
- There is need for accountability on the part of the traditional leadership, who receive aid on behalf of the poor and then decide to convert it for political purposes.

iii. Reparations

- There needs to be consideration of a reparations programme for the victims of the Matabeleland massacres. The children of the victims grew up as orphans, and the government has done nothing to deal with their plight [group of youths].
- The government has not even managed to acknowledge that a wrong had been done. The current leadership of government should visit Matabeleland and apologize for the wrong [group of government employees].

iv. Truth recovery

- The truth is sacred, and it will always be known. There is a need to find ways of recovering the truth of what happened during the *Gukurahundi*.
- The recurring outbreak of violence before every election is the result of not recovering the truth in the past. So perpetrators continue to commit offences. Evil breeds in the dark and if society wants to stop the killing of innocent people, all past activities must be unearthed and the truth must be published [one participant].

7. OBSERVATIONS

- Shortly before the meeting, as the participants were waiting for the facilitators, a rumour spread that the police were coming to arrest the participants and the majority of them vanished from the venue.
- The participants wanted assurance from the facilitators that their recommendations would be implemented, but cautioned that solutions to reconciliation must not be forced down one's throats as one may get bitten in the process.

NKAYI

1. CONSTITUENCY: NKAYI
2. PROVINCE: MATABELELAND NORTH
3. VENUE: NESIGWE PRIMARY SCHOOL
4. DATE: 04 NOVEMBER 2009
5. PARTICIPANTS: No.: 112
Sex: 51% female
Age: 16–86, average 34 years
From: school children, government employees, local leaders, traditional leaders, church representatives, peasant farmers and political activists

6. RECOMMENDATIONS

i. Reparations

- People who were involved in the *Gukurahundi* massacres should apologize for it to start the process of reconciliation [all participants].
- President Robert Mugabe should come to the people and apologize for the massacres that happened in Matabeleland [elderly male participant].

ii. Truth recovery

- There is no other way to reconcile the region of Matabeleland with the rest of the country if the truth of what happened during *Gukurahundi* is not known. Even for an apology to be accepted, it must be clear what is being apologized for [all participants].
- The people in the area need a special kind of healing. They need to learn afresh how to trust their leaders. A truth recovery process would be a good beginning [one participant].

iii. Who should lead the process?

- There are fears that anyone who speaks about the violence will attract the retribution of the state. It is unthinkable that the current government can lead the truth recovery process because they have been at the forefront of trying to destroy the truth.
- Civil society may lead the process as they are apolitical [some participants].
- The churches should lead the process, but the churches have limitations. They have been holding peace prayers for the country and attracting the wrath of the politicians. So, the Church may not be strong enough to handle truth recovery [political activists].
- The traditional leaders are in the same league as the politicians. They are being used as tools by the politicians [political activists].

iv. Accountability

- The truth is not relevant without systems of accountability, and these systems must be seen to work if victims are to trust the system again. Healing the people of Matabeleland is an almost impossible task, but perhaps the system can stop further injuries. The perpetrators of human rights violations must face justice and account for their actions so

that the victims can trust that the system of justice is effective. All those who participated in past violations need to be prosecuted [most participants].

v. Institutional reform

- The same system that is responsible for violence cannot be seen to work now for reconciliation without changes. A complete overhaul of the security systems is required so that the same faces that spearheaded *Gukurahundi* cannot be seen preaching national healing [all participants].
- Reform of the media in the country is recommended to allow marginalized areas more access.
- The electoral system needs to be reformed so that it does not tolerate electoral crimes, especially violence, fraud and vote-buying [political activists].

7. OBSERVATIONS

- The topic of the Matabeleland atrocities during *Gukurahundi* predominated the meeting. Participants emphasized that reconciliation only comes when the past has been addressed.
- The turnout was very high compared to that in other provinces.

