

ZIMBABWE HUMAN RIGHTS NGO FORUM

POLITICAL VIOLENCE REPORT

DECEMBER 2003

28 January 2004

A report by the Zimbabwe Human Rights NGO Forum

OVERVIEW

Violence continued in Kadoma Central (MIDLANDS PROVINCE) into December 2003 following the holding of a by-election over the weekend of 29-30 November 2003. Members of the opposition party, MDC, reported being abducted, threatened and assaulted while votes were being counted following the conduct of the election. A number of incidents reflected a lack of political tolerance between supporters of the two contesting political parties with MDC supporters claiming that they were abducted to a Zanu PF base at a school in the area where they were beaten. TC, an MDC supporter, was reportedly hit with a stone on the forehead by ZANU PF supporters while at the vote-counting centre in Kadoma Central. He suffered severe injuries to the head. In a related incident, JC was also at the centre where votes were being counted when he was reportedly kidnapped by ZANU PF youths, taken to their base in the area, and assaulted with planks on the buttocks and arms. He fractured his right forearm. KM, another MDC supporter, alleges that he and his colleagues were barred from entering the vote-counting centre by ZANU PF youths.

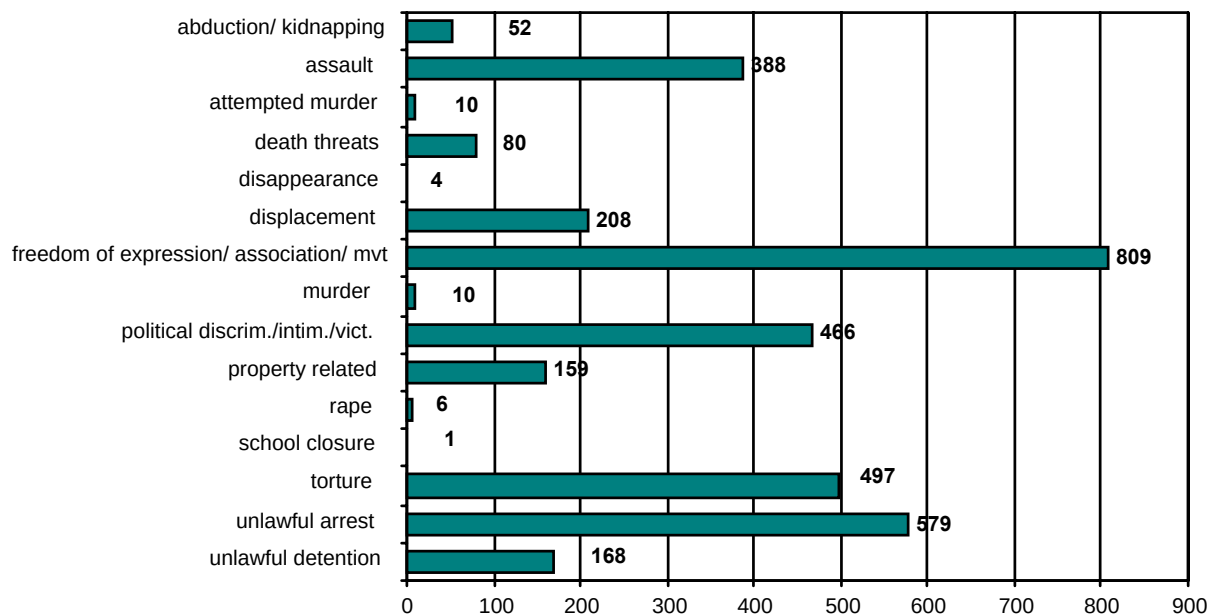
It is deplorable that Zimbabweans should continue to be displaced from their homes on the basis of their political opinions and beliefs in violation of s21 of the Constitution which guarantees every individual's *"right to assemble freely and associate with other persons and in particular to form or belong to political parties"*. SJ of Zaka (MASVINGO PROVINCE) purports that he was dislodged from his home in Zaka for the second time, which was destroyed in his absence by ZANU PF supporters. He had returned to his rural home in Zaka having been displaced and forced to settle in Harare. In St. Mary's, (HARARE PROVINCE), AM claims that he was assaulted by ZANU PF youths and was given notice to vacate his home. He is the MDC Chairman of the Branch Restructuring Committee. In Makoni North (MANICALAND PROVINCE), Cephas Jena, Khumalo Tsoka and other ZANU PF supporters reportedly assaulted TG and his sisters, forcing them to move to another area. The youths had arrived wielding machetes, sjamboks, and iron bars.

