

ATTACHMENT TO MINISTER OF HOME AFFAIRS' LETTER

Zimbabwe Lawyers for Human Rights

June 26, 2003

Torture, organised violence and other cruel, inhuman and degrading treatment or punishment

The background

“When freedom of expression is used to promote violence and terrorism, then it will have turned against the lives of others and should be curbed. Those who promote and unleash the ensuing violence and terrorism must be severely punished under our laws. Our law enforcement agents must react promptly and with vigour as they provide appropriate responses to dangerous mischief-makers. Let the MDC and its leaders be warned that those who play with fire will not only be burned, but consumed by that fire. Read us correctly.” [President Mugabe speaking at the burial of Minister of Higher and Tertiary Education, Swithun Mombeshora, on 21 March 2003]

The closure of Amani Trust, a non-governmental organisation involved in the rehabilitation of people affected by political violence and torture, due to severe pressure by the state and threats of bombing and arrest of directors, adversely affected around 45,000 victims around the country. [Financial Gazette – 23/01]

Concerned at the increasing allegations of state torture and harassment of suspects in police custody Justice Moses Chinhengo, officially opening the 2003 legal year in Masvingo, stated that the police should refrain from bringing the administration of justice into disrepute by brutalising and torturing citizens. He said that, “The police must act with fairness to the accused and in particular must not brutalise an accused person. The force must in general investigate in order to arrest, and not arrest in order to investigate”. [DN – 12/02] High Court judge, Justice Yunus Omerjee, opening the 2003 legal year in Mutare on 26 February echoed these sentiments when he urged police to treat accused persons fairly and in accordance with the law presuming a person’s innocence until s/he is proven guilty. He also called on police to be fair and thorough in their investigations prior to arresting and detaining individuals. Expressing strong sentiments he said, “We are living in a society where law enforcement agents no longer provide civilians with a sense of security but have become zones of torture and other forms of inhuman treatment”. [DN – 28/02]

a) *State torture and violence (army, police, etc)*

Soldiers indiscriminately assaulted motorists queuing for fuel along Samora Machel Avenue in Harare in early January. They were assaulted for gesticulating at the presidential motorcade as it passed them. In terms of section 16A(1)(b) of the Road Traffic (Rules of the Road)(Amendment) Regulations, 2002, SI 299 of 2002 drivers are prohibited from making “any gesture or statement within the view or hearing of the State motorcade with the intention of insulting any person travelling with an escort or any member of the escort.”

Riot police fought running battles with war veterans who were demonstrating in Bulawayo against the unfair distribution of maize at a Grain Marketing Board (GMB) depot in Bulawayo. 37 people were arrested on 3 January and charged under the Public Order and Security Act (POSA) for failing to notify police of their intention to demonstrate. [H – 7/01]

Following the murder by stabbing of an Australian tourist in Victoria Falls on 4 January the police allegedly went on a rampage, indiscriminately harassing and assaulting members of the public in the area. The Movement for Democratic Change (MDC) district chairman claimed to have been victimised by the paramilitary Police Support Unit, and he alleged that around 400 people were detained at the police station overnight following the murder, only to be released the following day without charge. [DN – 7/01]

On 8 January riot police fought running battles with Harare residents who had gathered in the central business district and outside Town House to protest ministerial interference in the work of the city council, as well as the State media campaign against Harare mayor, Eng Elias Mudzuri. Eight people were arrested and were due to appear in court on charges of contravening the repressive POSA. The police also arrested two people walking along First Street Mall and seized their video camera. [H and DN – 9/01] The detained individuals were released the next day after paying admission of guilt fines. Their lawyer alleged that they had been assaulted whilst in police custody at Harare Central police station, and that the MDC was making arrangements to have the victims treated at the Avenues Clinic. [DN – 10/01]

Detectives from the Law and Order section at Harare Central police station allegedly tortured the MDC MP for St Mary's, Job Sikhala, whilst in police custody on 14 January, together with human rights lawyer Gabriel Shumba and three others. He alleged that the detectives beat him on the soles of his feet in order to extract a confession relating to the burning of a Zupco bus in Glen Norah on 13 January, as well as information about the MDC hierarchy. The detectives also allegedly subjected him to electric shocks to his feet and genitals and urinated on him while he lay on the floor with his arms and legs bound. Shumba alleged that he had been driven to an undisclosed location, where he had been subjected to electric shocks to the mouth, genitals and feet. He also alleged that detectives had assaulted him using booted feet and clenched fists. The public prosecutor did not oppose an application for the five men to be transferred to Parirenyatwa hospital for medical treatment of their injuries. [DN – 17/01] All five were released on bail after charges were preferred under section 5 of POSA for allegedly attempting to unconstitutionally overthrow the government. The charges were not related to the burning of the bus, as had earlier been indicated by the arresting details. The public prosecutor, Thabani Mpofu, indicated that he would request the Attorney General's office to investigate the allegations of torture in police custody. [H and DN – 18/01] The alleged torture was condemned locally and internationally and the police were urged to investigate the incident by such bodies as the Zimbabwe Lawyers for Human Rights, the Zimbabwe Association of Doctors for Human Rights, the Zimbabwe Human Rights NGO Forum, the Legal Resources Foundation, Amnesty International and the Lawyers Committee for Human Rights. [H – 24/01] Police set up an investigating team to look into the allegations of torture, based on the medical report received shortly after the incident, coupled with Sikhala's statement and that of the three other accused. [SM – 26/01] However this was dismissed by MDC leader Morgan Tsvangirai, who instead called for the immediate establishment of an Independent Commission of Enquiry to investigate the matter. [DN – 28/01] In any event police allegedly ignored the court's directive and took no further action to investigate the allegations. [S – 3/03] On 26 March the senior public prosecutor dealing with this matter, who was severely criticised by authorities for being "too soft" in this matter when he agreed that there was insufficient evidence to link the accused to the crime, was suspended on allegations of misconduct. [H – 27/03]

