

ZIMBABWE HUMAN RIGHTS NGO FORUM

**Complying with the
Abuja Agreement**

A report by the
Zimbabwe Human Rights NGO Forum

23 October 2001

The Zimbabwe Human Rights NGO Forum (also known as the “Human Rights Forum”) has been in existence since January 1998. Nine non-governmental organisations working in the field of human rights came together to provide legal and psycho-social assistance to the victims of the Food Riots of January 1998.

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

“organised violence” means the interhuman 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 wellbeing.

The Human Rights Forum operates a Legal Unit which provides free legal assistance to victims of organized violence and torture; and a Research and Documentation Unit which records and produces periodic reports on all human rights violations in Zimbabwe.

Core member organisations of the Human Forum are:

- Amani Trust
- Amnesty International (Zimbabwe)
- Catholic Commission for Justice and Peace
- Legal Resources Foundation
- Transparency International (Zimbabwe)
- The University of Zimbabwe Legal Aid and Advice Scheme
- Zimbabwe Association for Crime Prevention and the Rehabilitation of the Offender
- Zimbabwe Human Rights Association
- Zimbabwe Lawyers for Human Rights
- Zimbabwe Women Lawyers Association

Associate members are: GALZ and ZIMCET

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

The Administrator, c/o P O Box 5465, Harare – email: admin@hrforum.co.zw

The Legal Unit, c/o P O Box 5465, Harare – email: legal@hrforum.co.zw

The Research Unit c/o P O Box 5465, Harare – email: research@hrforum.co.zw

Telephones: 737509, 731660

Fax: 772860

Website: www.hrforumzim.com

Earlier reports of the Human Rights Forum can be found on the website.

Purpose of the report

In terms of the Abuja Agreement, the Zimbabwean Government committed itself to “take firm action against violence and intimidation”. This report examines whether there has been compliance with this term of the Agreement.

Background

The Abuja Agreement was reached in Nigeria on 8 September 2001. This Agreement seemed to mark a significant development in addressing the current Zimbabwe crisis.

President Robert Mugabe agreed to its terms and the ZANU (PF) Politburo accepted it in principle. The Zimbabwean Government, however, made no clear public statement indicating its complete acceptance of the Agreement.

The primary focus of the Abuja Agreement is the land issue. This has allowed the Zimbabwe Government to treat the Agreement as if it dealt only with the land issue. The vagueness of the terms of the Agreement has also allowed the Zimbabwe Government to construe the Agreement as an unequivocal endorsement of its violent fast track land programme.

Although land is an important issue, the main reason for the crisis in Zimbabwe is not because of land but because of bad governance and serious misuse of power. There has been systematic, violent intimidation of opponents of the Government, gross mismanagement of the economy and endemic corruption by Government officials. All of these things have led to instability and catastrophic economic decline.

Nonetheless, the Abuja Agreement does cover most aspects of the Zimbabwe crisis. It commits the Zimbabwe Government -

- to “take firm action against violence and intimidation.”
- to comply with the standards contained in the Harare Declaration and the Millbrook Commonwealth Action Programme
- to observe human rights, the rule of law, transparency and democratic principles
- to take a series of confidence-building measures that will lead to immediate and observable changes in the domestic situation.

If the Government of Zimbabwe takes seriously these commitments, this would go a long way to resolving the deep crisis in the country.

Soon after the signing of the Abuja Agreement, doubt was cast upon whether the Zimbabwe Government was sincere in its commitment to take various measures to build confidence amongst all sectors of Zimbabwean society. When a delegation of SADC Presidents arrived on a follow up mission, the Government of Zimbabwe prevented several important civil society groupings from meeting with and giving testimony to the SADC Presidents. Even more worrying was the statement reportedly made by Zimbabwe’s Information Minister on 25 September that there was no condition in the Abuja Agreement requiring the Government to put a stop to violence on farms.

Commonwealth human rights standards

The Harare Declaration was issued in 1991 by the Commonwealth Heads of Government Meeting in Harare. This Declaration, and the subsequent amplification in the Millbrook Commonwealth Action Programme in New Zealand, states the Commonwealth's standards on human rights and good governance. The Harare Declaration was based upon the Declaration of Commonwealth Principles formulated in Singapore in 1971. These Principles were drawn up in the era of Rhodesian rebellion, and apartheid in South Africa, and, to some extent reflected the concerns of that historical period. They were relatively straightforward nonetheless, and are still applicable today. Starting with an assertion that material well-being is dependent upon peace, order, economic development and the rule of law, the Principles have this to say about human rights:

“... we believe in the liberty of the individual under the law, in equal rights for all citizens regardless of gender, race, colour, creed or political belief, and in the individual's inalienable right to participate by means of free and democratic political processes in framing the society in which he or she lives; we recognise racial prejudice and intolerance as a dangerous sickness and a threat to healthy development, and racial discrimination as an unmitigated evil; we oppose all forms of racial oppression, and we are committed to the principles of human dignity and equality...”

These are very strong principles, but were nonetheless deemed to be in need of revision and extension. The CHOGM in Harare decided to revisit the Principles and make them applicable to the challenges of the new, post-Cold War world. In 1991, the Commonwealth decided to take a more active position regarding the adherence to these Principles. It decided upon indicators of adherence. As regards human rights and good governance, these included:

- the protection and promotion of the fundamental political values of the Commonwealth;
- democracy, democratic processes and institutions which reflect national circumstances, the rule of law and the independence of the judiciary, just and honest government;
- fundamental human rights, including equal rights and opportunities for all citizens regardless of race, colour, creed or political belief;
- extending the benefits of development within a framework of respect for human rights;
- support of the United Nations and other international institutions in the world's search for peace, disarmament and effective arms control; and in the promotion of international consensus on major global political, economic and social issues.

