

Human Rights Monitor N^o. 25

April 2002

[« Previous](#)

Internally Displaced Persons (IDP's)

1. What is an internally displaced person?

The term "refugee" is familiar to nearly everyone. It refers to a person who flees his or her country due a well-founded fear of threatened or ongoing violence or persecution on grounds of race, religion, membership of a particular social group or their political opinion. The implication is that the state, its agents thereof, or some other organised group such as a political party has carried out the act of violence or persecution. The term "**internally displaced person**" (IDP), however, remains relatively unknown to many. In effect it refers to a "refugee" who did not or could not flee to a neighbouring country, but rather remained inside his or her own country. Internally displaced persons in Zimbabwe are therefore refugees on their own land. The reasons that IDP's flee their homes are much the same as those for which refugees flee, that is, persecution, violence and human rights abuse.

What Rights Do Internally Displaced Persons Have?

The 1951 United Nations Refugee Convention clearly defines refugees and demands that they be protected, but there is no law, international instrument or treaty that does the same for internally displaced persons nor is there any provision for their protection. Neither is there any law or policy in place in Zimbabwe that addresses the plight of IDP's. As a result, internally displaced people are more vulnerable than their refugee counterparts because of this lack of international and local protection and assistance.

When people are displaced inside their own country, there is usually, as is the case in Zimbabwe, no urgent effort by humanitarian or relief groups to provide shelter or source and distribute food for the affected persons. These persons are left in the hands of the same authorities that have been responsible for their displacement. The refusal by the government to allow foreign assistance to internally displaced persons exposes such people to famine and disease, and locally, has increased their susceptibility to political violence. The crisis of internally displaced persons in Zimbabwe has been given little international and local attention and thus most of the victims have gone unprotected and unassisted. Local non-governmental organization such as the Amani Trust and Zimbabwe Agricultural Welfare Trust (ZAWT) have, with limited, funding attempted to assist Zimbabwe's displaced persons.

Displaced Farm workers

Farm workers are among the poorest members of our society. The majority of them earn meagre wages and have no claim to any immovable property. Many families have been on the farms on which they are employed for generations and do not have alternative rural homes. They retire on those farms and live out their lives there so consequently if employment is abruptly terminated, the majority of farm workers have nowhere to go. In spite of this, the "fast track" resettlement programme was launched without much consideration for the welfare of the millions of farm workers and their families living and working on Zimbabwe's 6000 commercial farms. The

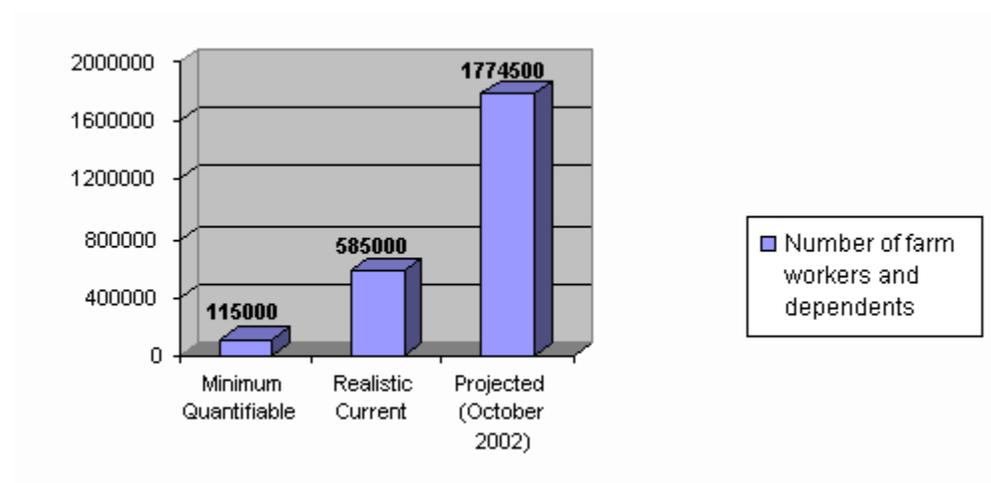
manner in which the resettlement programme is being implemented infringes on the basic human rights of the farm workers in that the programme has resulted in forced and oftentimes violent removal from their homes and destruction of their property. In addition, the forced evictions prevent the farm workers from earning a livelihood, hence the victims right to life, protected under the constitution. Having immediately lost their source of income following sudden termination of employment without compensation, farm workers find themselves unable to feed their families nor educate their children.

However, the chief problem facing farm workers is the lack of shelter. Immeasurable numbers of farm workers are currently scattered throughout Zimbabwe's farming areas with no access to basic facilities such as water, schools, clinics and transport whatsoever. The minimum quantifiable number of displaced persons due to official evictions currently stands at 115 000. However, estimates of displaced farm workers is close to 600 000. This figure has been calculated as follows:

Source: ZAWT figures based on CFU estimates

- Total Large Scale Commercial Farms – 6000
- Large Scale Commercial Listed for Compulsory Acquisition as at 17 April 2002- 5069 (84.5%)
- **Nationwide Average of 65 workers per farm and average of 5 dependents per farm worker**
- Total Farm Workers and Dependents – 1 950 000
- Total Farm Workers and Dependents on farms listed for compulsory acquisition – 1,647,425
- Downsizing of commercial agriculture 2000/2001 = 30%
- Displacements due to resultant downsizing of labour and their dependants = 585,000
- Estimated downsizing of commercial agriculture by the end of 2002 = 91%
- Displacements due to resultant downsizing of labour and their dependants = 1,774,500

Table 1: Displaced Farm Workers and Expected Trends



The General Agricultural and Plantation Workers' Union of Zimbabwe (GAPWUZ) estimates that only three out of every 500 people resettled under the "fast track"

resettlement scheme are displaced farm workers. This leaves the remaining 99.4% of farm workers unaccounted for. It is difficult to get information on the whereabouts and the situation of the laid off farm workers as there is no means of following their progress. Furthermore the Farm Orphan Trust estimates that an average 11 orphans live on every farm. Whenever the government resettles a property, the farm orphans, most of whom have lost their parents to AIDS, are generally the first to disappear without a trace. This places into question Zimbabwe's priorities, integrity and commitment to upholding "rights of the child" as enshrined in the UN Convention on the Rights of the Child.

