

ZIMBABWE HUMAN RIGHTS NGO FORUM

POLITICAL VIOLENCE REPORT

November 2005

17 January 2006

A report by the Zimbabwe Human Rights NGO Forum

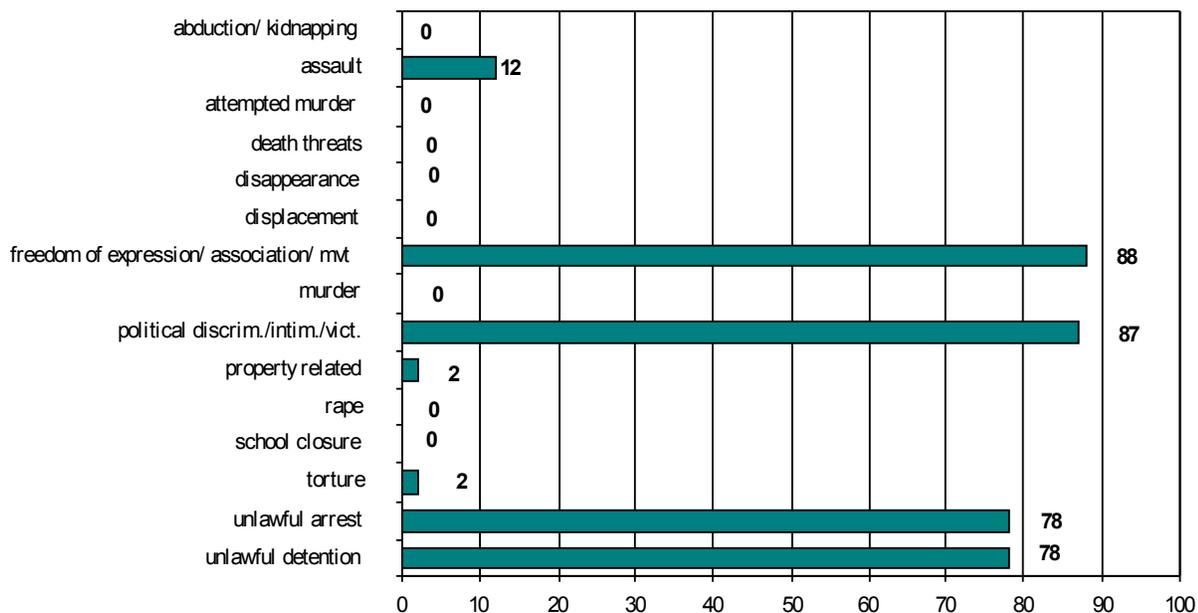
OVERVIEW

The month of November saw more than 50 Zimbabwe Congress of Trade Unions (ZCTU) members arrested and detained unlawfully for demonstrating against the high prices of fuel and other basic commodities and for the reduction of taxes and cost of living adjustment on 8 November 2005. The members were arrested and taken to Harare Central Police Station before being taken later to Makoni Police station in army transport where they were detained for more than the 48 hours stipulated in the Criminal Procedure and Evidence Act. The arrests themselves were in clear violation of the rights to freedom of expression, association and movement. The conditions of detention to which the victims were subjected were also well below the conditions stipulated in the United Nations Standard Minimum Rules for the Treatment of Prisoners, which was adopted on 30 August 1955, by the First United Nations Congress on the Prevention of Crime and Treatment of Offenders. The victims were overcrowded in unhealthy conditions and those that were on TB treatment and on Anti Retrovirals (ARVs) were denied access to their treatment. A 6 month old baby was detained along with her mother in an overcrowded cell. The Human Rights Forum deplores the inhuman and degrading conditions of detention to which the victims were held at Makoni Police Station and urges the Government to improve conditions of detention at all Police Stations or simply declare the cells inhabitable for those arrested.