CG from Makoni North (MANICALAND PROVINCE) claims that ZANU PF youths burnt his mother's house, his brother's house, stole from his house the following day, and then threatened the three with death. He purports that Assistant Inspectors Mbwembwe and Ncube who were handling the case, were seen later in the day travelling in the ZANU PF truck that the youths had allegedly used when robbing his home. One Constable Mafira is alleged to have urged CG to withdraw the case saying, "munofira mahara" meaning "you will die for no reason". The apparent lack of separation between the state and the political party, ZANU PF, is a serious cause for concern. If the rule of law is to be upheld it is imperative that some members of the police are not perceived to have a bias towards any political party and for the lines between party and state to become clear.

Civil society activists remain unable to peacefully demonstrate and express themselves, being subjected to arrests whenever attempts to do so are made. 19 members of Women of Zimbabwe Arise (WOZA) were arrested in Bulawayo on 3 December 2003 when they attempted to stage a march against food scarcity and the escalating price of food. The marchers gathered at St. Patrick's church in Makokoba and marched to the OK Zimbabwe Supermarket. As they were about to leave the Mall

where the supermarket is located, they were reportedly surrounded and arrested. Of the total 19 persons arrested, 5 were immediately released. The remainder were detained for two nights and later released without charges having been preferred against them.

The Human Rights Forum deplores the ongoing harassment of Zimbabwean citizens through frivolous arrests that are intended to prevent them from exercising their right to freedom of expression and assembly. This trend has prevailed throughout the year 2003 with arrests initially being made under the pretext that the demonstrators had violated the Public Order and Security Act (POSA). However more often than not, as was the case with the arrest of 19 members of WOZA and journalists who were covering the story, those arrested are later released without charges being preferred against them or alternatively charges are dropped before plea.

Totals: 1 December 2003 – 31 December 2003**Cumulative Totals 1 January 2003 To 31 December 2003**

Sources: The information contained in this report is derived from statements made to the Public Interest Unit of the Zimbabwe Human Rights Forum, statements taken by the member organisations of the Human Rights Forum. **(See last page for list of member organisations)**, newspaper reports, Justice for Agriculture (JAG), Combined Harare Residents Association (CHRA), Zimbabwe Community Development Trust (ZCDT).

Notes to the tables:

Torture:

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

The four elements of torture are:

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

Those individuals referred to in point # 4 include the ZRP, ZNA, ZPS and the ZNLWVA (as a reserve force of the ZNA) and by any other grouping when directly sanctioned by the state.

Unlawful arrest and detention:

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

Abduction/kidnapping:

A kidnapping by a member(s) of an organised group that is not the ZRP, political party, ZNLWVA, ZNA, MDC, Zanu PF etc

Disappearance:

Kidnapped persons whose whereabouts remained unknown at the time of reporting. Their whereabouts have still to be ascertained through follow up reports or further investigation.

Property related

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

Key Abbreviations

AIPPA – Access to Information and Protection of Privacy Act	PTUZ – Progressive Teachers Union of Zimbabwe
CIO – Central Intelligence Organisation	UMP – Uzumba Maramba Pfungwe
MDC – Movement for Democratic Change	Zanu PF – Zimbabwe African National Union Patriotic Front
MP – Member of Parliament	ZCTU – Zimbabwe Congress of Trade Unions
NAGG - National Alliance for Good Governance	ZNA – Zimbabwe National Army
NCA – National Constitutional Assembly	ZNLWVA – Zimbabwe National Liberation War Veterans Association
OVT – Organised Violence and Torture	ZPS – Zimbabwe Prison Service
POSA – Public Order and Security Act	

ZRP – Zimbabwe Republic Police

ZIMTA – Zimbabwe Teachers Association

ZUPCO – Zimbabwe United Passenger Company

Cases of Political Violence

Note: The identities of victims whose names have not been published in the press and are not public officials are protected by the use of initials. This is done in order to protect the victim from further violence, intimidation and possible recriminatory attacks.