Thus, the Commonwealth has laid out both principles and standards for good national and international behaviour, and all Commonwealth countries voluntarily agreed to be bound by these. The final stage of this process has been the establishment at Millbrook in New Zealand of a mechanism to enforce these principles and standards: the Commonwealth Ministerial Action Group.

At the 15th meeting of the Commonwealth Ministerial Action Group (CMAG) in March 2001, the Ministers from Botswana, Australia, Bangladesh, Barbados, Canada, Malaysia, Nigeria and the United Kingdom took the step of making a statement on the current Zimbabwe crisis. In the usual mild language of the diplomat, they stated some very serious concerns:

“They recalled that at their thirteenth meeting in May 2000, Ministers had expressed concerns over a number of issues in the run-up to Zimbabwe's parliamentary elections. The Ministers were concerned that problems continue, and noted especially recent reports of intimidation of the judiciary and the media. They recalled and affirmed the principles embodied in the Commonwealth Harare Declaration to which all Commonwealth members have pledged their commitment.”

It is to this human rights background that the Abuja Agreement makes explicit reference, and to these standards that we must refer in deciding upon the Zimbabwe Government's adherence to the Agreement.

Adherence to the Abuja Agreement (and the Harare Declaration)

As was seen above, the Harare Declaration and the Millbrook Commonwealth Action Programme provide some clear parameters for assessing the human rights observance of any Commonwealth country. The Abuja Agreement makes explicit reference to these standards. Violations of gross human rights, especially in pursuit of electoral dominance, strike at the heart of the Commonwealth standards. The Human Rights Forum has repeatedly condemned serious violations of human rights over the past eighteen months. The Government has not addressed these concerns in any credible fashion. The only responses from the President and the Government have been

- to pass an amnesty for those guilty of political violence;
- to attempt to prevent the courts from setting aside election results even if alleged use of violence and other electoral violations were to be proven; and
- continuously to assert, ever more vociferously, that there are no such violations and that Zimbabwe is a law-abiding country.

The question is whether the Zimbabwe Government has taken firm measures to prevent political violence since the signing of the Abuja Agreement.

Cases of political violence

These case reports are derived from first-hand testimonies of victims, unless stated otherwise.

As will be seen from the cases summarised below, gross human rights violations have not declined post-Abuja. Torture continues to be practised by both State agents and other agents acting with the acquiescence of the State. The cases are summarised according to constituency, and, as will be seen, the purpose seems strongly related to elections, especially the Presidential election.

Bindura

- On 17 September 2001, members of the ZRP arrested MDC candidate for Bindura, Elliot Pfebve, on an attempted murder charge. Pfebve was held in cells overnight and was released without explanation after a ZRP meeting with the Attorney General's Office. Pfebve was again arrested when he went to report a second break-in and theft of files and equipment from his computer firm. The arrest related to an attack on an MDC convoy containing Morgan Tsvangirai during July 2001 campaigning in Bindura.
- About three people attacked OM at Chirwaridzo in Bindura on 30 September 2001 around 8.00 p.m. He was hit by stones on his right foot. He is unable to walk flat on his right foot, which is swollen.
- On 13 October 2001, Mr EM was coming home from Nzvimbo and arrived home at about 7.00 p.m. At 3.00 a.m. the next morning, a group of six Police Support Unit came in and started beating the tenants, using boots, batons, and fists. They were assaulted for about one and a half hours. EM tried to escape at one point through the window, but they caught him at the window and assaulted him further. They finally took them to Matepatepa Police Station, where they were detained until the lawyer came the next day. On examination, he was found to have some visible bruising, but had an old sore on the left ankle. He is found to be suffering from a clinically significant psychological disorder.

- On 13 October 2001, at about 3.00 a.m., a group of about six members of the Support Unit burst into the house where TT's parents stay in Bindura. TT is a child aged about 11 months. The police started to beat up the other occupants. When they got to the room of TT's parents, they ordered them out. They took them to Bindura Police camp. When they got there TT, who was asleep, woke up and started to wave his hand in the MDC fashion. One of the Support Unit policemen then hit him on the head, forehead, mouth and left hand with a baton, and also threatened to kill him. TT began to cry and so they took him away to the cells for about an hour. They then released him with his mother. At that time one of his teeth was loose. On examination, the child was found to have healed scars on the upper and lower lip, slight swelling on the forehead, and tenderness on the left upper chest. *(This history was given by the parents.)*

Chegutu

- On 23 September 2001, in Norton, ZANU (PF) supporters assaulted six unnamed MDC supporters. The ZNA was later deployed to quell retaliatory attacks.
- On 25 September 2001, in Norton, unnamed MDC supporters stoned Anna Phiri's home at 2.00 a.m. when Joseph Chaitezvi was not there. The perpetrators allegedly removed the ZESA and water meters, worth Z\$30 000. These attacks were in retaliation for weekend attacks on the MDC, leading to more ZANU (PF) attacks.
- On 26 September 2001, in Norton, unnamed local ZANU (PF) councillor and ZANU (PF) youths firebombed the homes of Peggy Hwingwiri, MDC organizing secretary for Mhondoro, and MDC Norton Ward 7 organizing secretary Charles Mutunhire. This followed an incident on Sunday 23 September in which an MDC rally at Ngoni stadium was disrupted by ZANU (PF) youths who allegedly wished to play soccer. Mhondoro MP Hilda Mafudze had to abort her address before a ZRP riot squad dispersed everyone with tear gas. In the following days, inter-party clashes continued until the ZNA was drafted to restore order in the area.
- On 24 September 2001, in Ngoni, ZANU (PF) supporters assaulted MDC Mhondoro district treasurer Florence Chikiri and MDC committee member Prisca Sibanda. Chikiri received head wounds requiring 10 stitches. Sibanda was whipped on the forehead when she opened her door at night. Sibanda's home was splashed with petrol then torched. This followed the incident described above on Sunday 23 September in which an MDC rally at Ngoni stadium was disrupted by ZANU (PF) youths. Sibanda's son, Oliver, was told by Murenje, the ZANU (PF) youth secretary for Mhondoro, to warn his mother not to attend MDC rallies. There were raids on other MDC officials' homes too, including those of Edward Musumbu and Mishek Gava, which sparked MDC retaliation on 26 September.