MATABELELAND SOUTH PROVINCE



BULILIMA

1. CONSTITUENCY: BULILIMA
2. PROVINCE: MATABELELAND SOUTH
3. VENUE: MAHEFA PRIMARY SCHOOL
4. DATE: 03 FEBRUARY 2010
5. PARTICIPANTS: No.: 75
Sex: 58% female
Age: 17–78, average 43 years
From: church leaders, youths, women, political activists, traditional leaders and government employees

6. RECOMMENDATIONS

i. Security and freedom

- It is difficult for victims to start expressing the way they feel or the path they should take because the political atmosphere is not conducive to free expression [one participant].

ii. Truth recovery

- There is need for a truth recovery mechanism, but who can lead the process and who can be trusted? Civil society is already working in the area and they are already assisting the victims of political violence [political activists].
- Traditional leaders have lost credibility, as most of them are perpetrators of human rights violations [political activists].
- The churches are composed of people from different political backgrounds, which makes it difficult for the churches to lead the process [some participants].

iii. Reparations

- Those who spearheaded the Matabeleland and Midlands massacres must visit the victims of *Gukurahundi* to apologize. After the admission and acknowledgement of the wrong, a reparations programme must be put in place. The victims of *Gukurahundi* need to be rehabilitated. Some may need counselling because they have not been able to deal with the trauma. Where possible, the perpetrators must be made to pay for the damages and the pain they caused [male participant].

iv. Institutional reform

- All government departments must be investigated for corruption as this is eating the system down to the core, especially in the judiciary.
- The media require reform as they are not providing balanced coverage, favouring one party over the other.
- The security sector must be seen to perform its duties professionally without fear or favour.
- The traditional leadership needs to be reformed to ensure that traditional leaders remain apolitical and respect the cultures of other communities in areas where they preside over people of different cultures.

7. OBSERVATIONS

- Most participants seemed concerned mainly with addressing the aftermath of *Gukurahundi*. The arrogance of the leadership in failing to acknowledge past wrongs came out as a major obstacle to reconciliation.

MIDLANDS PROVINCE



CHIRUMHANZI

1. CONSTITUENCY: CHIRUMHANZI
2. PROVINCE: MIDLANDS
3. VENUE: CHADEREKA COMMUNITY HALL
4. DATE: 04 FEBRUARY 2010
5. PARTICIPANTS: No.: 36
Sex: 33% female
Age: 25–74, average 48 years
From: church leaders, youths, local leaders, peasant farmers, political activists, suspected perpetrators of political violence, government employees and women

6. RECOMMENDATIONS:

i. Truth recovery

- There should be a truth commission to investigate cases of human rights abuses in order to give victims a chance to tell their stories.
- All sectors of society should be consulted in the appointment of the commissioners. It is vital to the success of the truth commission that the commissioners were never involved in politics and, if possible, are picked from the church, civil society, and traditional leaders [one group of participants].
- Commissioners must come from other countries to help with truth recovery [another group of participants].
- Although truth commissions are a necessity, such commissions are not a feasible option at the present time as the inclusive government seems to be unwilling to establish and support such an option. The government is not prepared to hear the truth.

ii. Restitution

- It is easy to talk about reparations, but they are far from being a reality. Most perpetrators are poor and cannot afford to pay reparations. People should just “forgive and forget” [one participant].
- The government of the day should be responsible for paying compensation on behalf of those perpetrators who cannot afford to pay damages for the atrocities they have committed [most participants].

iii. Accountability

- Perpetrators should face accountability by way of criminal prosecutions. The State should not waste its resources on the young perpetrators but should prosecute and jail the “big fish” who were instrumental in carrying out human rights violations [one group of participants].
- All perpetrators and instigators of political violence and human rights abuses should face some form of prosecution. There should be less expensive methods of accountability including non-custodial punishments such as community service [another group of participants].

iv. Rehabilitation

- There needs to be rehabilitation for both the offenders and the victims. It is important to rehabilitate the offenders in order to ensure true peace within Zimbabwean society. Some of these perpetrators are victims of circumstances [church leaders].
- Rehabilitation of victims is a form of a remedy or justice in itself. Victims who have been violated should be provided with medical assistance in order to enable them to move on with life. Survivors of human rights violations and their relatives should receive professional counselling.
- There is a need for community rehabilitation to restore the dignity of the victims and survivors of human rights abuses and to appease the ancestors, who are angered by the “loss of blood” during political killings [group of community leaders].