The purpose of this report is to record the nature of the politically motivated violence and intimidation that continues to prevail in the country. The Monthly Political Violence Reports are primarily based on victims' accounts, accompanied by medical evidence where possible, obtained from member organisations of the Human Rights Forum and other partner organisations. Use is also made of press reports on politically motivated violence. The situation prevailing in the country is such that it has not been possible to verify all of these accounts. The Human Rights Forum has done what it can to verify the reports, and is satisfied that the vast majority of them are substantially true. It is also not possible to rule out whether a victim's account is exaggerated or contains inaccuracies.

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

BULAWAYO

Makokoba

3 December 2003

- Jenny Williams, leader of Women of Zimbabwe Arise (WOZA) and 13 WOZA members were reportedly arrested and detained at Bulawayo Central Police Station. 11 of the women were to be charged with participating in a demonstration while Williams, Patricia Tshabalala and Elia Majola were to be charged with organising the demonstration. They reported that they were however released without charge, having spent two nights in police custody at various police stations. The members of WOZA had organised a protest march against food scarcity and the escalating prices of food. Having gathered at St. Patrick's church in Makokoba, the women marched to the OK Zimbabwe Supermarket. They allege that as they were about to leave the Mall where the supermarket is located, they were surrounded and arrested by the police in truckloads, brandishing sjamboks. The police officers are said to have brutally rounded up the protesters as well as journalists who were covering the story. Vendors at the Mall are said to have surrounded the officers in protest against the arrest of the members of WOZA, and were assaulted by the riot police. A photographer who was taking photos was also arrested along with a further 6 WOZA members. Of the total 19 persons arrested, 5 were immediately released. Williams and two others were reportedly driven 40 kilometres away to a rural police station in Figtree, where they claim that the police harassed them, intimidated them, and threatened to kill Patricia. Jenny Williams purports that the officers demanded to search the WOZA offices without a warrant, an order which she and her lawyer refused to comply with. She claims that she was taken back to Central Police Station where the Head of the Law and Order Section Superintendent Matira threatened to force entry into her offices, alleging that she was being uncooperative. She purports that she finally agreed to the search on the basis that only WOZA items would be subject of the search. No results were reportedly yielded, and the victims were then released from police custody.

HARARE

Harare North

4 December 2003

- Σ Frank Chikowore had been attending a Zimbabwe Lawyers for Human Rights (ZLHR) meeting when two members of the ZRP reportedly assaulted him for asking questions concerning the Zimbabwean police involvement in combating gender violence during the meeting. He sustained a

deep cut below the left eye. The meeting was being held to discuss violence against women in the country. Chikowore asserts that the assailants also stole Z\$400 000 from him.

Kuwadzana*15 December 2003*

- DM claims that 3 ZANU PF youths came to his home demanding to see his sons. When the victim told them that his sons were no longer staying at the premises, they allegedly pulled him out of the house and assaulted him all over the body with open palms and clenched fists. One of the assailants reportedly attempted to strangle the victim while another beat him on the chest and face with fists. DM asserts that he started having problems breathing and fell unconscious for about half an hour. When he came round the youths had left. He is now experiencing chest pains and he has a swollen face.

Mbare East/ West*10 December 2003*

- SC was in the company of a friend in Mbare when ZANU PF youths allegedly alerted the public that he and his friend were thieves yet in-fact they had not stolen anything. SC claims that he was beaten by the mob and later by the youths. He was arrested and released later in the day. No charges were preferred against him. SC sustained minor injuries.

Mufakose*17 December 2003*

- SC was coming from an MDC meeting when he was blindfolded by ZANU PF supporters and taken to a river, whose location he is not aware of. He asserts that he was submerged in the water several times, and was cut on the right arm and waist with a sharp object. He claims that they threatened him not to report the matter to the police. He was later dumped beside a small road where he was rescued by a passer-by. He received treatment at a clinic in Harare and he did not report to the police, as he feared further victimisation.

St. Mary's*21 December 2003*

- AM was at home having come from a Branch Restructuring Meeting for the MDC when he was reportedly assaulted by ZANU PF youths. He is the Chairman of the Branch Restructuring Committee. He alleges that he was given notice to vacate his home and is now being followed.

MANICALAND**Buhera North/ South***23 December 2003*

- CC was invited to attend a ZANU PF meeting at the shops in the area. When he declined the invitation, he claims that the ZANU PF youths attacked him with sjamboks, fists and booted feet. He was injured on the leg and has since relocated to Harare.