Lawyers representing four suspects in the murder case of Cain Nkala, a war veterans' chief in Bulawayo, alleged in the High Court that their clients had been tortured during police interrogation to extract false confessions. [DN – 21/01] In addition, two state witnesses broke down in court and alleged that they had been threatened by police officers at Nkulumane police

station to ensure that they testified against the accused persons. One witness was allegedly told that her home would be burned down, while another was assaulted by heavily armed police and threatened with charges of murder if she did not cooperate after she had been picked up for questioning on 14 November 2001. [DN – 29/01] The accused also made allegations during the trial about the torture and assault they received at the hands of the police whilst in custody in order to extract confessions from them. As the matter entered a “trial within a trial” the presiding judge, Justice Sandra Mungwira, ordered that they provide details indicating the nature and scope of the allegations in order that the State could respond adequately. [H – 18/03] As the “trial within a trial” continued it emerged that police coerced confessions from the accused by threatening to shoot one of them and to throw another into a crocodile dam if he did not tell the truth. [H – 14/05] One of the defence lawyers alleged during cross-examination that police had severely assaulted one of the accused by beating him whilst he was in handcuffs and leg irons, resulting in the accused sustaining a broken jaw. [DN – 15/05]

Several people in Hwange were seriously injured in mid-January when uniformed soldiers ran amok, beating up residents at random. Trouble broke out when one of four inebriated soldiers broke the windscreen of a Wankie Colliery truck and the driver confronted the soldiers. The soldiers allegedly attacked residents indiscriminately with sticks and other weapons. [DN – 23/01]

Three police officers from Chitungwiza police station were arrested on allegations of severely beating a man until he died at Chitungwiza General Hospital on 10 February. The man had been arrested on suspicion of theft and the post-mortem report indicated that he had sustained multiple injuries from being beaten on the head with a blunt object. [DN – 15/02]

An eight-month-old toddler sustained serious and permanent injuries after a policeman mistakenly hit her on the forehead with his baton stick when trouble broke out in a sugar queue at Savva shop in Bindura on 11 February. The baby was admitted to Bindura Hospital where she was treated for a deep cut to the forehead and swelling of her face. The policeman was not disciplined for the unlawful assault. [DN – 17/02]

On 15 February soldiers guarding the state-run Zimbabwe Broadcasting Corporation (ZBC) harassed a sub-editor of the Financial Gazette, Taungana Ndoro. A group of six soldiers allegedly seized him and forced him to roll around on the tarmac and in a pool of mud while they poured water on him as “punishment for selling out [the] country”. He was also told to simulate sexual activity whilst the soldiers watched. Ndoro was released an hour later after he had been warned that he was now under surveillance. [Financial Gazette – 20/02]

Soldiers manning queues at Batanai supermarket in Harare on 20 February allegedly assaulted *Daily News* photographer, Philimon Bulawayo, after he took photographs of the winding queues. The soldiers then handed him over to the police, who confiscated his camera and removed him to Harare Central police station. Here he was made to sit on the floor and detectives from the Law and Order section allegedly assaulted him again. He was later released without charge. [DN – 21/02]

A group of people arrested in Bulawayo following protests against President Mugabe staged outside the venue of a World Cup Cricket match and charged under POSA for holding an illegal demonstration told a magistrate that they had been severely tortured and assaulted by police whilst in custody at Bulawayo Central police station, and that three victims had been removed from the cell and were now missing. A sixteen-year-old boy had also been assaulted and had to be hospitalised as a result of his injuries. Magistrate Fadzai Mthombeni ordered police to investigate

the allegations against the police before he released the detainees on \$2,000 bail and weekly reporting conditions. [DN and Financial Gazette – 6/03]

Police in Kuwadzana Extension on 16 March fired shots in the air and released teargas in an effort to disperse MDC supporters on their way to a party rally. Officers armed with pistols and batons descended on the crowd and indiscriminately assaulted them as they were attempting to flee. Two MDC MPs, Job Sikhala (St Mary's) and Paurina Mpariwa (Mufakose), were set upon by ZANU-PF supporters and were forced to take refuge in a maize field. A day previously in Highfield several people were injured and businesses were closed as police fought running battles with ZANU-PF supporters who were allegedly attempting to prevent an MDC rally from taking place at Zororo Grounds. Supporters from both parties started throwing stones at each other and police once again had to fire teargas to disperse the masses. [DN – 17/03]