Chikomba

The Human Rights Forum has previously issued a report on the Chikomba by-election. This report detailed human rights violations in the constituency since February last year, and included cases that occurred after the Abuja Agreement. The cases below occurred after the report was issued.

- On 20 September 2001, in Sadza, members of the ZRP arrested MDC constituency coordinator for Chikomba, Virginia Gwena, MDC MP for Mbare East, Tichaona Munyanyi and 19 electoral agents

and electioneers for allegedly moving around at night. They were held in cells overnight and released without explanation on the morning before polling started.

Gokwe North

All the cases reported here relate to an incident in Gokwe North, where a group of Zanu (PF) supporters have established a base at Tenda Growth Point. The group is using the base for raids into the community and taking people back for systematic torture. There is clear medical evidence supporting the claims of all these victims, and, in particular, the widespread use of *falanga* (beating on the soles of the feet) is documented. *Falanga* is a form of impact torture that, apart from being excessively painful, can result in permanent disability.

- On Thursday 4 October 2001, at around 3.00 p.m., a group of about 150 ZANU (PF) supporters came for Mr KM, a 42-year-old male, at his father's homestead, and surrounded the house. He ran into the house and they began to stone the house. He offered to come out so that they would not destroy his father's house. When he came out they tied him using tree bark rope and force-marched him to Tenda growth point to their base, beating him all the way. They beat him up all night and into the following morning. At one time they severely beat on the soles of his feet and threw him onto a fire, and he got burnt. The police later rescued him and took him to hospital.

On examination, Mr KM was found to have a perforated right eardrum, a fractured finger and multiple superficial burns over his back. There were also large bruises on both buttocks, with a large bruise on the left leg. Both feet showed bruising and swelling characteristic of *falanga*. Mr KM was also found to be suffering from a clinically significant psychological disorder.

- On 4 October 2001, at around 4.00 p.m., Mr MM, a 28-year-old male, had arrived home at M village after hiding from harassment by ZANU (PF) supporters. His village was suddenly surrounded by ZANU (PF) supporters. He hid in the house, but they destroyed the roof and windows. He ran out and they caught him and beat him. Two rocks from a catapult hit him in the face. They tied him up and took him to their base at Tenda growth point. They beat him up until about 9.00 p.m. The police rescued him and took him to hospital.

Mr MM showed two abrasions on his face corresponding to being struck by catapult missiles. He also showed a soft tissue injury on his left leg, painful ears, and healing abrasions on his chest corresponding to beating with a blunt instrument. He also showed bilateral bruising on his feet, with swelling, which is characteristic of *falanga*. Mr MM was also found to be suffering from a clinically significant psychological disorder.

- On Thursday 4 October 2001, at around 11.00 a.m, Mr MN, a 37-year-old male, was on his way to his brother's house when he was ambushed by ZANU (PF) supporters at a field in M village. They accused him of not attending ZANU (PF). They started beating him up and made him bite a shoe. They force-marched him to Tenda growth point. They beat him up severely until the following day when the police came and took him to hospital.

On examination, Mr MN was found to have a perforated left eardrum, and haemorrhagic conjunctivitis. He showed multiple facial abrasions and multiple superficial and deep burns secondary to being thrown in a fire. There were several abrasions on his torso, and he showed bruising and swelling of both feet characteristic of *falanga*. Mr MN was also found to be suffering from a clinically significant psychological disorder

- On Tuesday 2 October 2001, a group of ZANU (PF) youths came to Mrs KMU's house early in the morning. Mrs KMU is a 65-year-old woman. They started stoning her house and shouting for her to come out. They were saying that they were going to finish them off because her sons are not ZANU (PF) supporters. Something hit her on her right hand. They were all screaming and eventually they ran off.

On examination, Mrs KMU was found to have a fractured metacarpal of the right hand. He complained of severe chest pain, but no fractures of the ribs were found. He also had back pain secondary to beating, but no bruises were observed. Mrs KMU was also found to be suffering from a clinically significant psychological disorder.

- On 5 October 2001, there was a ZANU (PF) youth rally. They came to Mr EC's homestead, who is a 66-year-old male, and ordered him to attend the rally. He went to the meeting at Tenda growth point. He was surrounded by ZANU (PF) youths who showed him a group of people whom they said they were going to kill. They accused Mr EC's sons of being MDC supporters. They took his feet and put them over a rock and they beat him under the feet for more than an hour using sticks. After that they were put in the hot sun. The police eventually came and took him to hospital.

Mr EC was found to have extensive bruising and swelling of both feet, characteristic of falanga and a fractured toe. He also had some evidence of deafness due to being slapped about the ears. Mr EC was also found to be suffering from a clinically significant psychological disorder.

- On 4 October 2001, at around 4.00 p.m., a crowd of ZANU (PF) supporters surrounded Mr MMA's homestead and they ran into the house. They stoned the house until he came out. They tied him up and took him to their Tenda growth point base. There they severely beat him until about 4.00 a.m the following day when the police came and took him to hospital.

Goromonzi

- On 11 September 2001, at Solanio Farm, MDC supporters kidnapped two ZANU (PF) supporters. The two were taken from Solanio Farm to the house of a well-known MDC supporter in Epworth where they were beaten and dumped in nearby bushes. They were found later by members of their community but died shortly afterwards. Five suspects have been since arrested in conjunction with these killings.