Makoni North*1 December 2003*

- Cephas Jena, Khumalo Tsoka and other ZANU PF supporters allegedly arrived at TG's home at around 11:00pm and knocked on the door. He claims that when he opened the door he saw people holding machetes, sjamboks, and iron bars. One of the assailants was reportedly wielding a gun. He immediately closed the door, jumped out through the back window, and shouted to his sisters in the house to come out through the same window. TG's sisters escaped through the window, and

thereafter the youths smashed the windows and doors to gain access to the house. One of his sisters was reportedly badly assaulted in the incident. He reported the matter to the police. However, none of the assailants have been arrested as yet. TG and his sisters were forced to move to another area.

22-23 December 2003

- ZANU PF supporters reportedly arrived at CG's mother's house at around 12 midnight and burnt her house. They are alleged to have proceeded to his younger brother's house and burnt it as well. It is reported that the perpetrators then threatened the three with death. CG claims that the following afternoon, about 15 ZANU PF supporters, among them Fungai Mupeya and Cephas Jena, went to his home and stole a stove, 4 pairs of trousers, 4 shirts, shoes, and other goods. The assailants were reportedly using a truck inscribed "ZANU PF - MANICALAND PROVINCE". CG managed to escape and reported the incident to the police at Mutare Central Police Station. Assistant Inspectors Mbwembwe and Ncube were allocated the case. CG asserts that following his report to the police, the officers were seen traveling in the same car that the ZANU PF youths had used when they robbed his home. One Constable Mafira is alleged to have urged CG to withdraw the case saying, "*munofira mahara*" meaning "you will die for no reason". Although police dockets were opened, no arrests have been made as yet.

MASHONALAND CENTRAL

Muzarabani

1 December 2003

- CM was assaulted at his home by ZANU PF supporters on accusations that he and other MDC supporters had convened an illegal meeting. The youths reportedly also destroyed property in the house. He is suffering from pain all over the body.

MASHONALAND WEST

Chinhoyi

9 December 2003

- **Given Makombe**, an MDC supporter, died in Chirorodziva as a result of injuries he reportedly sustained when he was severely assaulted by members of the "Top Six Gang" (ZANU PF youths), during the final push on 3 June 2003. He had earlier been a victim of a ZANU PF bomb attack on 21 March 2003, after which he, Konji and Matamisa, also of the MDC, were allegedly tortured by the youths and then arrested by the police. Implicated in the bomb attack is one Saidi. Police reportedly intervened, arrested and then detained Saidi for a month. When **Makombe** was attending Council Elections in Kariba, he and other MDC supporters were apparently attacked again by the ZANU PF youths. They were purportedly beaten and then arrested by the police, but no charges were leveled against them. On 28 October 2003 when **Makombe** was standing as Ward 4 Council candidate, he was reportedly beaten again, arrested by the police, and then released without further charge. It is reported that his health continued deteriorating until he died on 9 December 2003 around 19:00hrs.

MASVINGO

Zaka East/ West

December 2003

- SJ had traveled to Harare to collect some of his belongings. On his return to Zaka, he discovered that a group of ZANU PF supporters had arrived at his home in his absence, destroyed his house, and ploughed his fields, including the place where his house had been built. SJ had been formerly displaced from Zaka and relocated to Harare. He had reportedly been displaced on suspicion that he belongs to the opposition MDC. He had however returned to his rural home in Zaka in December. He asserts that for fear of his life, he was forced to relocate to Harare again.