A pedestrian in Kuwadzana was run over by a vehicle fleeing the scene of political disturbances between supporters of the ruling and opposition parties on 16 March. The MDC MP for Seke, Bennie Tumbare-Mutasa, was travelling in the vehicle at the time and was arrested by police on the scene, although he had not been driving the vehicle. [H – 17/03] The MP alleged that after he was pulled from the car around 20 riot policemen arrived and started assaulting him. His medical report indicated that he had suffered abrasions and multiple bruises inflicted by batons, rifle butts and booted feet. He was taken into custody and was only released around three hours later after his lawyer's intervention. He was charged under the Firearms Act with discharging a gun in public. [DN – 19/03]

A Harare businessman sued the Minister of Home Affairs for \$5 million in damages in mid-March after three policemen at a roadblock along Seke Road had assaulted him in February. Two of the officers named were Sergeant Mlotshwa and Constable Chabvane. The police officers allegedly also stole money from the man after beating him about the head and then fled the roadblock. [DN – 19/03]

Central Intelligence Organisation (CIO) agents in Harare allegedly beat Steven Toner to death on 20 March. He was suspected to have been involved in the petrol bombing of a Zupco bus during the March job stayaway. The State agents allegedly kidnapped Toner together with two other men at Muza shopping centre in Epworth and beat them outside the police station, where Toner died. The police did not come to his assistance. The wife of a farm manager on the Ruwa property of MDC MP for Chimanimani, Roy Bennet, was also severely assaulted on the same day after about 60 soldiers in a truck went to the farm and started indiscriminately assaulting men, women and children. Soldiers carried out a brutal retributive exercise in most high-density suburbs in Harare, where they assaulted civilians they suspected of having participated in the two-day mass stayaway action, together with police and CIO agents. [DN – 21/03] Night raids were carried out in the suburbs and MDC leadership figures were singled out for the worst of the assaults and detention. [ZI – 21/03]

Soldiers from the Zimbabwe National Army (ZNA) and police embarked upon a retributive exercise against suspected organisers and participants in night raids in high-density areas around Harare. In Mabvuku the MDC women's league provincial secretary and her family were severely assaulted in their home late at night on 22 March. On the same night a relative of Glen View MDC MP, Paul Madzore, was severely assaulted after he was unable to reveal the MP's whereabouts. A group of soldiers and CIO operatives also allegedly abducted a ward councillor from his home in Glen View. Residents in Mbare and Chitungwiza were subjected to similar treatment over the weekend. [DN – 24/03]

In the city centre soldiers allegedly ran amok at a nightclub, beating up patrons who were believed to have participated in the two-day mass action. Property worth over \$300,000 was destroyed during the raid. [DN – 24/03]

A Mutare magistrate, Lloyd Kuvheya, ordered an inquiry into the prolonged detention and alleged torture of MDC supporters by the police after 17 members of the opposition party including Giles Mutsekwa, the MDC MP for Mutare North, was detained for six days rather than the stipulated 48 hours. Mutsekwa was allegedly denied his essential medication for a hypertension condition and all detainees were assaulted in custody. The men were released on \$3,000 bail each after being charged under POSA for allegedly organising and inciting people to engage in violence during the mass action. [DN – 25/03]

About 30 armed policemen and soldiers raided the home of the MDC MP for Budiriro, Gilbert Shoko, in the dawn hours of 22 March and severely assaulted him whilst trying to extract information about the MDC's course of action following the deadline to government, as well as names and addresses of party members. He sustained a fractured rib and bruises on his back and buttocks. [DN – 25/03]

In defiance of a court order barring authorities with interfering with work on the farm, 1,000 farmworkers on MDC MP Roy Bennet's Charleswood Estate, including women and children, sustained serious injuries after severe beatings by police. They were then removed from the property and dumped about 11 km from the farm. Inspector Chogugudza led the attack and the police returned the next day to ensure that the workers had not returned. Those found on the farm were assaulted once again. [DN – 28/03] The evicted workers and their families were forced to camp in the open at a township bus stop 150km south of Mutare. Various humanitarian organisations attempting to offer assistance were allegedly warned by the district administrator not to interfere or risk surveillance by state security agents. [DN – 3/04] The provincial governor of Manicaland, Oppah Muchinguri, on 6 April advised that a committee had been set up to investigate the unlawful eviction, which she described as "illegal and in violation of government policy". She further stated that the police had acted illegally and unilaterally and their actions were unwarranted. [DN – 7/04] On 8 April High Court judge, Justice Tedi Karwi, directed that the farmworkers be allowed to return to the farm immediately after the State and the defence consented to a final order. The Ministers of Defence and Lands, Agriculture and Rural Resettlement, the Commissioner of Police and the Commander of the ZNA were also directed in the order to desist from attacking Bennet's employees. Other respondents cited were the district administrator for Chimanimani, the officer-in-charge of Chipinge District Police, the officer-in-charge of Chimanimani and his deputy, and Joseph Mwale, a member of the CIO. [DN - 9/04]