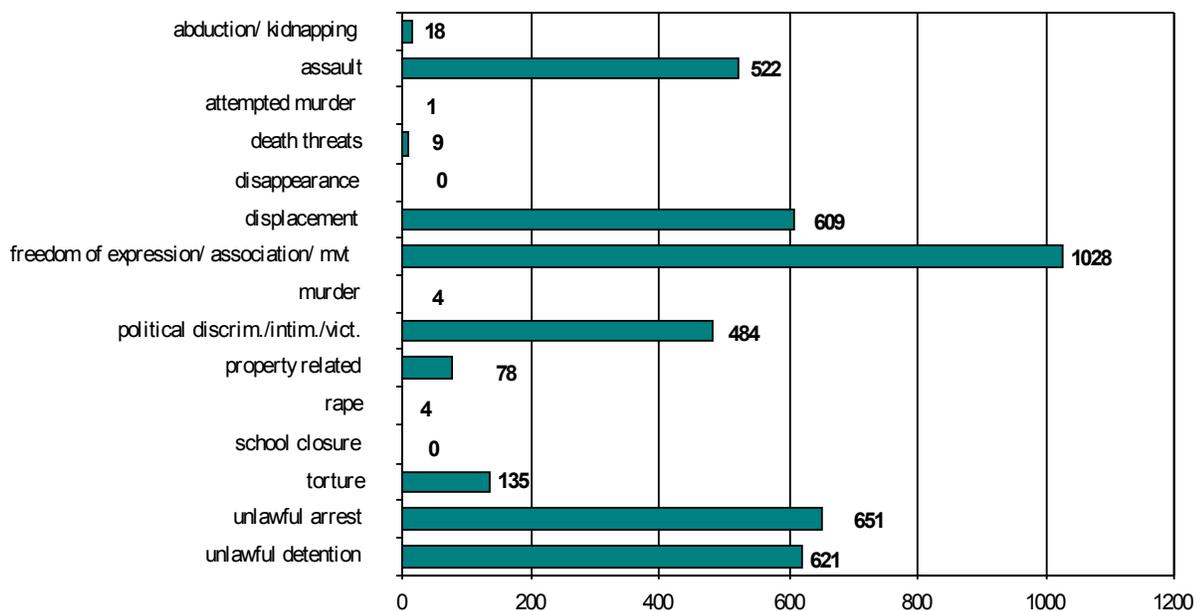
On 5 November, more than 18 NCA activists were arrested for demonstrating for a new constitution and against the Senate Elections. The Human Rights Forum urges the Government to respect the rights of Zimbabweans to freedom of expression, association and movement. The Senate Elections, which were held on 26 November 2005, saw the continued intolerance pervading the Zimbabwean political spectrum. In Hatfield and Tafara-Mabvuku constituencies, there were reports that people were being assaulted on allegations that they were influencing others not to take part in the elections. The Forum urges the Zimbabwean electorate to respect the rights of each individual to form and express opinions.

The Human Rights Forum also stands in solidarity with the organizations that were commemorating the 16 Days of Activism Against Gender Violence from 16 November 2005.

Totals: 1 November – 30 November 2005



Cumulative totals: 1 January – 30 November 2005



The cumulative graph should be read along with the table depicting the monthly totals of violations from 1 January 2005 to 30 November 2005. The total quantifiable number of victims reported in November 2005 is 88.

Key Abbreviations

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

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 a network of human rights activists and newspaper reports,

Notes to the tables:

Torture:

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

The four elements of torture are:

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

Those individuals referred to in point # 4 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.

Cases of Political Violence

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

The purpose of this report is to record the nature of the politically motivated violence and intimidation that continues to prevail in the country. The Monthly Political Violence Reports are primarily based on victims' accounts, accompanied by medical evidence where possible, 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 Monthly Political Violence Report cannot therefore be considered as the exhaustive record of all incidents of politically-motivated violence in Zimbabwe in the period under review. Nevertheless, every incident reported to the Human Rights Forum directly or through its members is meticulously documented and included in the reports. Care is also taken to record the incidents in the language in which they were reported to the Forum.