MIDLANDS

Kadoma Central

1 December 2003

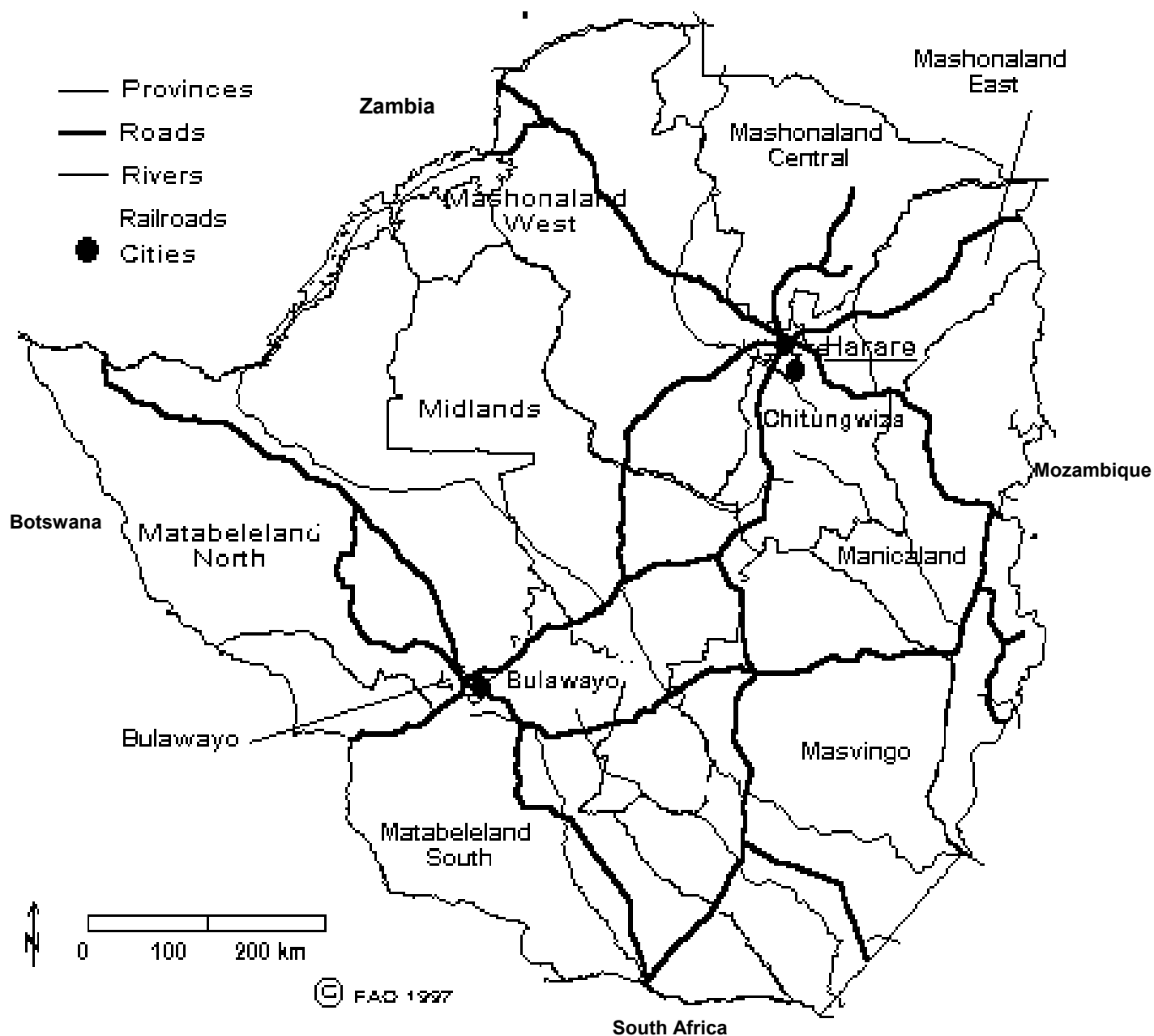
- PM claims that he was kidnapped by ZANU PF youths and taken to their base, where they beat him with sticks on the chest and head. He claims that he was rescued later and that he sought medication at a clinic. He was bruised and had swellings beneath the left eye and on the left arm. It is reported that KM went to Kadoma on 18 November to campaign for the MDC candidate in the by elections. He claims to have been arrested on two occasions after the ZANU PF youths and MDC youths had clashed. He was allegedly released after interrogations on both occasions. During that time he was reportedly assaulted with baton sticks, kicked and also accused of disturbing the election process and of supporting the MDC. He alleges that he and his colleagues were barred from entering the vote-counting centre on the 1 December 2003 after the results were announced in their favour. He claims that ZANU PF youths also assaulted him and other MDC supporters at the centre after the results were announced in their favour. KM is said to have sought refuge at a shop near the counting centre. He however claims that the shop owner phoned the “top six” gang, members on ZANU PF, who came and assaulted KM with bare hands, iron bars, and booted feet. They stripped him naked, tied a chain around his neck, and then suspended him from a branch, leaving him there to die. KM managed to free himself and walked to the Police Station. The police are reported to have given him a blanket to cover himself and a referral letter to a clinic.
- It is reported that TC was attacked by ZANU PF supporters. He was allegedly kicked on the jaw, all over the body and hit with a stone on the back and head. The assault is said to have continued even after he had fallen down. He sustained lacerations on the left scalp.
- JC was at the vote-counting centre with other MDC supporters when he was reportedly kidnapped by ZANU PF youths and taken to their base at Jameson High School in the area. He claims that he was assaulted with planks on the buttocks and arms, and was later released. His right forearm was fractured in the assault.
- SM alleges that he was kidnapped from the vote-counting centre by ZANU PF youths and taken to their base in Rimuka where he was severely assaulted. He claims that he was also hit with a stone on the back of his head. He was released later that same day having sustained a laceration on the back of his head.
- ZP, an MDC supporter, claims that he was assaulted on the face and back by a group of about 9 ZANU PF youths because he supports the opposition MDC. He sustained swellings on his face.
- AM was reportedly abducted by ZANU PF youths and taken to their base at a school in the area. He claims that he was assaulted with sticks and metal bars for about 2 hours. AM sustained bruises on his left knee and shoulder, as well as a painful and swollen left foot. He received treatment at a clinic in the area.