Patrons at the Chitungwiza Royal Crown Night Club were allegedly attacked by soldiers towards the end of March and forced to have unprotected sex in their presence with other patrons at the venue. The soldiers were armed, beat those who refused to comply and forced them to sing pro-ZANU-PF songs. [DN – 28/03]

Fifteen armed men in army uniform allegedly raided the home of Chitungwiza MDC MP, Fidelis Mhashu, in the early hours of the morning on 3 April. His two nephews were allegedly beaten with batons when the men failed to locate the MP. They then ransacked the house, stealing money, food and other goods before threatening that they would kill Mhashu when he returned from the USA, where he was participating in an educational programme. [DN – 4/04]

A Harare magistrate, Faith Musinga, on 4 April ruled after an inquest that police had been responsible for the deaths of 13 soccer fans who had been killed in a stampede during a World

Cup qualifier at the National Sports Stadium two years ago and that their conduct should be investigated and prosecutions undertaken against the offenders within two months. She found that the police had acted negligently in firing teargas without due warning and had refused to assist people in need. [H – 5/04]

Another inquest was held on 23 April into the death of Ndabezinhle Sibanda in police custody at Silobela police station after he had been detained on allegations of raping his nine-year-old sister. He had alleged that Constables Nyoni and Mutupe had tortured him and the Bulawayo pathologist gave testimony that Sibanda had died due to manual strangulation. [DN – 29/04]

Police in Bulawayo descended on about 50 disabled people queuing for sugar and assaulted them with baton sticks when they refused to disperse. Five people were hospitalised and the police allegedly loaded the sugar supplies into a police vehicle before abandoning the scene. [DN – 7/04]

Four MDC activists were arrested and allegedly tortured in custody by officers from St Mary's police station. They were taken to Chitungwiza hospital for treatment whilst under heavy police guard, chained to their hospital beds, shortly after their arrest. Lawyers were denied permission to interview their clients. [DN – 16/04]

An MDC activist, Tonderai Machiridza, died on 18 April after he had been abducted and tortured by armed police officers in Chitungwiza. The police allegedly assaulted Machiridza with truncheons, clenched fists and booted feet. He suffered a broken arm and leg as well as severe head injuries and died after he was admitted to a Harare hospital for treatment. [S – 20/04] Mourners were prevented from proceeding to the community hall with the body, so relatives allegedly dumped the body at the home of one of the deceased's 25 alleged torturers, a Constable Chikwizo. It was removed to the police station and later the Chitungwiza General Hospital. On the evening of 23 April armed riot police and soldiers arrested Machiridza's mother and elder brother together with 56 MDC supporters who had gathered at the deceased's house in St Mary's for the wake and they were detained in custody with police indicating that they wished to charge them with tampering with a dead body. The police refused to release the body for burial. [DN – 25/04]

Armed soldiers allegedly beat up residents in Epworth on 30 April after accusing them of supporting the opposition MDC. The people alleged that they had been forced to chant pro-ZANU-PF slogans and were beaten indiscriminately with clenched fists, booted feet and rifle butts. [S – 4/05]

On 15 April a sergeant with the Zimbabwe National Army, Stoney Mauto, died from injuries allegedly sustained after assaults by police in custody at Kuwadzana police station. A medical report compiled after his release from custody indicated that he had been assaulted with a baton stick and combat shoes and had received multiple bruises to the back and the soles of his feet. The cause of death was listed as intra-cerebral haemorrhage and severe hypertension. [DN – 7/05]

Revellers at a nightclub in Gwanda were injured in an army raid on 3 May. Men dressed in military attire manhandled members of the public and assaulted them with rifle butts on allegations of insulting the President. About 14 people were detained overnight at Gwanda police station and were released the following morning after paying admission of guilt fines. [DN – 8/05]

Riot police stormed a meeting of Zesa employees at the Workington Power Station on 28 May and assaulted over 70 workers. Shortly after the beatings there was a stampede and the employees were severely injured by the armed details, who locked the main gates and discharged teargas canisters. [DN – 29/05]

Police and soldiers in Masvingo raided beerhalls and bottle stores, indiscriminately assaulting patrons and severely injuring 10 people on 30 May. Six MDC activists, including the provincial chairperson of the MDC women's league, were arrested and the homes of two were ransacked. They were later released without charge. [DNS – 1/06]

The USA-based Human Rights Watch released a report on Zimbabwe in mid-June, in which it called on the government of Zimbabwe to disband youth militias, withdraw military personnel from residential areas and restore the rule of law. The group noted that, "Not only has the army and police personnel failed to protect people from human rights abuses, but they are now carrying out abuses themselves".