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

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

HARARE

Budiriro

14 November 2005

The male victim reports that he got off a commuter omnibus at Budiriro Bus terminus, on his way home from work. He met four soldiers who reportedly accused him of going against the ruling government saying they would teach him a lesson on that day. The soldiers allegedly assaulted him using an unidentified object. He tried to run away but he says he was assaulted on his left ankle, tripped and he fell. The soldiers reportedly went away as the crowd was now gathering.

Chitungwiza

8 November 2005

About 50 Zimbabwe Congress of Trade Unions (ZCTU) members were arrested during a demonstration for the reduction of taxes, cost of living adjustment and against the rising costs of fuel and other basic commodities. Of the 50, 18 were male and 32 were female members of whom 6 of the females and 4 males were People Living With HIV/AIDS (PLWHA). One of the victims was a male TB patient and another one was a 6 month old girl. The 50 were taken to Harare Central Police Station and then later to Makoni Police Station in army transport where they were detained under inhuman conditions for 3 days. The cells were overcrowded and the victims were refused access to food and those who needed medication were also denied access to their medication. This included TB patients and People Living With HIV/AIDS who were denied access to ARVs. The 6 month old baby was allegedly detained along with her mother in these overcrowded and unhealthy conditions. Upon release and examination by doctors, the victims reported a plethora of ailments including head aches, blood stained and watery diarrhoea, dysentery, itchy skin, facial rash, sore throat, coughing and stomach pains. They were charged under POSA but the Attorney General ordered their release and said the state would proceed by way of summons.

Glen View*10 November 2005*

The victim, a High School girl was coming from school on her way home. Along the way, she noticed that some structures were being destroyed in what seemed to be a residue of Operation Murambatsvina. She reportedly saw her little brother close to the structures being destroyed and decided to collect him to keep him out of harm's way. While the victim was trying to pull her little brother away she was allegedly assaulted with an iron bar on her left ankle by the Police who were destroying structures and the police immediately went away.

Harare Central*5 November 2005*

?. It is reported that about 18 NCA activists were arrested after the NCA members demonstrated for a new constitution and against the senate elections scheduled for 26 November 2005. The demonstrators were wielding placards and distributing flyers. The victims were released after the Attorney General had said that they would proceed by way of summons.

9 November 2005

?. Herchelle Mavhima (University of Zimbabwe Students Representative Council (SRC) President), Colleen Chibango, Wellington Mahohoma, Washington Katema, Mfundo Mlilo and Tawanda Chitakwe (SRC Members) were reportedly arrested on the day in question for attempting to influence other students to join the ZCTU demonstration, which took place on 8 November 2005. In the morning, the six were taken to St Mary's Police Station and then later taken to Harare Central Police Station. No charges had yet been levelled against the students when their lawyers went to see them.

5 November 2005

A male victim reports that he met colleagues from the NCA that morning at Causeway Post Office with whom he was to take part in a demonstration. The demonstration reportedly started well; all demonstrators were told to respect the police and the public and to make sure that the demonstration was peaceful. When the victim and colleagues got to the corner of Robert Mugabe and Julius Nyerere Way, riot police allegedly assaulted them. The victim tried to run away but he was allegedly caught by one policeman, who went on to assault him with a baton. About 6 policemen allegedly joined in the assault. One of the policemen stepped on the client's head while the others continued to assault him all over his body. He was taken to Harare Central Police Station into a room where he was ordered to lie on his stomach. He claims that the seven policemen continued assaulting him all over his body using booted feet and batons until he lost consciousness.

When he regained consciousness, one of the policemen was still there. This policeman took him to the Law and Order reception. The policemen at the Law and Order section allegedly abused the victim verbally threatening to torture him. They then took him to another room where they are said to have taken turns to assault him under his feet with a long baton stick. He was later taken to a urine-filled and dirty cell where he was held till 8 November 2005. He claims that he was denied medical attention.