v. Institutional reform

- “We can sit here and talk the whole day, but nothing will take place as long as those who are in power are still there” [one participant].
- “*Tinogona kumirira bhazi pano pabus stop isu tichiziva kuti bridge rakafa kumhiri kwenzira.*” (“We may wait for a bus, yet we know the bridge is broken where we expect the bus to come from.”) [one participant].
- There is need for a new Commander-in-Chief of the armed forces in order to ensure that the security sector will no longer be involved in perpetrating human rights abuses or political violence [one participant].
- Members of the Zimbabwe Republic Police should not participate in politics, even in their private lives, because people will always know that they are police officers. Their mere presence at rallies or political meetings is not appropriate.
- The police have been so involved in political matters that there is no more confidence in them. They should go on a training workshop on human rights [one participant].

7. OBSERVATIONS

- The group of political activists identified themselves as being members of the major political parties, i.e. ZANU(PF) and the two formations of the MDC.

GOKWE – KANA

1. CONSTITUENCY: GOKWE – KANA
2. PROVINCE: MIDLANDS
3. VENUE: KANA MISSION SCHOOL
4. DATE: 23 FEBRUARY 2010
5. PARTICIPANTS: No.: 79
Sex: 32% female
Age: 17–94, average 41 years
From: church representatives, youth, women, political activists,
traditional leaders and government employees

6. RECOMMENDATIONS

i. Institutional reform

- There is need to deal effectively with institutions that are resistant to change in the country. “*Shavi razuro ngaridzikame!*” [“Yesterday’s spirit must calm down!”] Institutions and individuals that in the past participated in human rights atrocities are now making all sorts of noise against any attempts to address the past. These institutions must know that they belong to yesterday and therefore they must shut up and let transformation begin [political activists].
- There is too much power in the hands of the executive. This power continues to “germinate everywhere like mushrooms. Its tentacles interfere with every other organ of government”. These powers must be reduced and checked to ensure that they do not undermine the operation of other organs of government [political activists].
- Traditional leaders have become “a notorious political powerhouse in the rural areas, terrorizing villagers, calling for endless meetings, each time they feel like”. Traditional leaders have grown “taller than the law itself, commanding torture bases and giving instructions even to the police on who should and who should not be arrested”. They must return to the basics of leading all people, with no discrimination on the basis of political affiliation [political activists].
- Traditional leaders were not intentionally notorious but they were “placed between a rock and a hard place”. It was not their desire to prefer one group or another, but politicians made the exercise of traditional leadership difficult [traditional leaders].
- Traditional leaders require protection because they suffered greatly at the hands of politicians from both sides of the political divide [traditional leaders].
- If any genuine healing is to take place, there is need for reform of the media in Zimbabwe. The media is responsible for fuelling a culture of violence and spreading falsehoods. The reform must include repealing POSA and AIPPA [political activists].
- The security sector must be reformed. The current system has created a culture of impunity. Criminals are bragging that they are outside the bounds of the law, because the security sector is corrupt [political activists].
- There is need to weed out corruption and retrain the police force to ensure that the law becomes effective in punishing violations [youth group and women’s group].

- The army must not be seen in areas where they have no business. They must remain in the barracks [political activists].
- The education sector and the office of the Registrar-General must be reformed to serve the people [government employees, women and youth group].
- The civil service must be adequately funded and the staff well remunerated. The failure by the government to provide official documents at an affordable rate within a reasonable period of time is an infringement on the people's rights; for example, some citizens were not able to vote in the elections because they did not have official documents. Freedom of movement is curtailed because the government could not provide passports for those who wanted them, or the money charged is way beyond the citizens' paying capacity [political activists].
- The education sector must be revived and the right to education must be secured. The government must provide for the protection and adequate remuneration of staff [government employees].

ii. Accountability

- People who committed criminal acts must be prosecuted. Criminals are free, while their victims are prisoners of fear. If one goes to make a report at the police, the police are most likely to detain the complainant. The police must begin applying the law and arresting the real criminals [political activists and youth group].

iii. Restoration of freedoms

- Freedoms must be restored. People must be free to associate with whomever they want to associate with, and to be represented by whomever they wanted to be represented by, not be forced to join one workers' association when they wanted another [government employees].
- The Church must be free to worship God and preach the Gospel. As individual members, people want to be free to support political groups of their choice and to condemn human rights atrocities as a church [church employees].