b) Political violence and intimidation

Summary

Several members of the "Green Bombers" youth brigade fled to South Africa in March and disclosed to a *Sunday Times* journalist the treatment to which they had been subjected by their superiors. Many had been forced to murder MDC supporters and organisers. Some had carried out the murders, whilst others fled, as they did not wish to commit the crimes. Information that emerged about the Green Bombers was that they came from various youth militia-training camps, many of which had been set up at secondary schools, and pupils were forced to take part in the activities or risk death. Camps that were named included the Border Gezi Institute in the north of Zimbabwe and Tsholotsho Training Centre, where there were 2,000 trainees. The youths alleged that they had been "taught how to kill people in ways that would be quick and silent and leave no evidence" and that they had embarked on their missions after imbibing alcohol and smoking marijuana provided by their instructors. The youths were not paid for their activities, but received free food from the authorities. [DN – 12/03]

Bulawayo

Heavily armed police were called to Western Commonage Court to disperse a mob of ZANU-PF supporters who had gathered to protest the arrest of 37 of their colleagues following food riots at a Grain Marketing Depot a few days earlier. The police managed to drive the angry crowd away, but armed police remained to man the gates of the court, whilst road blocks were set up around the area to prevent any further unruly elements from reaching the courthouse. [DN – 7/01]

A former ZANU-PF youth testified at a prayer meeting for torture victims organised by the Roman Catholic Archbishop Pius Ncube, various church denominations in Zimbabwe and South African clergymen. She said that she had been forcibly conscripted in 2001 and sent for training at Ntabazinduna outside Bulawayo. She revealed that females at the camp were allegedly raped and warned not to report the crimes to base commanders for fear of being labelled MDC traitors. As a result she was now living with HIV. Several other women testifying had similar experiences. [DN – 1/03] A few days after the prayer meeting police questioned Archbishop Ncube about his role in organising the meeting, but did not take him into custody on this occasion. [DN – 6/03]

At least 50 people were in police custody on 20 March after police cracked down on those suspected of having organised or participated in the mass stayaway two days previously. They were detained over the weekend before being released without charge. [ZI – 21/03]

On 23 April, the first day of a planned three-day nationwide job stayaway, nearly all members of the ZCTU Bulawayo executive were arrested and detained in custody. [DN – 25/04] Three were charged under POSA for distributing pamphlets urging people to heed the call for the stayaway, while the rest were released without charge after spending two nights in custody. [DN – 28/04]

About 20 workers from Kamativi Mine were allegedly severely assaulted in June by ZANU-PF youths. The youths were attempting to clear the residential compound to allow for the establishment of a national youth training centre in the area. Several of the victims were treated for injuries in Hwange. [DN – 18/06]

Esigodini

Insiza

ZANU-PF supporters and war veterans forcibly ejected two MDC councillors from a workshop organised by the Public Affairs and Parliamentary Support Trust on 22 January in the presence of the Speaker of Parliament, Emmerson Mnangagwa, and the ZANU-PF MP for Insiza, Andrew Langa. [DN – 24/01]

Harare

On 13 January suspected MDC supporters angered by the arrest of the Harare Mayor torched a Zupco bus ferrying passengers to Glen Norah. [H – 14/01] The following day 12 armed riot policemen stormed the house of the MDC MP for St Mary's, Job Sikhala, and arrested four of his relatives. They were interrogated by detectives in the Law and Order section at Harare Central police station before being released without charge. Sikhala went into hiding after police refused to divulge why they were seeking him. [DN – 15/01] He was arrested in Chitungwiza on 15 January and charged with arson linked to the burning of the Zupco bus. Sikhala was initially detained at Matapi police station and later transferred to Harare Central police station. [H – 15/01 and DN – 16/01] He was allegedly tortured whilst in police custody by detectives from the Law and Order section at Harare Central police station on 14 January, together with human rights lawyer Gabriel Shumba and three others. He alleged that the detectives beat him on the soles of his feet in order to extract a confession relating to the burning of the bus, as well as information about the MDC hierarchy. The detectives also allegedly subjected him to electric shocks to his feet and genitals and urinated on him while he lay on the floor with his arms and legs bound. Shumba alleged that he had been driven to an undisclosed location, where he had been subjected to electric shocks to the mouth, genitals and feet. He also alleged that detectives had assaulted him using booted feet and clenched fists. The public prosecutor did not oppose an application for the five men to be transferred to Parirenyatwa hospital for medical treatment of their injuries. [DN – 17/01] All five were released on bail after charges were preferred under section 5 of POSA for allegedly plotting the unconstitutional overthrow of the government. The charges were not related to the burning of the bus, as had earlier been indicated by the arresting details. The public prosecutor, Thabani Mpofu, indicated that he would request the Attorney General's office to investigate the allegations of torture in police custody. [H – 18/01] Fourteen other suspects arrested in connection with the torching of the bus were only brought to court after a week in custody, in contravention of their constitutional rights. The prosecutor indicated that there was no evidence to link the accused to the offence and was immediately criticised publicly for "turning out to be the defence counsel" by the public media. [H – 23/01] A day later *The Herald* reported

law enforcement agents as calling for a “thorough investigation” of the senior prosecutor’s conduct. [H – 24/01] This came on the same day that the Attorney General’s office refused to place Sikhala and his fellow detainees on remand, citing insufficient evidence, and therefore vindicating the prosecutor. [DN – 24/01] On 19 February the five victims gave notice to the Minister of Home Affairs of their intention to sue the State for Z\$ 35 million in damages for their unlawful detention and their unlawful physical assault and torture at the hands of the Law and Order section. [DN – 21/02]