Hatfield*5 November 2005*

At around 17:00:hrs 6 people in a truck, (2 men and 4) women came to the female victim's house. As soon as they got out of the truck, the victim claims that they started assaulting her with fists and open palms across the face accusing her of being an MDC supporter and having attended an MDC meeting the previous day, which she indeed had attended. She was allegedly further told that the area was a ZANU-PF area and she was not welcome. A fellow tenant at the victim's house reportedly came out and asked the perpetrators why they were assaulting the victim. The fellow tenant was allegedly assaulted as well along with her daughter. Meanwhile the 2 men reportedly reversed their truck nearer to the house and started looting the victim's property. After loading the property, the perpetrators left and as they approached the gate, they assaulted the victim's 3 year old son on the eye with an umbrella. They took the victim's produce, which she sells as a vendor. She reported the matter to the police who arrested one of the perpetrators whom she knew.

Mbare

8 November 2005

?. Dr. Lovemore Madhuku, NCA Chairman and The Mayor of Chitungwiza, Mr. Misheck Shoko were arrested on the date in question for allegedly inciting public violence. It is reported that Dr. Madhuku made statements that were tantamount to inciting public violence and calling for the removal of President Mugabe from office after which there were NCA demonstrations which reportedly led to the bombing of a Police Station and injury of a policeman. The mayor is reported to have made utterances at a creche in Chitungwiza in a meeting attended by adults to the effect that the President must be removed by force. Madhuku was detained at Stodart Police Station and Shoko was detained at Mbare Police Station.

3 November 2005

A male MDC activist reports that he was with colleagues putting up posters in Mbare when ZANU-PF activists approached them. They reportedly told the victim that he and his colleagues should not put up MDC posters in Mbare. They allegedly verbally and physically assaulted him by throwing stones at him. He was hit on the back twice by the stones.

Tafara-Mabvuku

27 November 2005

The 6 victims, 2 male and 4 female report that 8 men came to their house accusing the mother of the house of not allowing people to vote in the Senate Elections. The family refused to allow the people to enter but the perpetrators forced their way into the house assaulting everyone who was inside. One of the females was allegedly assaulted with logs on the back and arms. Another female victim reports that she ran away into the toilet but she was assaulted with a log on her head and on her feet. The third female victim, the mother of the house, was also allegedly assaulted with a log on the head and she fell down injuring her arm. The fourth female victim, a 6 year old minor, was with her mother when the 8 men came. She was allegedly assaulted on her right eye, face and shoulder. One of the male victims was assaulted on his left eye and the other male victim reportedly assaulted on the head with a log. When one of the family members tried calling the police, the 8 perpetrators ran away and threw stones and bricks as they left. In the process the male victim was allegedly stoned on the leg with a brick. The perpetrators are said to have stolen a bicycle and money amounting to Z\$ 1 500 000.

27 November 2005

The male victim claims that 4 men, who claimed that they were from the Central Investigations Department (CID), came to his house. They reportedly questioned him over a petrol bomb that was thrown at a polling station. He was further accused of stopping people from voting. He was taken to Mabvuku Police Station where he was told to sit down. One of the officers allegedly assaulted him on the knees with an empty bottle. He was taken to the cells after being assaulted. He was released the following morning with no charges preferred against him.

Full alphabetical list of reported deaths related to political violence 1 January 2005 to 30 November 2005 recorded indicating name, political affiliation, date of death, constituency and province.

TOTAL:4 ZANU PF 2 MDC 1 UNKNOWN 1

SURNAME	FIRST NAME (S)	POLITICAL AFFILIATION	DATE OF DEATH	CONSTITUENCY	PROVINCE
1 CHIMBANDI	GIFT	ZANU PF	3 MARCH 2005	MAZOWE EAST	MASONALAND CENTRAL
2 GANDA	GODWIN	ZANU-PF	2 MAY 2005	MARONDERA EAST	MASHONALAND EAST
3 MOFAT	EBRAHIM	MDC	28 APRIL 2005	HURUNGWE EAST	MASHONALAND WEST
4 MUCHACHA	FEBBY	UNKNOWN	13 APRIL 2005	MARONDERA WEST	MASHONALAND EAST