Full alphabetical list of reported deaths related to political violence 1 January to 31 December 2003 recorded indicating political affiliation, date of death, province and constituency.

TOTAL - 10: MDC - 6; ZANU PF – 2; UNKNOWN - 2

SURNAME	FIRST NAME (S)	POLITICAL AFFILIATION	DATE OF DEATH	CONSTITUENCY	PROVINCE
1 ALFONSO	Plaxedes	UNKNOWN	10/ 6/ 2003	Dzivaresekwa	Harare
2 KAGURU	Tichaona	MDC	2/ 6/ 2003	Mbare East/ West	Harare
3 KOMBO	Samson, Shawano	MDC	20/ 1/ 2003	Makoni East	Manicaland
4 MAKOMBE	Gliven	MDC	9/12/2003	Chinhoyi	Mashonaland West
5 MACHIRIDZA	Richard, Tonderai	MDC	18/4/2003	Kuwadzana	Harare
6 MANGWIRO	Tonderai	ZANU PF	20/ 1/ 2003	Kuwadzana	Harare
7 MATINYARARE	David	MDC	1/ 5/ 2003	Mufakose	Harare
8 NYADONGO	Amon	UNKNOWN	2/6/2003	Mbare West	Harare
9 SHAMHU	Action	UNKNOWN	2/8/2003	Kuwadzana	Harare
10 TONERA	Stephen	MDC	20/ 3/ 2003	Seke	Mashonaland East

ADMINISTRATIVE MAP OF ZIMBABWE



The **Zimbabwe Human Rights NGO Forum** (also known as the “Human Rights Forum”) is a coalition comprising 17 member organisations. It has been in existence since January 1998 when non-governmental organisations working in the field of human rights joined together to provide legal and psychosocial assistance to the victims of the Food Riots of January 1998.

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

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

The Human Rights Forum operates a Research and Documentation Unit and offers legal services through the Public Interest Unit of the **Error! Bookmark not defined.** (formerly the Legal Unit of the ZHRF.)

Core member organisations of the Human Rights Forum are:

- Amani Trust
- Amnesty International (Zimbabwe) (AI (Z))
- Catholic Commission for Justice and Peace (CCJP)
- Gays and Lesbians of Zimbabwe (GALZ)
- Human Rights Trust of Southern Africa (SAHRIT)
- Legal Resources Foundation (LRF)
- Transparency International (Zimbabwe) (TI (Z))
- University of Zimbabwe Legal Aid and Advice Scheme (UZ (LAAS))
- Zimbabwe Association for Crime Prevention and the Rehabilitation of the Offender (ZACRO)
- Zimbabwe Association of Doctors for Human Rights (ZADHR)
- Zimbabwe Civic Education Trust (ZIMCET)
- Zimbabwe Human Rights Association (ZimRights)
- Zimbabwe Lawyers for Human Rights (ZLHR)
- Zimbabwe Peace Project (ZPP)
- Zimbabwe Women Lawyers Association (ZWLA)

Associate Members:

- Media Monitoring Project of Zimbabwe (MMPZ)
- Nonviolent Action and Strategies for Social Change (NOVASC)

The Human Rights Forum can be contacted through any member organisation or through:

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