Armed riot police and soldiers stepped up patrols in Kuwadzana after the Zupco bus bombing and residents alleged that they had imposed an unofficial curfew in the suburb. Shops, beer halls and tuckshops were being forcefully closed from 1900 hours and the police and soldiers were allegedly assaulting anyone found on the streets thereafter. [DN – 24/01] In addition ZANU-PF militia had taken over the council library and a community hall, from where attacks on residents failing to meet the unofficial curfew was being coordinated. [ZI – 31/01]

On 14 January police arrested four officials from the Combined Harare Residents’ Association, including the chief executive officer after they were assaulted by ZANU-PF militia whilst addressing a residents’ meeting in Kuwadzana about the upcoming by-election for that constituency. They were later released without charge. [ZI – 17/01] Also in Kuwadzana, Tonderai Mangwiro, a ZANU-PF member, died and several others, including the ZANU-PF youth secretary for Kuwadzana district, were critically injured after a petrol bomb exploded at a ZANU-PF office on 20 January. 16 suspected MDC activists were arrested in connection with the bombing. [H – 21/01]

The MDC MP for Zengeza, Tafadzwa Musekiwa, fled Zimbabwe after alleging that he had been made aware of a government plot to assassinate him and other MDC activists. [DN – 20/01]

There was a heavy police presence in most high-density suburbs of Harare and in the city centre on 22 January to prevent trouble arising from the stayaway planned by the NCA. There were reports of stone-throwing and barricaded roads in Glen View, Budiro and Mabvuku in the early hours of the morning and 11 vehicles were reportedly damaged. [H – 23/01]

A ZANU-PF war veteran died on 24 February from wounds sustained after he was severely assaulted in Highfield. He had been left to die in a trench and was found a day after he had attended a campaign meeting at Machipisa shopping centre. [H – 26/02]

ZANU-PF youths allegedly assaulted the MDC’s branch chairperson for Kuwadzana 3, stripped her naked and left her unconscious in pre-poll violence on 20 February. She alleged that the mob told her they were punishing her because she was “Tsvangirai’s prostitute”. [DN – 25/02]

In Sunningdale a vendor who sold grapes to opposition leader Morgan Tsvangirai during his “meet the people” tour in early march was set upon by seven ZANU-PF youths, who assaulted her with fists and umbrellas. [DN – 7/03]

On 12 March Tafadzwa Musekiwa, the MDC MP for Zengeza, resigned his position from exile in London, citing concerns for his safety after several arrests and alleged torture at the hands of the security police in Zimbabwe. Mike Auret, the MDC MP for Harare Central had resigned a few weeks previously on grounds of ill health. [DN – 13/03]

On 18 March, the first day of an MDC-led nationwide stayaway, a Zupco bus was petrol-bombed at Chans Shopping Centre in Hatfield with 34 people on board. Twelve people were arrested in

connection with the attack. They were detained in custody and only brought to court on 24 March, where they were remanded in custody after their bail application failed. [H – 25/03] In Chitungwiza a commuter omnibus carrying pre-school children was also burned. Luckily the children escaped unhurt. In Epworth a bakery truck was looted and then torched early in the morning. Trucks and vans in several high-density areas were stoned throughout the day and many roads were barricaded. [H – 19/03] Another 108 people were arrested and detained in Budiro 1 and Glen View; they were released on \$10,000 bail each after spending almost a week in custody before being brought to court for remand. [H – 25/03]

About 300 ZANU-PF youths and members of the ruling party's women's league surrounded and threatened the Harare mayor with death in the presence of senior government officials and the police when he attended the funeral of Swithun Mombeshora, the Minister of Higher and Tertiary Education, on 21 March. They confiscated the keys of his vehicle, which they threatened to burn, and police later had to provide him with an escort to his office in order to retrieve a set of spare keys. The Deputy Police Commissioner, Godwin Matanga, had undertaken to sort the matter out, but failed to take any action. [DN – 22/03]

Three days later *The Daily News* reported that a group known as “Chipangano”, a “pro-ZANU-PF vigilante unit in Mbare”, force-marched residents of Mbare to Town House to demand the Mayor's removal. The group allegedly commandeered omnibuses and private vehicles to ferry around 3,000 people into the city centre. Mayor Mudzuri alleged that senior government officials were behind the demonstration and he accused the police of conniving with government officials to push him out of office. [DN – 25/03]