	MAIN EVENTS 2005
January	<ul style="list-style-type: none"> -WOZA women arrested and detained unlawfully as they demonstrate against hikes in school fees. -The newly appointed woman Vice President holds celebrations throughout the country and in Bindura, press reported that people are forced to attend the celebration. -ZANU PF youths reportedly move from door to door forcing Epworth residents to register as voters and to vote for ZANU PF
February	<ul style="list-style-type: none"> -Political violence and victimization surrounds campaigns and preparations for the 31 March 2005 Parliamentary elections. -WOZA members demonstrate on 12 February in Bulawayo to commemorate Valentine's Day under the theme "<i>the power of love will conquer the love of power</i>". -Police reportedly disrupt an MDC training session of Parliamentary candidates in the March 31 Parliamentary elections and MDC supporters on 16 February at Harare Sheraton Hotel. They arrest MDC Director of Elections Mr. Ian Makoni. -NCA members are arrested and assaulted by the police after holding a demonstration dubbed "<i>no election without new constitution</i>" on 17 February in Harare.
March	<ul style="list-style-type: none"> -ZANU PF supporter and war veteran, Gift Chimbandi, is reportedly burnt to death under unclear circumstances. MDC supporters are suspected to have burnt his house leading to his death. -Zimbabwe's 6th Parliamentary Election since Independence is held on 31 March 2005. -A WOZA peaceful candle light vigil is disrupted by riot police and the women are reportedly badly assaulted and arrested. The vigil was held at Africa Unity Square in Harare to safeguard the March 31 vote from manipulation. -MDC activists throughout the country are arrested or assaulted for putting up posters and distributing campaign material and people are victimized for attending MDC rallies by ZANU PF supporters. -MDC Parliamentary candidate for Zvimba North constituency is reportedly victimized for trying to campaign in the area.
April	<ul style="list-style-type: none"> -Febby Muchacha a 70 year old woman living at Kimcote Farm in Beatrice is reportedly raped and murdered when a gang of 5 attacks the resettled farmers around 3:00 hrs on 13 April 2005 -Ebrahim Mofat is reportedly murdered by ZANU-PF activists in Hurungwe East on 28 April 2005. -MDC supporters demonstrate against the election results on 4 April 2005 in Harare. -Widespread post-election retributive displacements and post-election victimization is reported. -Independence celebrations are held on 18 April 2005 marking what the Government termed the '<i>silver jubilee</i>' of Independence
May	<ul style="list-style-type: none"> -<i>Operation Murambatsvina</i>, officially announced on 19 May 2005 by the Chairperson of the Commission running Harare, Sekesai Makwavarara, leaves many people homeless and closes down informal traders. -ZCTU offices are raided by police Fraud Section as the police search for illegal forex transactions in what many think was a clamp down on civil society. -MDC is involved in violent intra-party political squabbles. -War veteran Godwin Ganda is murdered on 2 May 2005 in what is suspected to be political victimisation. -Post election political victimisation and displacement is rampant in Mount Darwin South Constituency.
June	<ul style="list-style-type: none"> -<i>Operation Murambatsvina</i> continues, ironically during the same Month as the World Refugee Day and the International Day against Torture which are on 20 June and 26 June respectively. -WOZA demonstrates against the effects of <i>Operation Murambatsvina</i> on 18 June 2005 in commemoration of World Refugee Day, which is on 20 June. 2005.