Guruve North

- Mrs RCH was waiting for a bus at Mashumbe Pools township at around 1600 hours on 29 September 2001. She was suddenly surrounded by ZANU (PF) supporters. One of them got hold of her by the arm and started assaulting her. The others then joined in. She was beaten all over the body with sticks, clenched fists and iron bars. She was assaulted on the head, the right shoulder, and both wrists. She now complains of headaches, backache, and a painful right shoulder. Her house had been previously destroyed on 8 September, and she is now homeless.

On examination, she was found to have bruising on the left arm, the right shoulder blade, and the buttocks. She also had a healing scar on the right forehead, and was suffering from a clinically significant psychological disorder.

Harare

- On 14 October 2001, at about 1.30 p.m., Mr GM was preparing to hold a rally with several others in Kambazuma sector 5. As the rally was about to begin, about twenty-five ZANU (PF) supporters attacked them. The attackers were throwing stones. As Mr GM was about to run, a stone caught him on the left side of his face. He sustained a deep wound that bled a lot. On examination, Mr GM was found to have two lacerations on the left forehead, that both required suturing.
- On 16 September 2001, in Dzivarasekwa, unnamed MDC supporters assaulted Edwin Mushoriwa, MDC MP for Dzivarasekwa, and MDC supporter Janah Ncube. The MDC youths attacked their leaders at a congress when they were denied entry into the hall. Ncube was seriously injured.
- On 26 September 2001, in Chitungwiza, 150 unnamed youths, including seven ex-MDC supporters, stoned the homes of MDC Chitungwiza District Chair, Stephen Chasara, MDC district secretary, Unganai Tarusenga and MDC Ward 6 Chair, Lucky Parehwa at night. This incident was part of a series of stonings of MDC leaders' property.
- In a related incident on 27 September 2001, in Chitungwiza, 150 unnamed youths including 7 ex-MDC supporters stoned MDC MP for St. Mary's, Job Sikhala's home while he was visiting Stephen Chasara (MDC district chair, St Mary's). All the windows of the home were smashed. Sikhala's baby daughter, Theodora, was cut on the face by flying glass, but his wife, Helen, was not injured. The perpetrators were allegedly under the direction of Tapiwa Mashakada (MDC Hatfield) and Alexander Musundire (MDC Harare province chair).
- A gang of MDC youths assaulted PC in St. Mary's-Chitungwiza on 23 September 2001 around 7.00 p.m. He was kicked in the head and fell down.
- On 9 September 2001, DM was attending an MDC meeting when a disagreement ensued. During the argument, some other party members from another faction began to assault him. He was assaulted with booted feet on the back, abdomen, right eye, forehead, and left arm. As a result of the attack, he now experiences abdominal pains and pains in the shoulders and arms.
- On 29 September 2001 SH woke up and found that people had surrounded his house and were stoning it. They were shouting for him to come out. They used a large rock to break his door and three men entered his bedroom. He recognized two of them as ZANU (PF) supporters. They dragged him out into the mud and began to kick him with booted feet. One of them lifted a rock and hit it against his left side and he felt a sharp pain and heard a loud crack. One person in the group told them to stop beating him. They then ransacked his house and stole money and property. He reported the matter to the police. One of the assailants that he named was arrested. He was taken to the hospital. During the assault he was verbally abused, and threats were made against him and his family. As a result of the assault, he experiences sharp pain on the left side of his body and has disturbed sleep.
- On 28 September 2001 someone repeatedly knocked at FC's door at around 10 p.m. She asked them what they wanted. They said they wanted her but she shouted that she was not in. They went to her landlord's house and asked for her there. They returned to her house and broke her door with an axe and an iron bar. They came in the house so she hid behind a door, naked, but they found her. She saw that they were ZANU (PF) youths. She tried to run but they continued to beat her with

sticks, broken bricks, fists, and electric cable with nuts tied to the ends. She received a blow to the head. They left her bleeding. She went to her landlord for help but he wouldn't help her because of fear. She eventually struggled into some clothes and went to the police. The police were hostile to her. They took her to home and then to the hospital.

From that day she could not stay at her home, because the ZANU (PF) supporters threatened her landlord until she was evicted. She received verbal abuse, threats against herself and her family.

As a result of the attack, she experiences extreme headache, backache, and pains in shoulders and arms. She experiences disturbed sleep, chest pains and palpitations. She has cuts on her face wounds on her chest, lesions all over her back in train track pattern. Her daily work suffers as a result of the attack.

- On 29 September 2001 at around 8.00 p.m. eight people knocked on RM's door, identifying themselves as policemen. They told him he was under arrest for what he had done the previous day. They handcuffed him and marched him away. He was taken to a place known in the area as a ZANU (PF) office. They accused him of being an MDC member and they beat him with sticks, hoe handles, batons and sjamboks. He received a blow to the head. They beat him all over until he was bleeding from the nose. He was able to fight back and escape when the handcuffs slipped. During the assault, he received verbal abuse, and threats were made against himself and his family. As a result of the attack, he experiences extreme eye pain, pain in the shoulders and arms, pins and needles in the arms and legs, and has nightmares. He has bleeding in his left eye, swelling in his arm, a swollen right hand and swollen right leg. He has difficulty sleeping, his daily work is suffering, he feels like he plays no useful part in life, and he is tired all the time.