On 31 May an MDC councillor for Dzivaresekwa was detained for his alleged involvement in the planning and organisation of the MDC-led one-week mass action. A group of around 30 suspected ZANU-PF youths surrounded his home and assaulted his wife, forcing the family to chant ruling party slogans whilst pasting ZANU-PF posters on the walls of the house and the rooms. Four party activists were also arrested on the same day in Mufakose. [DN – 2/06]

A shop assistant in Harare's central business district reported that he had been assaulted by Joseph Chinotimba, the self-styled leader of the 2000 farm invasions, during the MDC's week-long mass action. Chinotimba and his bodyguards allegedly assaulted the man using clenched fists and booted feet before dragging him to the Harare Central police station. The victim was one of many individuals who allegedly suffered the same fate at the hands of Chinotimba, and who continued being beaten by him and police officers at the police station before being released without charge. [DNS – 15/06]

Chitungwiza

Following the death of MDC activist Tonderai Machiridza after he was allegedly severely assaulted in police custody, violence broke out and five of his colleagues were arrested in St Mary's on 22 April for an alleged retaliatory attack on a policeman. MDC youths in St Mary's said they would protect themselves from further police harassment and politically motivated arrests as they “refuse to be intimidated”. [DN – 23/04]

Ten youths who allegedly petrol-bombed a house in St Mary's on 23 April were arrested on 28 April and remanded in custody pending trial. Their lawyer indicated that he would be appealing to the High Court. [H – 30/04] Two people later died of injuries sustained in the petrol-bomb attack. [H – 5/05]

Mbare

A vigilante group, Chipangano, targeted suspected opposition supporters living at Shawasha Flats and unlawfully and forcibly evicted them and removed their property from the apartments. The tenants were allegedly force-marched into the open and beaten with sticks, iron bars and stones fired from catapults. Ten members of the terror outfit were arrested and charged with assault. Bail was refused. Other members of the group continued to harass vendors and the public in the area. [DN – 29/04]

Manicaland

Bikita

Chimanimani

About 30 war veterans armed with guns, sticks and machetes attacked the MDC offices on 6 January and destroyed property valued at \$5 million. The mob also confiscated electrical equipment, documentation and MDC membership cards during the attack. The attack was reported to the police, but no investigations were carried out, and no arrests were made. [DN – 9/01]

A group of youths from the Border Gezi National Training Service allegedly assaulted six MDC activists. The six were handed over to the police at Bumba police base and detained there for some time before being released without charge. Three had to be admitted to Marondera hospital later. [DN – 4/03]

Zimrights exposed continuing political intimidation in Cashel Valley, to which 53 people (including 21 schoolchildren) had fled to seek refuge from ZANU-PF violence. The organisation expressed “extreme concern” at the political situation in Chipinge, Chimanimani and Buhera. Ten people were also fled from their homes in Buhera South to the relative safety of Harare in order to escape attacks by ruling party supporters in their villages. Although the authorities were called upon to restore law and order in the area the ZANU-PF national secretary for information and publicity, Nathan Shamuyarira, dismissed the reports as “untrue and not worth commenting on”. [DN – 11/03]

Chipinge

Following Independence Day celebrations at Gaza Stadium ZANU-PF supporters allegedly assaulted about 50 MDC supporters who had attended the ceremony. The latter were accused of being traitors to Zimbabwe who should not be permitted to commemorate the day. Following the assaults police arrested two of the victims, the MDC ward chairperson and the party’s deputy organising secretary for Chipinge North, and they were taken into custody without information on why they were being detained. [DN – 23/04]

After the Chipinge council elections at the end of April ZANU-PF supporters allegedly embarked on a campaign of retribution against suspected MDC supporters in the town. They assaulted an MDC security officer for Chipinge North with an iron bar at his home, knocking out two of his teeth and causing serious head and chest injuries. [DN – 3/05]

Mutare

The MDC MP for Mutare North, Giles Mutsekwa, was arrested together with party supporters on 18 March in connection with the March mass stayaway. [DN - 21/03] He was still being detained at Marange police post six days later, in contravention of his constitutional rights. Three other top provincial officials were abducted and their whereabouts were unknown for some time before they too were detained together with Mutsekwa. [DN – 24/03] A Mutare magistrate, Lloyd

Kuvheya, ordered an inquiry into the prolonged detention and alleged torture of the four men and another 13 MDC supporters by the police. Mutsekwa was allegedly denied his essential medication for a hypertension condition and all detainees were assaulted in custody. The men were released on \$3,000 bail each after being charged under POSA for allegedly organising and inciting people to engage in violence during the mass action. [DN – 25/03]

Following the waves of arrests after the two-day stayaway the shadow minister of defence and MDC MP for Mutare North indicated that a survey had revealed that graduates of the national youth services were masquerading as soldiers to assault people with impunity, alienate the communities from the ZDF and tarnish their image. [DN – 4/04]

After the ZCTU-led three-day mass job stayaway from 23 to 25 April there was a further crackdown by police and soldiers on people suspected of having led and participated in the action. Mutare residents in Sakubva and Dangamvura alleged that uniformed soldiers had assaulted them at bottle stores and beer halls. Some were forced to pour beer on themselves and roll in the mud, whilst those who were unable to sing the national anthem on demand were beaten until they fell unconscious. [DN – 29/04]