	MAIN EVENTS 2005
July	<ul style="list-style-type: none"> - NCA members are reportedly assaulted and arrested as they demonstrate for a new constitution on 21 July 2005. - <i>Operation Murambatsvina</i> continues and Porta Farm residents are forcibly evicted by the riot police. - ZCTU Women Advisory Council (WAC) meeting disrupted as infighting in the ZCTU reportedly intensifies.
August	<ul style="list-style-type: none"> - NCA members are reportedly assaulted as they demonstrate for a new constitution on 4 August 2005. - Vendors are rounded up and their goods confiscated by police on horse-back in Mutare as <i>Operation Murambatsvina</i> continues and 500 residents of MacDonald (dhonhoru) farm are reportedly evicted by police in Harare.
September	<ul style="list-style-type: none"> - The Constitutional Amendment Bill No 17 is signed into law by the President. The Act establishes the senate, takes away the right of appeal from people aggrieved by the acquisition of their farms and limits appeal to the courts only to the amount offered for compensation. It also seeks to take away travel documents from people perceived to be against the economic interests of the country - Members of WOZA demonstrate in Harare and Bulawayo on 21 September 2005 to mark the International Day for Peace. - A new wave of farm invasions hits Manicaland Province.
October	<ul style="list-style-type: none"> - Chitungwiza residents demonstrate over poor services being provided by the Municipality on 13 October. The demonstration becomes violent as MDC and ZANU-PF supporters clash. - The police, army and prison officers indiscriminately assaulted people at Budiriro 4 Shopping Centre on 15 October. Targeted assaults took place thereafter. - Six researchers of the Mass Public Opinion Institute are assaulted by self styled war veterans in Waterfalls whilst seeking public opinion on the political, social and economic variables in Zimbabwe. - On October 24, Nomination Courts in Zimbabwe's 10 administrative provinces sat for the aspiring candidates to submit their names for the Senate elections scheduled for November 26.
November	<ul style="list-style-type: none"> - NCA members demonstrate for a new constitution and against the Senate Elections set for 26 November 2005 on 5 November 2005 - ZCTU members demonstrate on 8 November 2005 for the reduction of taxes, cost of living adjustment and against the rising costs of fuel and other basic commodities. Many of them are arrested and detained in inhuman prison conditions. - The 16 Days of Activism against Gender Violence begins on 16 November 2006. - Senate Elections are held together with the Gutu North by-election on 26 November 2005.

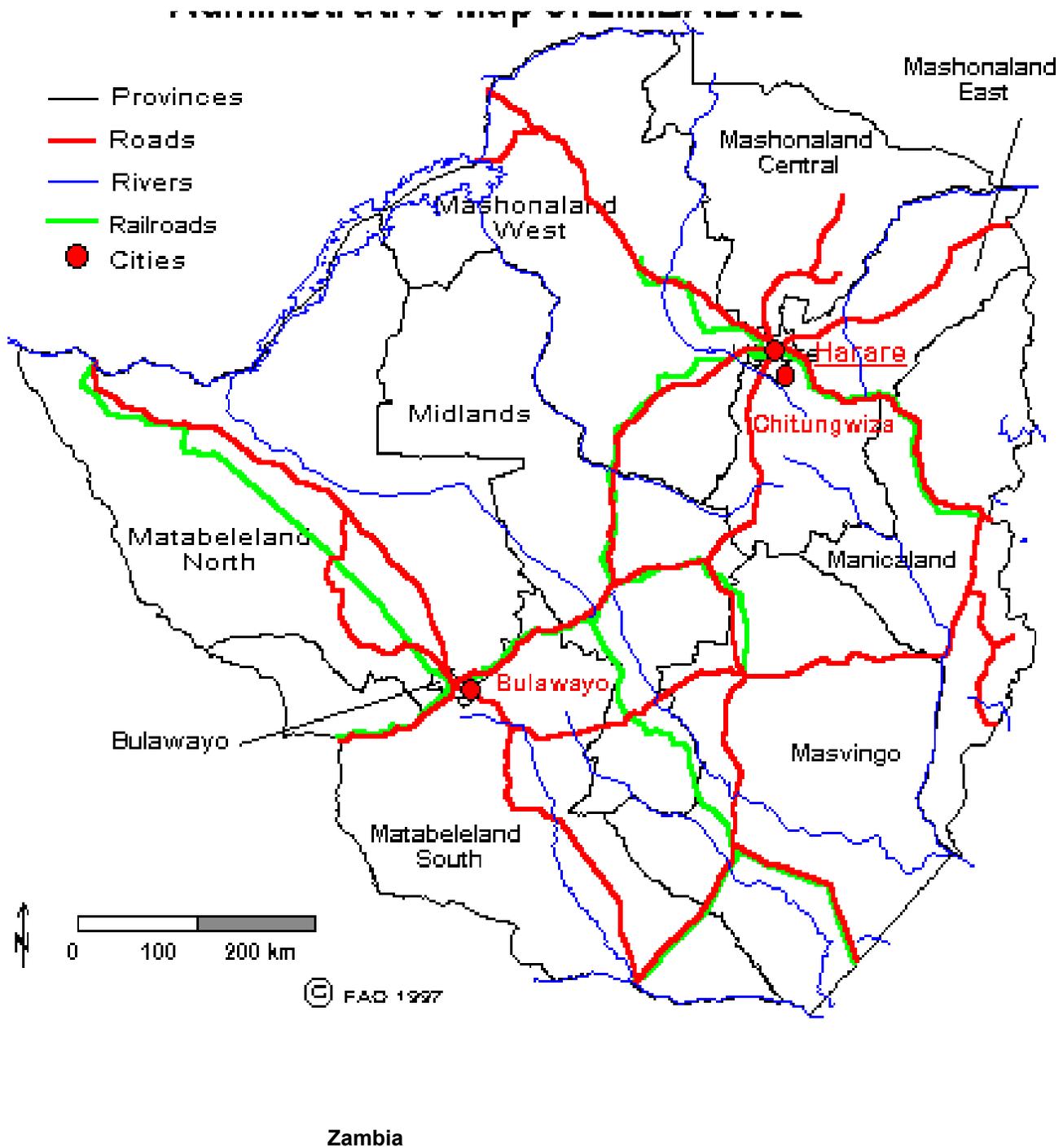
The table below and the graphs on page 3 above depict the number of violations committed on the persons whose circumstances are described in the report. One individual may have been subject to many violations and thus appear under several categories of violations.