Hwedza

- According to *The Herald*, on 15 September 2001, farm workers at Bita Farm allegedly attacked resettled farmers and ZANU (PF) supporters Fanuel Madzvimba and Alexio Nyamadzawo. Both men were assaulted and subsequently killed with axes, steel chains, spears, sticks, knobkerries and stones. They were killed when they arrived to occupy plots that had been allocated to them at the farm.
- On 15 September 2001, again at Bita Farm, resettled farmers and war veteran militias burnt the huts of 60 unnamed farm workers. The arson attack was in retaliation to the killing of two resettled farmers by farm workers.
- On 18 September 2001 a *Daily News* crew had gone to cover an incident in which two farm invaders had died in clashes with farm workers at Bita Farm. Farm invaders thought to be ZANU (PF) supporters accused the *Daily News* journalists, Colin Chiwanza, Mduduzi Mathuthu, Virginia Mauluka and Trust Maswela Mpofo, of being spies for the MDC and the UK Government. They were assaulted for 30 minutes by an "illegal gang camping at the [farm] entrance" permitted by ZRP and ZNA to vet visitors. A ZNA soldier firing into the air and threatening to shoot occupiers saved them.
- On 15 September 2001 at Bikita Farm, three lorries arrived carrying about 400 people. C.M. was in the house and heard noise outside. When he went outside to investigate, he saw people being beaten in the compound, including children. He tried to run away but a group of about 12 people cornered him and assaulted him with planks and poles. He received a blow to the head and they assaulted him all over the body. He pretended that he had passed out and the group left him for

dead. As a result of the attack, he experiences dizziness, numbness and pins and needles in his arms and legs, has backache, chest pain, bruises on his back, leg, and hands.

Kwekwe

- On 18 September 2001, at Duzi Mine, ZANU (PF) supporters Fidelis Bhebhe, Stella Jere, Matthias Madove, David Mutimwi, and Crispen Nhidza ‘commandeered’ three trucks to ferry ZANU (PF) youths from Kwekwe party office to Duzi mine, where they assaulted mineworkers and looted their property, particularly from Nelia Marongwe’s mine store. They stole cash (Z\$3 000) and meat and also stole a scale (Z\$18 000) and gold concentrate (Z\$35 000) from the mine after switching off the mill. The grand total value of thefts was worth Z\$145 000. Other victims were Elisha Mushayi, Elisha Mukobvu, and Mususa. The five perpetrators were remanded in custody by Gweru magistrate David Johnston Butcher, to prevent them from using their senior positions in ZANU (PF) to interfere with ZRP investigations.

Mount Darwin North

- On 20 September 2001, ZANU (PF) supporters dragged MDC supporter, Try Karedza, off a bus and severely assaulted him. Karedza suffered injuries on his left hand and his back. Karedza unwisely told his attackers that he was against fast-track land resettlement. He was saved by the bus crew. On his return, Karedza tried to report the attack to Harare Central Police Station but was referred back to Mt. Darwin ZRP.

Murehwa South

- On 18 September 2001, at Jibandhi Farm in Macheke, six unnamed ZANU (PF) supporters assaulted the farm owner after having assaulted the farm workers and ordered them to cease work. They returned with reinforcements from Nyazema Township and assaulted the farm workers again and torched their houses. Information about this incident came from Peter Nyademvera, MDC secretary for info and publicity in area.
- On 11 October 2001, Mr FM was walking home when he was confronted by three people. These people demanded that he surrender his membership card of the MDC. He was then assaulted, mainly by being punched by clenched fists. On examination, he was found to have abrasions on the neck and chest, with pain in the chest. He was later found to have two fractured left ribs.

Shamva

- On 16 September 2001 at about 11.00 a.m. whilst JM was at home at least 30 ZANU (PF) supporters approached him. They forced him to follow them at their base in Wadzanai offices. They wanted him to explain why he wasn’t attending ZANU (PF) meetings. They accused him of being an MDC supporter and accused his siblings and other relatives of being MDC members. They said he should be disciplined by being beaten. They started assaulting him on his buttocks, left upper arm and right side of his neck with sticks. He was also beaten on the soles of the feet (falanga). He was kept in captivity for at least eight hours until someone passing by advised him to run away. He managed to escape at 7.00 p.m. that evening.

As a result of the attack, he experiences numbness and pins and needles in his arms and legs, pains in his shoulders and arms, pains in his legs and feet, and a backache.

- On 20 September 2001 at 6.00 p.m. a group of ZANU (PF) supporters came to TL's house and accused him of having falsely surrendered his MDC membership. They dragged him to council offices, handcuffed him and made him lie on the ground, beat him all over the body and stole his shoes. He received a blow to the head. He was verbally abused, and threats were made against himself and his family. They came to him the following day and made him leave Shamva.

As a result of the attack, he has cuts on his fingers, a bruise on his head, numerous wounds on his back, swollen buttocks, and train track scars on the back of his leg. He has extreme pain in his shoulders, arms, legs and feet, and has chest pain and disturbed sleep. As a result, his daily work is suffering.

Other violence reports

There have been various other reports of political violence carried in the newspapers. Apart from the two reports about the violence in Gokwe which is consistent with the victim statements given above, the Human Rights Forum has not independently checked the details of these stories. However, if the facts in these stories are correct, they are evidence of the continuing perpetration of political violence.

9 October 2001 *Daily News*: 6 in hospital as fresh violence visits Gokwe

In a fresh wave of violence, six MDC supporters were admitted to Mtora Hospital in Gokwe last Thursday after they were abducted and severely beaten up by suspected Zanu PF supporters camped near Mtora Growth Point in Gokwe North. Sylvester Majekuza, the MDC's provincial organising secretary, confirmed the incident and said the injured were only released on Friday afternoon following the intervention of the police. They were all taken to Mtora Hospital under police escort. Majekuza identified the injured as Max Mtiri, Kufa Rukara, Gokwe Mukandakanda, Murisi Mtiri, Obert Nyashanu and Kufa Mtiri.

Officials at the hospital described their condition as critical. They were later transferred to Harare for specialist treatment yesterday afternoon, as Mtora Hospital did not have enough drugs. Majekuza accused the police at Choda police post of failing to arrest the perpetrators of violence in the area since last year's parliamentary election.