Nyanga

Rusape

Five MDC supporters were allegedly assaulted by a group of suspected Border Gezi graduates at Crocodile Motel following the Independence Day commemorations. [DN – 23/04]

Mashonaland West

Banket

Chegutu

Kadoma

On the first day of a nationwide MDC-led stayaway two supermarkets belonging to a ZANU-PF activist were petrol-bombed, as was another market in Eiffel Flats. [H – 19/03] Suspected MDC youths allegedly detonated explosives on shops and bridges causing damages totalling around \$11 million. The MDC MP for Kadoma, Austin Mupandawana, a councillor and 33 other MDC supporters were arrested in connection with stayaway-related violence on 18 March. [H – 20/03] A day later a further 50 people had been rounded up and detained. [ZI – 21/03] The men only appeared in court a week later on 25 March, when they were denied bail and remanded in custody to 9 April. Mupandawana and three of the other detainees made allegations of torture against the police when they spoke in court. [DN – 28/03] After a further bail application on 4 April the accused people were released on \$100,000 bail each, with reporting conditions. [DN – 7/04]

Gweru

Police arrested and detained 18 MDC members on 20 March in connection with the mass stayaway and had still not been released or charged after the expiry of the statutory 48-hour period. [DN – 21/03]

Eight ZCTU members were arrested on 23 April, the first day of a nationwide job stayaway planned by the union. Their legal practitioner was only allowed access to certain of those detained. [DN – 25/04]

Chinhoyi

The ZANU-PF offices in Chinhoyi were destroyed in a petrol-bomb attack on 21 March. [DN – 24/03] 14 MDC supporters were arrested following the bombing and one was charged under POSA, with an alternative charge of arson. The rest had still not been charged or released within the stipulated 48 hours and the police indicated that they would be seeking a warrant for further

detention. The 14 were being held at various police stations in Mashonaland West. The MDC provincial chairman and his wife were also subsequently arrested and were held at Mhangura police station. They were denied access to their legal practitioner for over a day. [DN – 25/03]
Karoi

Themba Mliswa, a fitness trainer, was arrested after he allegedly assaulted the messenger of court, a policeman and two commercial farmers with whom he was involved in a legal battle over ownership of property. The two farmers had gone to their land with a court order allowing them to remove their personal belongings, with the assistance of the messenger of court and four police officers from Karoi police station. They were confronted by Mliswa and 15 suspected ZANU-PF activists and Mliswa authorised the assault. Inspector Khumalo was hit on the head with a rifle butt, whilst the other policemen managed to escape. The two farmers were severely assaulted and had to be transferred to hospital for treatment. They were also threatened with death and their property was destroyed. [DN – 10/04] Mliswa was arrested and charged with assault and malicious injury to property. [H – 10/04]

Masvingo

Buhera

Twenty MDC supporters were assaulted at Muzokomba during Independence Day celebrations. One Peter Chorosi who is the ZANU-PF councillor for Ward 5 in the district led the ZANU-PF attackers. [DN – 23/04]

Chiredzi

Gutu

Masvingo

At least 30 people were in police custody on 20 March in connection with the mass stayaway, including four senior MDC members, including the MDC MP for Masvingo Central, Silas Mangono. [ZI – 21/03] They were only brought to court for remand four days later, charged with contravening a section of POSA for encouraging people to participate in the stayaway, and were released on \$3,000 bail each. [H – 25/03] Their bail conditions were relaxed at the end of March. [DN – 1/05]

Soldiers and police officers confronted shop owners in town and forced them to open their businesses on 24 April, which was the second day of a ZCTU-led three-day job stayaway. [DN – 25/04]

Zaka

Matabeleland North

ZANU-PF youths from the national service programme severely assaulted the chairman of the council in the district of Binga in mid-March at the venue of a ZANU-PF rally that was being addressed by the Minister of Youth Development, Gender and Employment, Elliot Manyika. The youths accused him of being an MDC supporter and allegedly beat him with their fists and booted feet. He was rushed to the clinic with serious head and body injuries and the mob turned on the chief executive and one of the councillors of the Binga rural district. Police later advised that they had not reacted, as the incident had not been brought to their attention. [Financial Gazette – 13/03]

Midlands

Marange

Gokwe

In Plumtree war veterans forced hundreds of prospective teachers to chant ZANU-PF slogans at the district education office before they were permitted to queue to apply for employment as temporary teachers. Applicants who were able to produce a ruling party card or a letter of confirmation of membership from their ward councillors were allegedly given preferential treatment. [DN – 24/01]

A Beatrice farmer was severely assaulted on his property on 27 January by a group of around 15 suspected ZANU-PF supporters. They attacked him with bicycle chains, sticks and steel pipes and he sustained serious head and facial injuries. Police at Beatrice police station did not respond to calls for assistance. [DN – 28/01]

Dated at Harare this 26 June 2003

Zimbabwe Lawyers for Human Rights