Monthly totals of human rights violations from 1 January 2005 to 30 November 2005

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Total
Assault	17	54	259	59	34	16	12	10	6	43	12	522
Abduction/ kidnapping	2	3	6	2	3	1	0	1	0	0	0	18
Attempted murder	0	0	0	0	0	0	0	0	1	0	0	1
Death threats	1	0	1	3	2	0	0	0	0	2	0	9
Disappearance	0	0	0	0	0	0	0	0	0	0	0	0
Displacement	17	1	3	55	27	0	1	500	4	1	0	609
Freedom of expression/ass/mvt	31	57	268	112	349	36	15	8	21	43	88	1028
Murder	0	0	1	2	1	0	0	0	0	0	0	4
Political Discrim/vict/intim	31	49	128	113	41	7	11	6	6	5	87	484
Property related	0	0	0	18	2	1	1	50	4	0	2	78
Rape	0	0	0	4	0	0	0	0	0	0	0	4
School closure	0	0	0	0	0	0	0	0	0	0	0	0
Torture	1	5	1 (97) ¹	16	7	4	1	1	0	0	2	135
Unlawful arrest	8	63	86	16	315	30	9	0	16	30	78	651
Unlawful detention	8	63	57	15	315	30	9	0	16	30	78	621

¹ The 97 torture cases in brackets relate to the WOZA women who held a vigil in Harare's Africa Unity Square on the night of the 2005 Parliamentary Election on 31 March 2005 (see March 2005 Report). It was only established after the publication of the March 2005 Report, after expert advice from medical practitioners, that the level of the assaults was sufficiently severe to constitute torture. Accordingly the 97 are included in the statistics of torture as well as assault since they were also assaulted in the process.

ADMINISTRATIVE MAP OF ZIMBABWE



Botswana

Mozambique

South Africa

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

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

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

The Human Rights Forum operates a Research and Documentation Unit and offers legal services through the Public Interest Unit of the Legal Resources Foundation (formerly the Legal Unit of the ZHRF.) Member organisations of the Human Rights Forum are:

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

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