"While we appreciate that the police eventually intervened and saved our supporters from further attack, I would like to hold them responsible for the outbreak of violence in the area because they have not arrested the perpetrators," said Majekuza. Officials at Choda police post declined to comment, referring all questions to the Police General Headquarters in Harare.

Innocent Muchahanya of Runesu village in Gumunyu was one of the latest victims of political violence. Muchahanya, who runs a retail shop at Gokwe business centre, said he was severely beaten up by Zanu PF youths on Wednesday and treated at Gumunyu clinic on Friday.

"They beat me up because I am a member of the MDC," he said yesterday. Two weeks ago, the Zimbabwe Human Rights Association (ZimRights) accused the police in Gokwe South of failing to protect victims of political violence. In a report on violence in the area, Munyaradzi Bidi, the director of Zimrights, said a number of people had approached the Zimrights offices complaining about the conduct of the police in Gokwe South. In the report, Bidi said the police were arresting only members of the MDC leaving out members of the ruling party, Zanu PF.

About 500 Zanu PF supporters are alleged to have established a camp at Tenda Primary School where opposition party supporters are taken in for torture. Zanu (PF)'s provincial secretary for information and publicity, Francis Nhema, could not be reached for comment yesterday. Several homes of suspected MDC supporters in the Gokwe area have been burnt down in the last two weeks while others have been forced to flee to other areas.

Meanwhile, the MDC chairman for Gokwe, Ernest Nkomazana, fled his businesses at Gokwe Growth Point two weeks ago after suspected Zanu PF supporters visited him at night and threatened to kill him. The latest wave of violence is in total defiance of the Abuja Agreement in which the

Zimbabwean government made an undertaking to end violence and lawlessness throughout the country.

10 October 2001 Sapa/AFP: **“Zanu (PF) tortured us”**

Several members of Zimbabwe's leading opposition party, the Movement for Democratic Change (MDC), claimed on Tuesday to have been tortured by youth activists from the ruling party. They said they were beaten and burnt by Zimbabwe African National Union-Patriotic Front (Zanu-PF) youths campaigning for President Robert Mugabe ahead of next year's presidential election in Zimbabwe's central Midlands province.

"They are preparing for the presidential campaign and they say 'We don't want to see MDC supporters in this area'," Max Mutiri, an MDC official from Midlands, told AFP. He spoke from the back of a vehicle that had carried him and two relatives to the capital city to receive treatment on Tuesday.

Revealing his severely swollen feet and burn marks on his body, Mutiri recounted how for two days last week he and his relatives had the soles of their feet beaten with iron bars and how he was held over a fire.

"Zanu (PF) cannot rule my country if they are doing this," said Mutiri, who vowed to return home to campaign for Morgan Tsvangirai, the MDC's presidential candidate in elections due before April next year.

11 October *Financial Gazette*: **War vets unleash fresh wave of terror**

Mobs of self-styled war veterans have unleashed fresh violence against villagers in Nkayi district in Matabeleland North in what appears to be retaliation for the death last week of a colleague in a grenade explosion at a popular bar. According to villagers who visited the *Financial Gazette* here this week, state security agents have also descended on the normally peaceful and quiet district to investigate the incident that led to the death of Mbuso Nyathi, a 41-year-old war veteran and ZANU (PF) supporter. Nyathi, who hailed from Dakamela village, was buried at the weekend amid rising tension in Nkayi, a constituency that is in the hands of the MDC. The villagers said war veterans and plainclothes state security agents had turned Nkayi district into a no-go area for supporters of the labour-backed MDC, which won all but two of the parliamentary seats in Matabeleland during last year's parliamentary ballot.

The state security agents, working closely with the war veterans and other ZANU (PF) supporters, were harassing, assaulting and intimidating civil servants and other residents suspected to be supporters of the MDC, the villagers said. It is understood that the war veterans blame the death of their colleague on well-known MDC supporters who have established a campaign base at Nkayi Business Centre, charges vehemently denied by the opposition party supporters.

According to six villagers and MDC activists who visited this newspaper on Monday, the grenade that killed Nyathi exploded in the hands of the late war veteran, who intended to throw it at revellers in the Carlton Bar. "I fled a village in Nkayi in the middle of the night on Sunday for fear for my life," 31-year-old Alex Khanye told the *Financial Gazette*. "Police and war veterans are after my head. They accused us of throwing the grenade that killed their colleague." A visibly shaken Khanye, who has been placed in an MDC safe house in Bulawayo, added: "I was not in the bar when the incident happened, but my colleagues who were in the bar say the grenade exploded in the hands of the war veteran. We suspect he wanted to throw it to kill MDC youths who were drinking in the bar."

Nkululeko Mkandla, 21, said after the explosion the war veterans who were in the Carlton Bar went on a rampage, assaulting anyone in sight. "I was beaten up by war veterans the very night the grenade exploded," he said. "I know the war veterans who beat me up and left me for dead. I was later ferried to Nkayi district hospital where I was stitched in the head. Police came the following day and took me to the police station, accusing me of being part of the people that threw the grenade."

He said he fled from the police station in Nkayi after realising that the police and plainclothes state security agents were working in cohorts with the war veterans. "You see, these people (war veterans and police) are in the same league so I felt that my security was not assured, hence the decision to flee to Bulawayo," Mkandla said. "Out there in the rural areas, it is easy for me to be killed but not in a bustling city like Bulawayo."

Nkayi villagers Never-lucky Sibanda, Mgcini Ncube, Mthimkhulu Ncube and Sikhumbuzo Ndebele, who also visited the *Financial Gazette* this week, said they fled their homes because the war veterans had sent word that they wanted them "dead or alive" for supporting the MDC.