7. OBSERVATIONS

- The meeting generated intense debate on the role of political parties in society.
- The presence of the two main political parties brought life to the group presentations.
- It was also exciting to take note of the attention given to the presentations by the eldest of the participants, a 94-year-old man who followed the proceedings right up to the end.
- The presentations from the group of political activists stand out as the highlight of the meeting.
- The meeting also held the record for the oldest participant at all the workshops held through out the country.

MBERENGWA EAST, WEST, NORTH AND SOUTH

1. CONSTITUENCIES: MBERENGWA EAST, WEST, NORTH AND SOUTH
2. PROVINCE: MIDLANDS
3. VENUES: MATARUSE BUSINESS CENTRE (MBERENGWA EAST)
PHOENIX BUSINESS CENTRE (MBERENGWA WEST)
4. DATES: 20–21 JANUARY 2010
5. PARTICIPANTS: In the end, none of the Mberengwa meetings took place.

6. PROCEEDINGS

i. The Mberengwa East Meeting

a. Overview

- The meeting was scheduled to take place on 20 January 2010 at Mataruse Business Centre.
- The meeting had been cleared by the police.
- The facilitators from the Zimbabwe Human Rights NGO Forum were accompanied by two police officers.

b. Events

- Upon arrival at the venue of the meeting at the local business centre, the facilitators found about 70 participants waiting for the meeting to start.
- The facilitators were informed by one of the local co-ordinators that they needed to see the councillor for the area before they could hold the meeting.
- Upon arrival at the councillor's residence, thirty minutes away from the venue, the councillor asked the facilitators to tell him about the nature of the meeting they wanted to hold. A copy of the agenda was handed to him. Once he had reviewed it, he announced that such a meeting could not take place anywhere in Mberengwa without clearance from the ZANU(PF) district chairperson.
- According to the councillor, the agenda of the meeting was political in nature. He stated that the party that ruled Mberengwa was very protective of their space and such meetings could ruffle feathers and the leadership would not allow such a meeting to take place. He further stated that he was a very small fish in such matters and he feared for himself if he allowed the meeting to proceed. If the facilitators insisted, they could attempt to obtain permission from the ZANU(PF) chairperson for Mberengwa District. The councillor claimed that he personally was powerless.
- At around 11 a.m. the facilitators departed from the councillor's residence to go back to the local business centre to apologize to the participants who had been waiting for the meeting to start for the better part of the morning.
- The facilitators then left for Zvishavane to locate the said chairperson. Eventually, the facilitators were able to reach him on his mobile phone. He told them that he was on his way to a place called Chegato; after that, he no longer was reachable on his mobile. As a result of this, and the fact that it was getting too late for the meeting to go ahead that day, the facilitators decided to plan the next meetings.

ii. The Mberengwa West Meeting

a. Overview

- The Mberengwa West consultative meeting was scheduled to take place on 21 January 2010 at the Phoenix Business Centre in a village called Chizungu.
- The meeting had been cleared by the police.
- After the experiences in Mberengwa East, the facilitators from the Zimbabwe Human Rights NGO Forum decided to visit the local councillor the day before the meeting.

b. Events

- The outreach team met the councillor at the Phoenix Business Centre. Upon review of the agenda of the meeting, the councillor said that he was not comfortable to proceed. He then invited someone from the ZANU(PF) leadership structures and another councillor of the neighbouring Ward 34 for further consultation. The three stated that such meetings could not take place in Mberengwa unless there was special clearance from the MPs.
- The facilitators were given the phone numbers for the two local MPs to seek clearance for the meeting from them. At that point, the facilitators decided to go back to Zvishavane as it had become clear to them that those in power in the area were not supportive of meetings on issues such as transitional justice. The political atmosphere was not conducive to open discussion and the objectives of the meetings could not be achieved, even if the meetings had received “political clearance”.