Fleeing Political Violence

The Movement for Democratic Change's Secretary General, Welshman Ncube reported that to date 71 000 MDC supporters have been displaced due to political violence. A complete breakdown of this figure was not given, however he alleged that the two worst affected provinces are Mashonaland West with 26 000 displacements and Masvingo with 22 000 displaced IDP's.

It is disturbing to note that such a large number of people have been displaced due to differences of opinion and political affiliation. Of grave concern is the failure by the government to take corrective measures and put in place a policy to deal with the farm workers plight.

2. Political Rights Violations

The post election period was characterised by a recriminatory attack on known or suspected supporters of the opposition, Movement for Democratic Change by state agents and supporters of the ruling party Zanu PF. The focus, in particular, was on persons that served as MDC polling agents during the Presidential Election of March 2002. The post election period also witnessed a resurgence of the attack on commercial farmers and their workers resulting in illegal evictions that have led to the massive displacement of farm workers as highlighted previously.

Table 2. Human rights violations during April 2002 in Zimbabwe, including those resulting from political violence

Type of violation	Ordinary	Political	Total
murder	12	4	16
attempted murder	1	1	2
unlawful detention	0	2	2
unlawful arrest	0	2	2
torture	9	71	80
abduction/ kidnapping	1	8	9
disappearance	0	0	0
firearms offences	5	1	6
death threats	1	8	9
death penalty	0	0	0

political intimidation/ discrimination/victimisation	24	35	59
freedom of expression/ assembly/association/movement	21	3	24
rape	1	0	1
school closure	0	0	0
arson/malicious injury to property	10	156	166

Notes to the table

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:

- Severe pain and suffering, whether physical or mental
- Intentionally inflicted
- With a purpose
- By a state official or another individual acting with the acquiescence of 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 organisation eg. political party, ZNLWVA, ZNA

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.

3. Zimbabwe Human Rights NGO Forum Member Focus:

With effect from this month, the *Human Rights Monthly*, will insert a brief narrative on the activities of a member of the Zimbabwe Human Rights NGO Forum. This is intended to assist our readers to understand the activities of the coalition and furthermore about the services offered by each NGO. We begin with the Zimbabwe Human Rights Association (ZimRights).

ZimRights – Fighting Against Impunity And Human Rights Abuses In Zimbabwe

Background Information

ZimRights, a well-known human rights NGO, with a membership consisting of a network of human rights activists, was registered in 1993 with the purpose of promoting, protecting and defending Human Rights in Zimbabwe. ZimRights intends to empower all Zimbabweans with knowledge of human rights through education and to engender a culture of observance of one another's human rights regardless of their race, religion, colour, sex, age or social status. ZimRights is a non-partisan institution that gives free legal advice to disadvantaged sectors of the community.

The organisation documents and investigates alleged human rights abuses and suggests ways of remedying the violations and their underlying causes. What ZimRights envisions is total empowerment of the masses so that they can voice on issues that affect their lives. ZimRights is also involved in lobbying to ensure that the government recognises human rights abuses in Zimbabwe and takes reparative and preventive measures in their policy formulation.

The target group of ZimRights is mainly the marginalized, subjugated communities that are not aware of their rights, however, it also cuts across the board to cater for those who are educated but lack knowledge on human rights and the law.

How does Zimrights assist members of the community/society?

Assistance and rehabilitation of political violence victims

ZimRights has over the years been investigating cases of political violence and making efforts to assist the victims. In this endeavour, the Harare office provided shelter, medication and legal assistance to victims of political violence. ZimRights also made efforts to ensure that the perpetrators of political violence are prosecuted and sued for civil damages. ZimRights is currently seeking funding to file civil suits against the perpetrators of violence in the 2000 and 2002 elections. The organization in gathering information for such legal action, investigates and documents human rights abuses throughout the country and produces publications to raise awareness on human rights issues.

Provision of free legal advice and education

ZimRights gives legal advice to the impoverished sector of society. The Organization has legal departments in all the Provinces of Zimbabwe. The advice is targeted at those who cannot afford to pay lawyer's fees. The Organization has also introduced legal aid mobile services in which legal officers visit communities and give legal advice without the communities having to incur transport costs.

The organization runs legal meetings and workshops targeting groups of people such as Women Clubs, Co-Operatives, colleges, schools, Burial Societies and traditional structures. Lawyers/Paralegal Officers/Field Officers organize and hold these meetings with people in their communities. The meetings are used to discuss the laws of Zimbabwe with people, especially the laws that affect people's lives.

The *Human Rights Monitor* is produced by the Zimbabwe Human Rights NGO Forum (known as the "Human Rights Forum") and is distributed **free of charge** through its member NGOs. If **you** would like to distribute copies, please contact us.

The Human Rights Forum occupies Suite 1, 1 Raleigh Street (corner Rotten Row), Harare.

We can be phoned on (04) 792222; 737509; 731660; or faxed on (04) 772860.

Our postal address is: P O Box 5465, Harare; or email: research@hrforum.co.zw