Abednigo Bhebhe, the MDC legislator for Nkayi, said the violence in his constituency had reached alarming proportions, with war veterans taking the law into their own hands. Bhebhe, himself severely assaulted by war veterans early this year, accused police in the area of aiding the veterans and ZANU (PF) supporters in their orgy of violence in Nkayi. He said he had brought the issue of police inaction in his constituency to the attention of Home Affairs Minister John Nkomo, who also happens to be from Matabeleland North. "What is disturbing is the complicity of the local police in the violence," Bhebhe said. "There is one sergeant who always sides with war veterans and is most of the time in the company of war veterans. It is clear that he is the one after MDC supporters. I have spoken to the Minister of Home Affairs over the conduct of police in Nkayi. Villagers have asked me to ask the minister to remove (the sergeant) from the area because if he is not removed, the violence will not end. People are very angry with the selective justice practised by this policeman." Nkomo, who also doubles-up as the ruling party's national chairman, was not immediately available for comment this week. Zimbabwe Republic Police spokesman Wayne Bvudzijena however denied police involvement in violence against residents of Nkayi. "It's highly irresponsible for anyone to say that our officers are working in cohorts with war veterans or any other members of a political party. We sent all the necessary special units to work on the issue and investigations concerning the grenade explosion are still going on. We don't involve ourselves in politics."

12 October 2001 *Zimbabwe Independent*: **Army in Manicaland crackdown**

The government has deployed the army in parts of Manicaland seen as loyal to the Movement for Democratic Change as part of the ruling party's nationwide campaign to root out opposition. The military - garrisoning MDC Chimanimani MP Roy Bennett's Charleswood Estate - went on the rampage this week assaulting people accused of being opposition supporters. Sources said the vicious crackdown, which also involved the police and state intelligence agents, started last weekend and left a trail of victims.

"On Saturday, October 6, police, under the command of Assistant Inspector Mujuru, CIO (Central Intelligence Organisation) under Joseph Mwale, and the army, under Captain Charamba from ZNA (Zimbabwe National Army) 3 Brigade Mutare, proceeded with about 25 details to Machongwe village to assault people accused of supporting the MDC," a source said. Sources said soldiers assaulted a number of people. Some of the victims of what appears to be organised state terrorism were identified as Edmore Mafuse (24), Tobias Machocho (22), Shepherd Kajai (31), Brian Manoma (9), and Never Ruwo (32).

"Ruwo sustained a fractured skull, face lacerations, severe bruises and multiple cuts. He is currently undergoing treatment," a source explained. "A headmaster from Kushinga A school had serious lacerations and bruises as well. Some of the victims have not yet got treatment because of death threats they received when they went to hospitals or clinics."

It is understood the local MDC leadership reported the incidents to Chimanimani police station. Constable Matubu of Police Internal Security Intelligence was said to be investigating the matter. Police spokesman Wayne Bvudzijena said he was not aware of the situation.

Trouble also struck Biriwiri township in Chimanimani on Sunday. Soldiers and state security operatives were said to have unleashed another wave of terror. This followed a meeting earlier in the day held by senior Zanu PF officials. Present were Didymus Mutasa, Zanu PF secretary for foreign affairs in the politburo and Makoni North MP; Patrick Chinamasa, Justice minister and non-constituency MP; Munacho Mutezo, the Zanu PF candidate who lost to Bennett in last year's general election; Sidney Gata, Zimbabwe Electricity Supply Authority chair and chief executive; Jane Knight, a local Zanu PF coordinator and several district officials. A headmaster and two teachers from each school across the district, civil servants, and community leaders were ordered to attend the weekend gathering, it was said.

"They were told their jobs and lives were on the line if they continued supporting the opposition," a source said. "The headmaster for Nenhwe School was ordered to stand up and identified as a suspected MDC supporter and threatened with reprisal."

It is understood Mutasa opened the meeting claiming Mutezo was the legitimate MP for Chimanimani and not Bennett who beat Mutezo the Zanu PF rural stronghold by 11 410 to 8 072 votes.

A source close to the get-together said Mutasa announced: "I'm now declaring Munacho Mutezo as the official MP for Chimanimani and Roy Bennett as history." Sources said Chinamasa asked the audience how they could have voted for a "Boer" and why they wanted to return the country to whites.

"He said Zanu PF was there to stay and people better get used to it because things will never change," another source said. "They all dwelt in war-like rhetoric threatening villagers with retribution in the most menacing manner possible."

It was said Gata - who is President Robert Mugabe's brother-in-law - alleged he had received applications for electricity from a number of MPs but Bennett had not been interested in bringing power to his constituency.

"The Zanu PF officials also urged people to proceed to Bennett's Charleswood Farm to seize the property," a source noted. "They said if you want to kill a hornet you destroy its nest." "In the evening around 5 pm two plainclothes soldiers entered Charleswood Estate bar and started harassing farm employees," another source revealed. "Scuffles ensued and several people were beaten up."

Violence has been going on in Chimanimani for sometime now. Bennett's farm and MDC supporters have been targets for government-sponsored mobs and the state security apparatus.

12 October 2001: *Financial Gazette*: **War Veterans Force Red Cross to Abandon \$10m Project**

The Zimbabwe Red Cross Society has temporarily abandoned a \$10 million sanitation project in Mudzi, Mashonaland East, following attacks on its employees last week by gangs of war veterans, it was learnt this week. Five employees were severely assaulted on suspicions of supporting the opposition Movement for Democratic Change and conducting political activities in the area. The five, who were stationed at St Pius Clinic in Mudzi, were confronted by the war veterans in the early hours of Thursday last week and forced to drive to the Research Centre at Kotwa Township where the veterans are based. On arrival at the township, the Red Cross workers were asked to produce membership cards of the ruling ZANU PF party, which they did not have.