7. OBSERVATIONS

- Mberengwa is one of the areas which, according to information obtained by the Zimbabwe Human Rights NGO Forum, was hardest hit by political violence.
- There are no Human Rights NGOs working in Mberengwa.

SHURUGWI

1. CONSTITUENCY: SHURUGWI
2. PROVINCE: MIDLANDS
3. VENUE: IRONSIDES COMMUNITY HALL
4. DATE: 03 FEBRUARY 2010
5. PARTICIPANTS: No.: 55
Sex: 72% female
Age: 22–65, average 38 years
From: church leaders, youths, women, local leaders, peasant farmers, political activists, suspected perpetrators of political violence, government employees, including one police officer

6. RECOMMENDATIONS

i. Truth commissions

- Truth commissions must be independent from political interference, impartial, adequately resourced, and their version of the truth should be widely accepted [one group of participants].
- True national healing only comes from God. Zimbabweans should bury their past and forgive each other. Truth commissions are a double-edged sword: they discourage perpetrators from coming forward and telling their stories for fear of being prosecuted; the effect is that people will not forgive each other. If the truth is told, it will lead to retributive violence by the victims or their relatives, thus invoking a vicious circle of violence and further conflicts [another group of participants].
- If there are truth commissions, they need to be composed of people of good moral character.

ii. Reparations

- There should be some compensation for the victims.
- Any reparations programme should be led by the victims themselves. Reparations by their very nature should respond to the needs and wishes of the victims. It is the victims who know best what is appropriate for them [victims of political violence].
- The money for reparations should not come from the government but from the perpetrators themselves. The government needs to spend money on reviving the economy of the country [political activists].
- The government has no obligation to pay for atrocities committed by other people. This would be a waste of taxpayers' money [women and youth group].
- Restitutions are to be paid by the perpetrators, where they can be positively identified and are in a financial position to make such restitution possible. In the event that the perpetrators are unknown, the government should make some form of collective reparation payment [local leaders' group].

iii. Accountability

- Perpetrators and instigators of political violations and human rights abuses should be tried before proper independent courts.
- Prosecutions are important because they can complement and corroborate the findings of truth and reconciliation commissions [one participant].

iv. Institutional reform

- Institutional reform not only is an important component of transitional justice and a prerequisite for a proper national healing process, it functions as a means for the advancement of other transitional justice mechanisms. For example, there can be no prosecutions until there is a reshuffle at the Attorney-General's office [one participant].
- The security sector should not be involved in political affairs. In most cases, victims have to resort to self-help rather than waste their time reporting political matters to the police station. One woman gave testimony on how her son was abducted by soldiers in June 2008 and that she was turned away by the local police.

v. Other

- It is not safe to discuss political matters in Shurugwi. People are still being intimidated [one participant].

7. OBSERVATIONS

- The meeting appeared to be composed mainly of members of ZANU(PF), in other words a significant number of participants either self-identified as members of ZANU(PF) or supported views generally attributed to this political party.

ZVISHAVANE

1. CONSTITUENCY: ZVISHAVANE
2. PROVINCE: MIDLANDS
3. VENUE: VUGWI CLINIC
4. DATE: 22 JANUARY 2010
5. PARTICIPANTS: No.: 53
Sex: 54% female
Age: 19–76; average 42 years
From: church leaders, youths, women, political activists, traditional leaders, village heads and government employees.

6. RECOMMENDATIONS

i. Truth recovery

- Women have suffered much in the previous years and the national courts failed to serve effectively as institutions of truth recovery. The patriarchal nature of the traditional courts is not very encouraging. As a result, most women continue to suffer abuses silently, even at family level. Women need an opportunity to tell their stories as women as opposed to being lumped together with everybody else [women's group].

ii. Institutional reform

a. The local courts

- There is a need for institutional reform, especially of the local courts and the civil service ministries responsible for issuing national documents. Local courts are male-dominated, and that makes it difficult for women to tell their stories as some of the subjects will be too sensitive for a male audience. Male insensitivity was also reflected in the office that issues registration documents. These offices are insensitive to women's issues, as they continue to insist that a mother intending to obtain a birth certificate for her child must bring the father of the child. This is not always possible as some women may be divorced [women's group].
- Despite the patriarchal nature of the traditional system, the existence of traditional leaders is just in name because they have no power to make legally enforceable decisions. While the integrity of the traditional leadership is compromised by politics, there is potential for reform to enable the traditional leaders to serve their communities effectively [traditional leaders].

b. The security systems

- Corruption is a menace, and it has transformed the police force into a "criminal force". Criminals are moving around, bragging that the law will never find them [women's group].
- Instead of focusing on the criminals, the police interfere with the peaceful activities of the churches [church representatives].

c. The civil service

- Thorough reform of the civil service is needed to ensure that the dignity of institutions that serve the public is restored [government employees]. Pejorative language used by members of the public about the teaching profession is of concern to the profession [government employees].
- There is an urgent need to reform the electoral system to ensure that violence will never again visit Zimbabwe [political activists].

d. The electoral system

- “*Toyitoying* and singing breed political animosity.” There is no room for sloganeering with hate speech content, which should be punishable under the law. The laws governing the conduct of elections must show zero tolerance of political violence and offenders must be punished. The law must provide measures of ensuring that there is no vote-buying. The electoral laws must aim to create a culture of peace and tolerance, not only during election time but all the time [political activists].

iii. Rehabilitation of victims

- Victims of past abuses require rehabilitation [youths, women’s group and political activists]. The youths stand as a stigmatized group, carrying the majority of the political sins, which the leadership of the country is accused of committing. They have been made to participate in political violence while no economic benefit accrued to their side. Schools closed down, industries closed down, and the youths remain vulnerable to the economic hardships. The government must consider ways of rehabilitating the youths and their families. Counselling may be a first step towards healing the young generation [youths].

iv. Reparations

- It is important to have a reparations programme for the victims of past abuses [women’s group and group of youths].
- The government must help jump-start women and youths back into the core of economic activity by providing them with financial assistance. The government must also ensure that there is a youth policy to co-ordinate the youths’ return into the core of governance. The youths must be involved directly in governance [women’s group and group of youths].
- The youths were abused in an extreme way. Any mechanism that does not provide for reasonable compensation cannot achieve the goal of healing [one participant].
- There is need to build an inclusive spirit, inclusive not only in the political sense but also in the social sphere [group of political activists].

v. Accountability

- The law must regain its teeth and those who commit offences must be held accountable.
- The police force has failed to uphold the principle of accountability by setting free those guilty of terrorizing villagers [women’s group].
- Law breakers must be punished immediately. “Justice must not be delayed” [group of village heads].

- Politicians who abused their power need to be brought to book. Resources have been channelled towards youth development, but politicians, even though they may be in their sixties, still think of themselves as youths and find ways of serving themselves first [youths].

vi. Reconciliation

- Proper reconciliation will require the Church playing its role, i.e. that of praying for the leaders and preaching the message of forgiveness. This work is not easy because of the suspicion that currently exists between the Church and State, which is the result of the Church playing its role, i.e. that of being prophetic and speaking against corruption [church representatives].
- Despite political interference, the traditional leaders still have the capacity to lead in healing and reconciliation [traditional leaders].

7. OBSERVATIONS

- This meeting drew participants from the main political parties in Zvishavane and the traditional leaders, i.e. several participants identified themselves as being members of either ZANU(PF) or MDC. The task of bringing the participants together seems to have been co-ordinated by the ZANU(PF) councillor, who made sure that other political parties were present, too.