"Four of them came to St Pius Clinic where we were based and asked us to accompany them to Kotwa to prepare a report for a meeting with the Member of Parliament," Kisi Katumire, one of the workers, told the *Financial Gazette*. "When we queried why we had to prepare a report in the early morning, they threatened to chop off our heads so we had to oblige," he said. On arrival at Kotwa, he said, they were asked to explain what they were doing in Mudzi and to produce "passports", the ZANU PF membership cards.

The workers were beaten for more than an hour for failing to produce the cards and asked to leave Mudzi the same day after being threatened with death. The five, who included a woman, were later admitted at Marondera General Hospital but were discharged at the weekend.

Desmond Mudombi, secretary-general of the Red Cross, said his society was still verifying the incident and that its president, Telecommunications Minister Swithun Mombeshora, was to have visited the area over the weekend. Mombeshora, who is also a senior ZANU PF leader, could not be reached for comment yesterday. Katumire however said his officials had not made a report to the police because they were following protocol and would wait for their Harare head office to give the go-ahead.

Red Cross provides the Mudzi community with boreholes, sanitation facilities such as Blair toilets and health education.

13 October 2001 *Daily News* 1: **Tsvangirai survives attack**

On 12 October 2001 the car transporting the leader of the MDC, Morgan Tsvangirai was attacked by a group of about 50 Zanu (PF) supporters. Tsvangirai was on an electioneering tour in the Kadoma area. His car, which was in a convoy of cars, was stoned and the windows were shattered. Tsvangirai escaped with minor injuries. The MDC claimed that this was an assassination attempt upon their leader. This was the second attack on Tsvangirai's convoy this year. On 23 July, Tsvangirai's motorcade was attacked by Zanu PF youths in Chiveso village in Bindura in the run-up to the Bindura by-election. Tsvangirai said the attack had taken place in the presence of a police inspector.

Violence on the commercial farms

The Human Rights Forum will not give detailed information on the violence on the commercial farms as this has been extensively documented elsewhere. What is clear is that the invasions of farms have not ceased since the Abuja Agreement, and the available evidence indicates that in some areas the violence may even have worsened.

The Commercial Farmers Union reports further farm invasions, with some farmers being driven off their farms and some farmers being violently attacked. It provides details of considerable disruption of farming activities, destruction of crops and deliberate burning of pastureland. Finally it documents the continuing violent attacks upon farm workers and the driving off farms of large numbers of farm workers and their families. The large-scale displacement of farm workers from commercial farms is of particular concern.

For its part the Zimbabwe Government accuses the Commercial Farmers Union of putting out false information about the situation on the farms.

In the light of the claims and counter-claims, there is a need for an independent assessment of what has happened on commercial farms since the signing of the Abuja Agreement.

Conclusions

Regrettably the Abuja Agreement has had little or no effect in reducing levels of political violence in Zimbabwe. There has been no discernible change in the pattern of violence from September onwards from that in the preceding months, except there has been some increase in violence perpetrated by MDC members. Whilst this is regrettable and must be condemned, it is a predictable consequence of a lengthy and intense campaign of State-sponsored violence that has been waged against the MDC.

The cases in this report are only those cases involving victims who have reported to the Forum since the Abuja Agreement. The cases show that the violence is not localized but general. Most of the perpetrators are State agents and those acting with the acquiescence of the State. Militia groups and ZANU (PF) supporters are the predominant perpetrators, as they have been since February last year. There is evidence that large groups are now moving around the rural areas operating as torture squads.

The Government has not responded to the Abuja Agreement by ensuring that the “confidence-building” measure of ensuring obedience to the rule of law is implemented. There is no credible evidence to show that the Government has taken proper steps to rein in the forces of violence over which it has control. No instructions seem to have been given to the police to take firm action against all those guilty of political violence and intimidation. The police continue to disregard much of the violence being perpetrated by ZANU (PF) supporters. It seems that the only persons arrested for political violence since the Abuja Agreement have been MDC supporters. This is despite the fact that in many of the incidents involving ZANU (PF) supporters the victims knew the perpetrators. It is also disturbing that the Zimbabwe Republic Police are implicated in five of the thirty-eight cases reported. On the other hand, in the torture cases from Gokwe, the victims were actually rescued by the police, but there are no reports of arrests or charges being preferred against the perpetrators.

Zimbabwe continues to be wracked by political violence. This violence has caused great instability and has created a climate of fear. Many people are suffering gross human rights abuses and the violence is causing enormous damage to the economy and to social structures. The use of violence to force people to vote for a particular political party is a complete negation of the democratic electoral process which requires that all voters should be free to vote for whatever political party they choose. It is impossible for the country to make progress and to

develop economically whilst this violence rages. All peace-loving Zimbabweans want the violence to end.

The Human Rights Forum calls upon the Government to restore the rule of law and thereby break the cycle of violence and counter-violence. It also calls upon the Commonwealth Ministerial Group members and the SADC leaders to establish as soon as possible an independent monitoring body to be based in Zimbabwe. This body should consist of credible persons who will be able to carry out professional and impartial monitoring duties. The main task of this body will be to monitor compliance with the Abuja Agreement. It should have the mandate to monitor compliance with the obligation “take firm action against violence and intimidation”. Any persons or organizations wishing to do so should be able to make reports to this body about alleged incidents of political violence. The body would then carry out investigations to determine the veracity of these reports.

Finally, given the extent of political violence in Zimbabwe, it is vitally important that groupings such as SADC and the Commonwealth take appropriate steps to help ensure that the upcoming elections in Zimbabwe are free and fair. Here we would point out that the SADC Parliamentary Forum has produced “Norms and Standards for Elections in the SADC Region”, which provide the minimum conditions for the holding of free and fair elections, and we would recommend their immediate implementation in Zimbabwe.