Appendix: Schedule of Participants and Venues

Province	Venue	Female	Male	Average age	Total attendance
	Epworth	17	39	31	56
Harare	Mbare	11	58	38	69
	Zengeza West	42	38	30	80
Manicaland	Buhera Central	12	14	37	26
	Chipinge Central	25	51	46	76
	Makoni Central	20	21	29	41
	Mutare Central	15	16	31	31
	Mutasa Central	24	20	42	44
	Mutasa North	18	28	33	46
	Nyanga South	21	28	46	49
Mashonaland Central	Bindura	16	16	23	32
	Mt. Darwin South	6	60	38	66
	Muzarabani	4	10	38	14
	Shamva North	10	15	42	25
	Shamva South	21	19	33	40
Mashonaland East	Goromonzi South	6	34	29	40
Mashonaland West	Chegutu	11	17	37	28
	Chinhoyi	4	52	33	56
	Hurungwe	22	41	31	63
	Kariba	10	19	31	29
	Makonde	19	39	39	58
	Manyame	72	70	33	142
	Mhondoro Mubaira	15	22	46	37
	Sanyati	17	43	44	60
	Zvimba West	7	17	38	24
Masvingo	Chiredzi North	23	23	29	46
Matabeleland North	Binga North	17	29	33	46
	Lupane East	99	38	42	137
	Nkayi	57	55	34	112
	Umguz	11	23	51	34
Matabeleland South	Bulilima	44	31	43	75
Midlands	Chirumhanzi	12	24	48	36
	Gokwe – Kana	25	54	41	79
	Mberengwa East	Failed			
	Mberengwa West	Failed			
	Shurugwi	40	15	38	55
	Zishavane	29	34	42	63
TOTAL		802	1 113		1 915

ABOUT THE ZIMBABWE HUMAN RIGHTS NGO FORUM

The Zimbabwe Human Rights NGO Forum (also known as the Human Rights Forum) is a coalition of nineteen human rights organizations. The Forum has been in existence since January 1998 when non-governmental organizations working in the field of human rights came together to provide legal and psycho-social assistance to the victims of the food riots of January 1998.

The Human Rights Forum has three operational units: the Public Interest Unit, the Research Unit, and the Transitional Justice Unit.

The Human Rights Forum works in close collaboration with its member organisations to provide legal and psycho-social services to victims of organized violence and torture and to document all human rights violations, particularly politically motivated violence.

Member Organizations of the Zimbabwe Human Rights NGO Forum

Amnesty International (Zimbabwe)
Catholic Commission for Justice and Peace in Zimbabwe
Gays and Lesbians of Zimbabwe
Justice for Children Trust
Legal Resources Foundation
Media Institute of Southern Africa
Media Monitoring Project of Zimbabwe
Non-violent Action and Strategic for Social Change
Research and Advocacy Unit
Student Solidarity Trust
Transparency International (Zimbabwe)
Women of Zimbabwe Arise
Zimbabwe Association of Crime Prevention and the Rehabilitation of the Offender
Zimbabwe Association of Doctors for Human Rights
Zimbabwe Association of Human Rights
Zimbabwe Civic Education Trust
Zimbabwe Lawyers for Human Rights
Zimbabwe Peace Project
Zimbabwe Women Lawyers' Association

The Human Rights Forum can be contacted through any member organization or through:
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International Liaison Office, 56-64 Leonard Street, London EC2A 4LT
E-mail: <IntLO@hrforumzim.com>.



“Who will Dare Begin the Process of Recovering the Truth?”

This was a statement made by an elderly participant at one of the meetings held on 26 November 2009.

The statement summarizes the general feeling of the people who participated in this outreach.

Participants in different meetings asked many questions regarding “the Truth”.

The expressions were different but the wisdom was the same. In other areas, they asked questions regarding how far we must go back: Who can be trusted with handling the truth? Who is brave enough?

“Who will dare begin the process of recovering the truth?” was selected for its sharpness. The participants are confronting a complex process head-on, and they ask a very relevant question: WHO WILL DARE?

The “Victim” Tree

The picture at the centre is that of a tree that fell “victim” to political violence in Chipinge Central. Villagers told the facilitators that angry supporters of one political party approached the tree one day, armed with axes, and brought it down because it “belonged” to a certain political party.

The “victim tree” had become a meeting place for supporters of that political party.